

VICTORIA

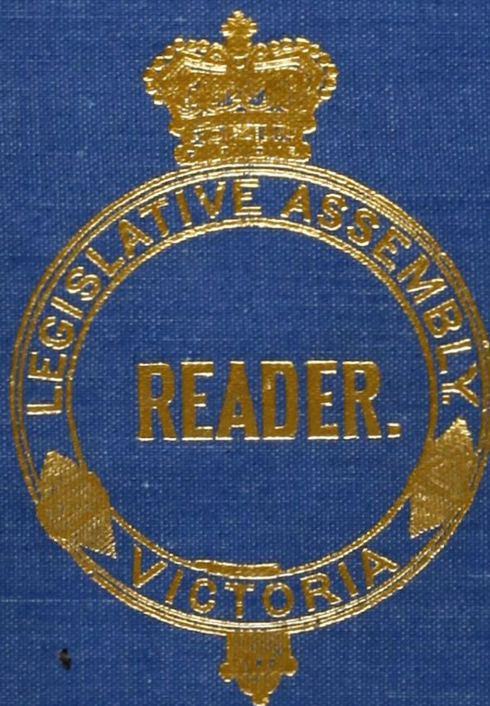


VOTES
AND
PROCEEDINGS
OF THE
LEGISLATIVE
ASSEMBLY

SESSION
1902-05

VOL 2

READER



VICTORIA

**VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY
SESSION 1982-85**

**WITH COPIES OF PAPERS
ORDERED BY THE
ASSEMBLY TO BE PRINTED**

VOL. 2

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LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 1 and 2

No. 1—Tuesday, 27 April 1982

The Parliament of Victoria begun and held at the City of Melbourne on Tuesday, the twenty-seventh day of April, in the thirty-first year of the Reign of Her Majesty Queen Elizabeth the Second; and in the year of Our Lord One thousand nine hundred and eighty-two.

- 1 On which day, being the first day of the meeting of this Parliament, for the despatch of business, pursuant to Proclamation (hereinafter set forth), John Harold Campbell, Esquire, Clerk of the Legislative Assembly, Ian Neil McCarron, Esquire, Clerk-Assistant, and Raymond Keith Boyes, Esquire, Second Clerk-Assistant, attending in the House, the said Proclamation was read at the Table by the Clerk:

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

PROCLAMATION

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

I, the Governor of the State of Victoria in the Commonwealth of Australia, do by this my Proclamation fix Tuesday, 27 April 1982 as the time for the commencement and holding of the First Session of the Forty-Ninth Parliament of Victoria, for the despatch of business, at the hour of Eleven-thirty o'clock in the forenoon, in the Parliament Houses, situated in Spring Street in the City of Melbourne: And the Honourable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and Seal of the State of Victoria aforesaid, at Melbourne, this nineteenth day of April, in the year of our Lord One thousand nine hundred and eighty-two, and in the thirty-first year of the reign of Her Majesty Queen Elizabeth the Second, Queen of Australia.

(L.S.)

By His Excellency's Command

B. S. MURRAY

JOHN CAIN
Premier

GOD SAVE THE QUEEN !

- 2 MESSAGE FROM COMMISSIONER—The following Message from the Commissioner appointed by His Excellency the Governor to open the Parliament was delivered by the Usher of the Black Rod:

MEMBERS OF THE LEGISLATIVE ASSEMBLY:

The Commissioner from His Excellency the Governor requests the presence of the Members of the Legislative Assembly in the Legislative Council Chamber to hear the Commission read for the commencement and holding of this present Session of Parliament.

Accordingly, the Members of the Legislative Assembly went to the Legislative Council Chamber, where the Honourable Sir John McIntosh Young said—

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

MEMBERS OF THE LEGISLATIVE ASSEMBLY:

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

Then the said Letters Patent were read as follows:

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

WHEREAS by Proclamation issued the nineteenth day of April, One thousand nine hundred and eighty-two, by His Excellency Rear Admiral Sir Brian Stewart Murray, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, Governor of Our State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c., Tuesday, the twenty-seventh day of April One thousand nine hundred and eighty-two, was fixed as the time for the commencement and holding of the next Session of Our Parliament of Victoria, at the hour of Eleven Thirty o'clock in the forenoon, in the Parliament Houses, situate in Spring Street, in the City of Melbourne: And forasmuch as for certain causes the said Sir Brian Stewart Murray cannot conveniently be present in person in Our said Parliament at that time: Now know ye that We, trusting in the discretion, fidelity, and care of Our trusty and well-beloved the Honourable Sir John McIntosh Young, K.C.M.G., K.St.J., Chief Justice of Our Supreme Court of the State of Victoria, do give and grant by the tenor of these presents unto you the said John McIntosh Young, full power in Our name to begin and hold the said Session of Our said Parliament, and to do everything which for and by Us, or the said Sir Brian Stewart Murray, shall be there to be done; commanding also by the tenor of these presents all whom it may concern to meet Our said Parliament, and the said John McIntosh Young, that he diligently attends in the premises and form aforesaid. In testimony whereof We have caused the seal of Our said State to be hereunto affixed.

Witness Our trusty and well-beloved Rear Admiral Sir Brian Stewart Murray Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, Governor of Our State of Victoria and its Dependencies in the Commonwealth
(L.S.) of Australia, &c., &c., &c., at Melbourne in Our said State this nineteenth day of April, One thousand nine hundred and eighty-two, and in the thirty-first year of Our reign.

B. S. MURRAY

By His Excellency's Command

JOHN CAIN
Premier

Entered on record by me in the Register of Patents, Book No. 37, Page 110, this nineteenth day of April, One thousand nine hundred and eighty-two.

K. D. GREEN
Secretary

And then the Honourable Sir John Young said—

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

MEMBERS OF THE LEGISLATIVE ASSEMBLY:

I have it in command from His Excellency to let you know that, later this day, His Excellency will declare to you in person, in this place, the causes of his calling this Parliament together; and, Members of the Legislative Assembly, as it is necessary before you proceed to the despatch of business that a Speaker of the Legislative Assembly be chosen, His Excellency requests that you, in your Chamber, will proceed to the choice of a proper person to be Speaker.

And the Members of the Assembly being returned—

- 3 COMMISSION TO ADMINISTER OATH TO MEMBERS—The Honourable Sir John Young, having entered the House and been conducted by the Serjeant-at-Arms to the Chair, handed to the Clerk at the Table a Commission, which was read as follows:

By His Excellency Rear Admiral Sir Brian Stewart Murray, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

To the Honourable Sir John McIntosh Young, K.C.M.G., K.St.J., Chief Justice of the Supreme Court of the State of Victoria, Greeting:

Whereas by the twenty-third Section of the *Constitution Act* 1975, No. 8750, it is enacted that no Member either of the Legislative Council or the Legislative Assembly shall be permitted to sit or vote therein respectively until he has taken and subscribed before the Governor, or some person authorized by the Governor in that behalf, the Oath or Affirmation set out in the Second Schedule to the aforesaid Act: Now therefore I, the Governor of the State of Victoria, do by these presents command and authorize you to proceed to the Parliament Houses, in the City of Melbourne, on Tuesday, the twenty-seventh day of April One thousand nine hundred and eighty-two at the hour of Eleven Thirty o'clock in the forenoon, then and there to administer the said Oath or Affirmation to the several Members of the said Legislative Assembly.

Given under my hand and the seal of the State of Victoria at Melbourne in the said State this nineteenth day of April, in the year of our Lord One thousand nine hundred and eighty-two, and in the thirty-first (L.S.) year of the reign of Her Majesty Elizabeth the Second, Queen of Australia.

B. S. MURRAY

By His Excellency's Command

JOHN CAIN
Premier

Entered on record by me in the Register of Patents, Book No. 37, Page 109, this nineteenth day of April, One thousand nine hundred and eighty-two.

K. D. GREEN
Secretary

- 4 WRITS—The Clerk announced that he had received from the Official Secretary to His Excellency the Governor eighty-one Writs issued under the hand of His Excellency the Governor for the election of Members to serve in the Legislative Assembly of Victoria, and that by the returns indorsed on the several Writs it appeared that the following Members were duly elected for the districts set opposite their respective names, viz.:

Albert Park—Ronald William Walsh, Esquire
Ascot Vale—Cyril Thomas Edmunds, Esquire

Ballarat North—Alexander Thomas Evans, Esquire
Ballarat South—Francis Patrick Sheehan, Esquire
Balwyn—The Honourable James Halford Ramsay
Benalla—Patrick John McNamara, Esquire
Benambra—The Honourable Louis Stuart Lieberman
Bendigo—Andrew David Kennedy, Esquire
Bennettswood—Douglas Richard Newton, Esquire
Bentleigh—Gordon Stanley Hockley, Esquire, J.P.
Berwick—The Honourable Robert Roy Cameron Maclellan
Box Hill—Mrs Margaret Elizabeth Ray
Brighton—Mrs Jeannette Tweeddale Patrick
Broadmeadows—John Thomas Wilton, Esquire
Brunswick—The Hon. Thomas William Roper
Bundoora—The Honourable John Cain
Burwood—The Honourable Jeffrey Gibb Kennett
Carrum—The Honourable Ian Robert Cathie
Caulfield—Edgar Miles Ponsonby Tanner, Esquire
Coburg—Peter Murray Gavin, Esquire
Dandenong—The Honourable Robert Allen Jolly
Doncaster—Morris Thomas Williams, Esquire
Dromana—David Lindsay Hassett, Esquire
Essendon—Barry John Rowe, Esquire
Evelyn—Maxwell John McDonald, Esquire
Footscray—The Honourable Robert Clive Fordham
Forest Hill—John Ingles Richardson, Esquire
Frankston—Mrs Jane Margaret Hill
Geelong East—Graham Keith Ernst, Esquire
Geelong North—The Honourable Neil Benjamin Trezise
Geelong West—Hayden Kevin Shell, Esquire
Gippsland East—Bruce James Evans, Esquire
Gippsland South—Thomas William Wallace, Esquire
Gisborne—Thomas Carter Reynolds, Esquire
Glenhuntly—Dr Gerard Marshall Vaughan
Glenroy—John Albert Culpin, Esquire
Greensborough—The Honourable Pauline Therese Toner
Hawthorn—The Honourable Walter Jona
Heatherton—Peter Cornelis Spyker, Esquire
Ivanhoe—Anthony John Sheehan, Esquire
Keilor—The Honourable John Joseph Ginifer
Kew—Mrs Prudence Anne Sibree
Knox—The Honourable Steven Marshall Crabb
Lowan—William Desmond McGrath, Esquire
Malvern—The Honourable Lindsay Hamilton Simpson Thompson, C.M.G.
Melbourne—Keith Henry Remington, Esquire
Mentone—Thomas William Templeton, Esquire, J.P.
Midlands—William Thomas Ebery, Esquire
Mildura—Milton Stanley Whiting, Esquire
Mitcham—John Dyson Harrowfield, Esquire
Monbulk—Neil Albert Pope, Esquire
Morwell—Miss Valerie Joy Callister
Murray Valley—Kenneth Stephen Jasper, Esquire
Narracan—John Edward Delzoppo, Esquire
Niddrie—The Honourable John Hamilton Simpson
Noble Park—Terence Richard Norris, Esquire
Northcote—The Honourable Frank Noel Wilkes
Oakleigh—The Honourable Charles Race Thorson Mathews
Polwarth—Cecil William John Burgin, Esquire

Portland—Donald Kelso McKellar, Esquire
 Prahran—Robert Henry Miller, Esquire
 Preston—Carl William Dunn Kirkwood, Esquire
 Reservoir—The Honourable James Lionel Simmonds
 Richmond—Theodore Sidiropoulos, Esquire
 Ringwood—Mrs Kay Patricia Setches
 Ripon—The Honourable Thomas Leslie Austin
 Rodney—Edward James Hann, Esquire
 St. Kilda—Andrew McCutcheon, Esquire
 Sandringham—Graham Richard Ihlein, Esquire
 Shepparton—Peter Ross-Edwards, Esquire
 South Barwon—Harley Rivers Dickinson, Esquire
 Springvale—Kevin Francis King, Esquire
 Sunshine—William Francis Fogarty, Esquire
 Swan Hill—The Honourable Alan Raymond Wood
 Syndal—David James Frederick Gray, Esquire
 Wantirna—Donald Neville Saltmarsh, Esquire
 Warrandyte—Louis Joseph Hill, Esquire
 Warrnambool—The Honourable Ian Winton Smith
 Werribee—Dr Kenneth Alastair Coghill
 Westernport—Alan John Brown, Esquire
 Williamstown—Gordon Francis Stirling, Esquire

- 5 MEMBERS SWORN—The Members whose names are aforementioned took and subscribed the Oath or Affirmation as required by law.

The Commissioner then retired from the House.

- 6 ELECTION OF SPEAKER—Mr Cain, addressing himself to the Clerk, proposed to the House for their Speaker, Cyril Thomas Edmunds, Esquire, and moved, That Cyril Thomas Edmunds, Esquire, do take the Chair of this House as Speaker, which motion was seconded by Mr Fordham.

Mr Edmunds accepted nomination.

And no other Member being proposed, the Clerk thereupon declared that Cyril Thomas Edmunds, Esquire, had been duly elected as Speaker.

Mr Edmunds was then taken out of his place by Mr Cain and Mr Fordham and conducted to the Chair, where, standing upon the upper step, he returned his acknowledgment to the House for the great honour they had been pleased to confer upon him by choosing him to be their Speaker, and thereupon he sat down in the Chair; and then the Mace (which before lay under the Table) was laid upon the Table.

Then Mr Cain, Mr Thompson, Mr Ross-Edwards and Mr Fordham congratulated Mr Speaker.

- 7 PRESENTATION OF THE SPEAKER—Mr Cain stated that he had already ascertained that His Excellency the Governor would be pleased to receive the Speaker in the Library, Parliament House, that day, at ten minutes past Two o'clock.

- 8 MR SPEAKER left the Chair at forty minutes past Twelve o'clock and resumed it at half-past Two o'clock and read the Prayer.

- 9 PRESENTATION OF THE SPEAKER—Mr Speaker reported that he had, that day, proceeded to the Library, Parliament House, and that he had presented himself to His Excellency the Governor as the choice of the Legislative Assembly, and that His Excellency had been pleased to address him in the following terms:

MR SPEAKER:

I have much pleasure in congratulating you on your election to the high and important office of Speaker of the Legislative Assembly,

The wise and able manner in which you have always discharged the various duties you have undertaken during your Parliamentary career proves the wisdom of Members of the Legislative Assembly in selecting you as their Speaker.

I have every confidence that you will fulfill the duties of that most distinguished office by holding fast to its age old traditions and customs.

B. S. MURRAY
Governor of Victoria

Melbourne, 27 April 1982

- 10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The following Message was delivered by the Usher of the Black Rod:

MR SPEAKER:

His Excellency the Governor desires the immediate attendance of the Legislative Assembly in the Legislative Council Chamber.

Accordingly, Mr Speaker with the House went to attend His Excellency—And having returned—

- 11 DEATH OF THE HONOURABLE SIR HORACE ROSTILL PETTY—Motion made and question—That this House expresses its sincere sorrow at the death of the Honourable Sir Horace Rostill Petty, 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 Toorak from 1952 to 1964, and Minister of Housing from 1955 to 1961, Minister of Immigration from 1956 to 1962, Minister of Public Works from 1961 to 1964 and Agent-General for Victoria in London from 1964 to 1970 (*Mr Cain*)—put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.

- 12 ADJOURNMENT—Motion made and question—That, as a further mark of respect to the memory of the late Honourable Sir Horace Rostill Petty, the House do now adjourn until Five o'clock this day (*Mr Cain*)—put and agreed to.

And then the House, at nineteen minutes past Four o'clock, adjourned until Five o'clock this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 2—Tuesday, 27 April 1982

(FIVE O'CLOCK)

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair.
- 2 COMMISSION TO ADMINISTER OATH TO MEMBERS—Mr Speaker announced that he received from His Excellency the Governor the following Commission:

By His Excellency Rear Admiral Sir Brian Stewart Murray, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint

George, Officer of the Order of Australia, Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, etc., etc., etc.

TO

The Honourable Cyril Thomas Edmunds, Speaker of the Legislative Assembly of the State of Victoria.

GREETING:

Whereas by the twenty-third Section of the *Constitution Act 1975*, No. 8750, it is enacted that no Member either of the Legislative Council or the Legislative Assembly shall be permitted to sit or vote therein respectively, until he has taken and subscribed before the Governor, or some person authorized by the Governor in that behalf, the Oath or Affirmation set out in the Second Schedule to the aforesaid Act: Now therefore I, the Governor of the State of Victoria, do by these presents command and authorize you from time to time, in the Parliament Houses, in the City of Melbourne, to administer the said Oath or Affirmation to such Members of the said Legislative Assembly as have not already taken and subscribed the same to Her Majesty Queen Elizabeth the Second since their election to the said Legislative Assembly.

Given under my hand and the seal of the State of Victoria at Melbourne in the said State this twenty-seventh day of April, in the year of our (L.S.) Lord One thousand nine hundred and eighty-two, and in the thirty-first year of the reign of Her Majesty Elizabeth the Second, Queen of Australia.

By His Excellency's Command

B. S. MURRAY

JOHN CAIN
Premier

Entered on record by me in the Register of Patents, Book No. 37, Page 108 this twenty-seventh day of April, One thousand nine hundred and eighty-two.

K. D. GREEN
Secretary

3 QUESTIONS—(Pursuant to Standing Order No. 124).

4 STATUTE LAW REVISION COMMITTEE—Motion made, by leave, and question—That there be presented to this House the Statute Law Revision Committee's Interim Report relating to the Role of Upper Houses of Parliament (*Mr Fordham*)—put, after debate, and agreed to.

5 PAPER—The Clerk presented:

Statute Law Revision Committee—Interim Report relating to the Role of Upper Houses of Parliament—Return to the foregoing Order.

Ordered to lie on the Table and to be printed.

6 PAPERS—Mr Speaker presented:

Auditor-General—Further Supplementary Report for the year 1980–81.

Ordered to lie on the Table and to be printed.

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

Building Industry Long Service Leave Board—Report for the year 1980–81.

Dandenong Valley Authority—Report and statement of accounts for the year ended 30 September 1981.

Friendly Societies—Report of the Registrar for the year 1980–81.

- Geelong Regional Commission—Report and statement of accounts for the year 1980–81.
- Latrobe Valley Water and Sewerage Board—Report and statement of accounts for the year 1980–81.
- Melbourne Wholesale Fruit and Vegetable Market Trust—Report for the year 1980–81.
- National Companies and Securities Commission—Report and statement of accounts for year 1980–81.
- Police Regulation Act 1958—Determinations Nos. 356 to 359 of the Police Service Board (four papers).
- Port of Melbourne Authority—Statement of accounts for the year 1980–81.
- Port of Portland Authority—Statement of accounts for the year 1980–81.
- Post-Secondary Education Commission—Report for the year 1980–81—Ordered to be printed.
- Railways Act 1958—Agreement made between the Victorian Railways Board and Steam Age Australia Pty Ltd.
- River Murray Commission—Report for the year 1980–81.
- Statutory Rules under the following Acts:
- Abattoir and Meat Inspection Act 1973—Nos. 75, 78/1982.
- Agricultural Chemicals Act 1958—Nos. 96, 97/1982.
- Appeal Costs Fund Act 1964—No. 113/1982.
- Boilers and Pressure Vessels Act 1970—Nos. 98, 106/1982.
- Building Industry Long Service Leave Act 1975—Nos. 530/1981; 107/1982.
- Business Franchise (Tobacco) Act 1974 and Business Franchise (Petroleum Products) Act 1979—No. 68/1982.
- Cemeteries Act 1958—No. 55/1982.
- Coal Mines Act 1958—No. 91/1982.
- Community Welfare Services Act 1970—No. 518/1981.
- Companies Act 1961—Nos. 499/1981; 114/1982.
- Consumer Affairs Act 1972—No. 105/1982.
- Coroners Act 1958—No. 26/1982.
- Country Fire Authority Act 1958—Nos. 510, 511/1981; 21, 40, 51 to 53, 88/1982.
- County Court Act 1958—No. 502/1981.
- Dentists Act 1972—No. 496/1981.
- Discharged Servicemen's Preference Act 1943—No. 115/1982.
- Education Act 1958—No. 70/1982.
- Education Service Act 1981—No. 74/1982.
- Environment Protection Act 1970—Nos. 517, 524/1981; 101/1982.
- Evidence Act 1958—Nos. 1, 3/1982.
- Extractive Industries Act 1966—No. 92/1982.
- Firearms Act 1958—Nos. 521, 525, 534/1981.
- Fisheries Act 1968—Nos. 62, 72/1982.
- Forests Act 1958—Nos. 495/1981; 31, 100/1982.
- Friendly Societies Act 1958—No. 60/1982.
- Geelong Harbor Trust Act 1958—No. 509/1981.
- Groundwater Act 1969—No. 90/1982.
- Health Act 1958—Nos. 30, 61/1982.
- Hospitals Remuneration Tribunal Act 1978—No. 66/1982.
- Hospitals Superannuation Act 1965—No. 95/1982.
- Industrial Relations Act 1979—Nos. 8, 108/1982.
- Industrial Training Act 1975—No. 111/1982.
- Juries Act 1967—No. 23/1982.
- Labour and Industry Act 1958—No. 503/1981.

Land Tax Act 1958—No. 16/1982.
 Law Reform Act 1973—No. 112/1982.
 Liquor Control Act 1968—No. 85/1982.
 Lotteries Gaming and Betting Act 1966—No. 102/1982.
 Magistrates' Courts Act 1971, Magistrates (Summary Proceedings) Act 1975, Landlord and Tenant Act 1958 and Acts Interpretation Act 1958—No. 79/1982.
 Marine Act 1958—Nos. 24, 33, 34, 64, 73/1982.
 Melbourne and Metropolitan Board of Works Act 1958—Nos. 476, 527/1981.
 Metropolitan Fire Brigades Act 1958—No. 507/1981.
 Milk and Dairy Supervision Act 1958—No. 14/1982.
 Mines Act 1958—No. 93/1982.
 Motor Boating Act 1961—Nos. 19, 39, 50, 77/1982.
 Motor Car Act 1958—Nos. 520/1981; 37, 89/1982.
 Motor Car Traders Act 1973—No. 104/1982.
 National Parks Act 1975—No. 103/1982.
 Nurses Act 1958—No. 65/1982.
 Pay-roll Tax Act 1971—No. 516/1981.
 Physiotherapists Act 1978—No. 531/1981.
 Pipelines Act 1967—No. 28/1982.
 Police Regulation Act 1958—Nos. 7, 46, 54/1982.
 Port of Melbourne Authority Act 1958—Nos. 528, 536/1981; 32/1982.
 Post-Secondary Education Act 1978—Nos. 2, 110/1982.
 Public Service Act 1974—Nos. 500, 501/1981; 9 to 13, 22/1982; PSD Nos. 172, 187, 194 to 213, 215/1981; 1 to 11, 13 to 23, 26 to 48, 51, 53, 54, 57 to 63/1982.
 Racing Act 1958—Nos. 533/1981; 38, 82 to 84, 121 to 123/1982.
 Railways Act 1958—Nos. 526/1981; 4, 81/1982.
 Reference Areas Act 1978—No. 116/1982.
 Road Traffic Act 1958—Nos. 498, 522, 523/1981; 5, 48, 56/1982.
 Scaffolding Act 1971—No. 109/1982.
 Second-hand Dealers Act 1958—Nos. 71, 87/1982.
 Securities Industry (Application of Laws) Act 1981—No. 17/1982.
 Stamps Act 1958—Nos. 505/1981; 25, 29/1982.
 State Bank Act 1958—Nos. 513, 514/1981; 42, 118/1982.
 State Electricity Commission Act 1958—No. 512/1981.
 Stock (Artificial Breeding) Act 1962—Nos. 58, 59/1982.
 Superannuation Act 1958—No. 20/1982.
 Supreme Court Act 1958—Nos. 506, 535/1981.
 Survey Co-ordination Act 1958—No. 515/1981.
 Tattersall Consultations Act 1958—No. 18/1982.
 The Constitution Act Amendment Act 1958—No. 49/1982.
 Town and Country Planning Act 1961—Nos. 504, 519/1981; 67/1982.
 Transport Regulation Act 1958—No. 508/1981.
 Trustee Companies Act 1958—No. 41/1982.
 Valuation of Land Act 1960—Nos. 529/1981; 99/1982.
 Vegetation and Vine Diseases Act 1958—No. 27/1982.
 Vermin and Noxious Weeds Act 1958—No. 76/1982.
 Water Act 1958—Nos. 35, 36, 43 to 45, 47, 57/1982.
 Wildlife Act 1975—Nos. 532/1981; 63/1982.
 Workers Compensation Act 1958—Nos. 6, 69/1982.
 Youth, Sport and Recreation Act 1972—No. 117/1982.
 Zoological Parks and Gardens Act 1967—No. 15/1982.

Teaching Service Act 1958:

Teaching Service—Primary Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (Nos. 585, 596) (two papers).

Teaching Service—Professional (Classification, Salaries and Allowances) Regulations—Regulations amended (Nos. 581, 591, 595) (three papers).

Teaching Service—Secondary Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (Nos. 587, 597) (two papers).

Teaching Service (Teachers Tribunal) Regulations—Regulations amended (Nos. 582, 583, 584, 588, 590, 592, 593) (seven papers).

Teaching Service—Technical Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (Nos. 580, 586, 589, 594, 598, 599) (six papers).

Town and Country Planning Act 1961:

Alexandra—Shire of Alexandra Planning Scheme, Amendment No. 16.

Ararat—City of Ararat Planning Scheme, Amendment Nos. 22, 27, 29 (three papers).

Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme, Amendment No. 14 (Part 2).

Bairnsdale—Town of Bairnsdale Planning Scheme, Amendment No. 25.

Ballarat:

City of Ballarat Planning Scheme, Amendment Nos. 58, 61, 64, 65 (four papers).

Shire of Ballarat Planning Scheme, Amendment No. 12.

Benalla:

Shire of Benalla Planning Scheme, Amendment Nos. 16, 18 (two papers).

City of Benalla Planning Scheme, Amendment Nos. 32, 33 (two papers).

Bungaree—Shire of Bungaree Planning Scheme, Amendment No. 11.

Cobram—Shire of Cobram Planning Scheme 1979.

Croydon—City of Croydon Planning Scheme 1961, Amendment Nos. 86, 109, 110, 111 (four papers).

Eaglehawk:

Borough of Eaglehawk Planning Scheme.

Borough of Eaglehawk Planning Scheme, Amendment Nos. 1, 2 (two papers).

Eppalock Planning Scheme:

Amendment No. 2 (Shire of Metcalfe).

Amendment No. 4 (Shire of Strathfieldsaye).

Flinders—Shire of Flinders Planning Scheme 1962, Amendment Nos. 138, 142 (1981), 145 (three papers).

Frankston—City of Frankston Planning Scheme, Amendment Nos. 28, 29, 32 (1980), 33 (1981) (four papers).

French Island Planning Scheme, Amendment No. 5.

Geelong Regional Planning Scheme, Amendment No. 17 (1980), 20 (Part 1), 21 (Part 1), 24 (Part 1), 25 (Part 1) (1981), 35, 36 (seven papers).

Horsham—City of Horsham Planning Scheme 1973, Amendment No. 58 (Part 1) (1980).

Kilmore—Shire of Kilmore Planning Scheme 1973, Amendment Nos. 47 (1980), 48 (1981), 52, 52A (four papers).

Knox—City of Knox Planning Scheme 1965, Amendment Nos. 223 (Part 2), 226 (1980), 242, 244, 245, 246 (1981) (six papers).

Lake Tyers to Cape Howe Coastal Planning Scheme, Amendment No. 7.

- Lillydale—Shire of Lillydale Planning Scheme 1958, Amendment Nos. 123, 131 (1980), 144, 146, 150 (five papers).
- Melbourne and Metropolitan Planning Scheme, Amendment Nos. 3 (Part 1G), 69 (Part 3), (Part 4), 120 (Part 2), 138 (Part 2A), (Part 3), 141 (Part 2A), (Part 2B), 142 (Part 3), 154 (Part 1A), (Part 1B), 155 (Part 2), 156 (Part 1), 158 (Part 1), 159 (Part 1), 160 (Part 1), 175, 179, 180, 195, 196, 197, 199, 200, 204, 207 (26 papers).
- Mildura—City of Mildura Planning Scheme, Amendment No. 34 (1980).
- Moe—City of Moe Planning Scheme 1966, Amendment No. 61 (Part 1).
- Mornington—Shire of Mornington Planning Scheme 1959, Amendment Nos. 133, 136 (1981) (two papers).
- Morwell—Shire of Morwell Planning Scheme 1977, Amendment Nos. 8, 11, 12 (1981) (three papers).
- Numurkah—Shire of Numurkah Planning Scheme 1956, Amendment No. 5 (1979).
- Ocean Road Planning Scheme (Shire of Otway), Amendment No. 21.
- Pakenham—Shire of Pakenham Planning Scheme, Part 1, Amendment Nos. 3, 6 (two papers).
- Port Fairy Planning Scheme 1959, Amendment No. 12 (1981).
- Portland:
- Shire of Portland Planning Scheme, Amendment No. 17 (1980).
 - Shire of Portland (Heywood Township) Planning Scheme, Amendment No. 5.
 - Town of Portland Planning Scheme, Amendment Nos. 28, 33 (1981), 35 (three papers).
- Rosedale—Shire of Rosedale Planning Scheme, Amendment No. 17 (1980).
- Sale—City of Sale Planning Scheme 1975, Amendment No. 13 (1980), 14 (1981) (two papers).
- Sebastopol—Borough of Sebastopol Planning Scheme, Amendment Nos. 17, 19 (two papers).
- Seymour Planning Scheme, Amendment Nos. 46, 54, 57, 58, 59, 62, 64 (seven papers).
- Shepparton—City of Shepparton Planning Scheme 1953, Amendment Nos. 58, 59 (1981) (two papers).
- Sherbrooke—Shire of Sherbrooke Planning Scheme 1965, Amendment No. 143.
- Stawell—Town of Stawell Planning Scheme, Amendment Nos. 22, 23 (1981) (two papers).
- Swan Hill:
- Shire of Swan Hill (Castle Donnington) Planning Scheme, Amendment No. 7.
 - Shire of Swan Hill (Nyah-Nyah West) Planning Scheme, Amendment No. 3.
 - Shire of Swan Hill (Robinvale) Planning Scheme, Amendment No. 4.
- Wangaratta Sub-Regional Planning Scheme 1976 (City of Wangaratta), Amendment Nos. 8, 10 (two papers).
- Woorayl—Shire of Woorayl Planning Scheme, Amendment No. 53.
- Yea—Shire of Yea Planning Scheme 1979, Amendment No. 3 (1981).
- Town and Country Planning Board—Report for the period ended 2 February 1981—Ordered to be printed.
- West Gate Bridge Authority—Report and statement of accounts for the period ended 30 June 1981.
- West Moorabool Water Board—Report and statement of accounts for the year 1980–81.
- Urban Land Authority—Report for the year 1980–81.

- 7 PRIVILEGE BILL—STATUTE LAW REVISION (REPEALS) BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill “to Revise the Statute Law of Victoria by Repealing Spent Acts and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 HIS EXCELLENCY THE GOVERNOR’S SPEECH—Mr Speaker reported that the House had, that day, attended His Excellency the Governor in the Legislative Council Chamber, when His Excellency was pleased to make a Speech to both Houses of Parliament, which speech was as follows:

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

The election on April 3rd resulted in a change of Government in Victoria for the first time in more than a quarter of a century, and it also produced the greatest popular mandate for more than sixty years.

The people of Victoria showed that they wanted a new government to govern on behalf of all the people.

They also showed that they wanted a government in touch with the eighties and the challenges they bring in terms of the financial management of the State’s resources.

My Government has already acted to bring firm financial control over Victoria’s assets.

Modern management structures and updated financial management techniques will be introduced into the public sector.

My Government is determined to implement the programmes for which it received such a significant popular mandate.

These programmes will be implemented both fully and promptly on the basis of providing the greatest benefit in the areas of greatest need.

In this the First Session of the Forty-ninth Parliament of Victoria you will be asked to consider a range of legislative proposals for furthering the Government’s policies.

My Government is concerned that this Parliament act as a catalyst to harness the energies and talents of all Victorians to restore this State to the pre-eminent position it once held.

My advisers believe that the community must be brought together with the common goal of getting this State moving again.

The Government is deeply concerned about the present high level of unemployment in Victoria and the low level of economic activity, particularly in the area of small business.

Too often there has been a tendency for government to blame overseas economic conditions and national trends.

It must be recognized and re-affirmed that there is a State economy and action can be taken by State Governments to improve the climate in which business operates.

The number of unemployed in Victoria at the end of March stood at 118 700, an intolerably high level both in economic and social terms.

But the most alarming statistic in terms of the future of this State was that one in four of these were people under the age of 21.

The policy initiatives you will be asked to set in train during the coming Session will be aimed at creating the climate to stimulate the private sector and in turn provide jobs.

The Government is also concerned that manufacturing industry, the base of this State’s economy, is operating well below capacity.

The housing and construction industries are depressed, with house building commencements at the lowest level for many years.

Legislation to come before this Session will be aimed at giving added protection and encouragement for home buyers and stimulation for the building industry.

The Government is prepared to co-operate fully with all other Australian Governments to reduce inflation.

It does not, however, believe that economic policies which lead to increased unemployment and high interest rates are acceptable or responsible.

Judicious use of the State's economic powers will temper and ease the climate created by the Federal Government.

The Government is committed to manage the State to provide for the most effective use of its abundant resources for all Victorians, particularly those on middle and lower incomes.

State taxes and charges will be framed with the interests of these groups in mind.

The Government's priorities were clearly outlined during the election campaign.

They include vital improvements in the areas of education, health, housing and public transport services.

It is hoped that the actions to be taken in these areas and the vital area of economic management will produce a better Victoria for all Victorians.

The Government will work actively towards the restoration of growth and prosperity in the private sector of the Victorian economy.

A key initiative to achieve this will be the Victorian Development Fund.

This Fund will be established to re-invest Victorian money into projects in this State.

These projects will create new jobs for Victorians, particularly in areas of social and economic necessity.

My Government is committed to creating a new and better industrial relations climate in this State.

Too frequently in the past the focus of government endeavour in this vital field has been based on confrontation rather than consultation.

A new era of consultation and co-operation with all parties in industrial relations is vital to the future of Victoria.

The Government has already established a Cabinet Industrial Relations Task Force to act as the prime negotiator in industrial matters.

This will reduce the high level of disputes.

But it will also bring a greater degree of certainty and predictability into the industrial relations field.

My Government has already indicated to the Arbitration Commission that it supports a return to a centralized system of wage fixation, which equitably compensates wage and salary earners for rises in the cost of living.

The Government has also indicated to the Commission its willingness to assist in any conference it might call to achieve consensus on this question.

I turn now to legislation for the forthcoming Session.

In fulfilment of the Government's commitments, priority will be given to Bills providing for exemption from stamp duty for first home buyers up to a value of \$50 000; stamp duty exemption in cases affected by the recent Family Court decisions; reimposition of probate duty on estates with a value of \$200 000 or more or the top four percent of dutiable estates; exemption from probate for family farms; and control over Building Society interest rates.

The Government will ensure that estates of ordinary Victorians and family farms will not be subject to probate.

Estates worth less than \$200 000 will not be subject to probate and this figure will be adjusted in line with inflation.

Exemptions will apply to estates passing to de jure or de facto spouses or wholly dependent brother or sister, to a parent by a child, and to genuine family farms left in the immediate family.

There will be a package of local government Bills, including one for the election of a Melbourne City Council to replace the present administrators.

Representative government will be restored to the City of Melbourne.

And there will be legislation to empower the Melbourne and Metropolitan Board of Works to strike a differential rate.

A Freedom of Information Bill will be introduced to protect the personal freedom of citizens often under threat from governments, the bureaucracy, the police and modern business technology.

There will be legislation to amend the Equal Opportunity Act to include discrimination on the grounds of disablement, race or religion.

The Government will enact a Bill of Rights in which the fundamental human rights of all citizens are spelt out clearly, simply and comprehensively.

And the current legislation providing for a minimum price for packaged beer will be repealed.

Health Bills will include provision for reducing the amount of lead in petrol; regulation of the ownership of private hospitals by medical practitioners and their registration; and legislation on human tissue transplants.

The Historic Buildings Act will be amended to strengthen the role of the Historic Buildings Preservation Council.

Legislation will be introduced to grant land rights at Framlingham to the Aboriginal people.

A Victorian Electoral Commission will be established under new legislation.

Boundaries will be re-drawn to ensure equality in value of the vote of city and country voters.

Provision will be made for the establishment of a Director of Public Prosecutions to be responsible for prosecutions in the superior courts. A Firearms Consultative Committee will be established and firearms registration will be introduced.

I now turn to individual departmental programmes over the next eighteen months.

A major priority for the Government will be the provision of housing, both public and private.

Additional funds will be injected to stimulate the building industry and to increase the provision of rental accommodation and homes for purchase through the Housing Commission.

Other measures will include new approaches to assist home buyers; new methods of improving and diversifying the stock of rental accommodation; and new approaches to co-operative housing.

The tenancy laws, which affect more than 750 000 Victorian households, will also be reformed.

The process of reform was begun six years ago but the present Act must be strengthened.

My Government intends to thoroughly remodel this legislation in every major area—security of tenure, bonds, leases, repairs, discrimination, and protected tenants.

The Government is deeply concerned at the failure of the Federal Government to assume its full responsibility for providing income security for the poor and disadvantaged.

The Minister for Community Welfare Services will establish a Task Force to investigate and report on this important matter as soon as possible.

Under my Government's community welfare policy the women's refuge programme will be strengthened.

The Government will give emphasis to upgrading correctional services in the State.

In consumer affairs, my Government will introduce a new and comprehensive concept of fair trading.

New legislation will provide clear-cut rights, effective protection and readily enforceable remedies for consumers.

Ethnic affairs will be given increased status and resources.

An Ethnic Affairs Commission will be established to promote the needs of all ethnic groups and monitor the development of Government services for ethnic communities.

Improved interpreter and translation services will be provided.

Migrants will be protected against discrimination in employment, training and the services of the law, and education services for migrants will be improved.

My Government recognizes the significance of primary industry which injects almost three billion dollars into the State's economy each year.

The Government will give high priority to research and extension services which will enable Victorian farmers to achieve maximum productivity.

The Government will review and where necessary restructure Primary Produce Marketing Boards to improve efficiency.

The Government recognizes the need to take a vigorous attitude to the problem of salinity, particularly in North-eastern Victoria.

As a first step the Government intends to establish an All-party Parliamentary Committee devoted exclusively to the issue of salinity. This will be in addition to an expanded capital works programme.

The Government will act immediately to improve the State's education system.

My Government will ensure that our children are adequately prepared for the employment opportunities and the wider challenges facing them in the future.

Sufficient teachers and class rooms will be provided to ensure a maximum class size of thirty pupils in primary schools.

Education allowances will be increased. And there will be no reduction in the funds allocated to non-government schools.

Greatly increased funds will be provided over the next three years through the Victorian Development Fund for school buildings.

A State Board of Education will be established to provide an independent source of advice to the Government.

New education industrial relations machinery will be created to minimize the incidence of industrial disputes in schools, which have been prevalent in the past.

The existing public transport administration will be re-organized to provide for greater efficiency and accountability.

The Government will establish a Metropolitan Transit Authority to bring together all Melbourne trains, trams and buses into a single co-ordinated system.

Additional rolling stock will be provided for both city and country services. and urgently needed system improvements will be accelerated.

Modern financial techniques will be used for this purpose.

The Government's public transport programme in its first three years will increase patronage by at least twenty per cent, leading to a reduction in fares.

Travel concessions will be increased for pensioners, students and supporting parents.

The State's energy resources are vital to our future economic growth and prosperity.

Our brown coal, oil and natural gas must be used effectively and efficiently in the interests of all Victorians.

Energy management will be improved and co-ordinated and energy conservation highlighted.

The State Electricity Commission and the Gas and Fuel Corporation will be brought under more effective Ministerial control.

At the next round of tariff increases, the service charge of \$6 per month for domestic consumers of electricity will be abolished.

The tariff structure of the State Electricity Commission will be reviewed and the terms of reference of the Zeidler Inquiry will be widened to include the complete range of energy issues.

The Government will reconstitute the Mining Advisory Committee, with the aim of maximizing economic activity in this area and protecting rights of small miners.

The Government will take urgent action to remove problems in the taxation field.

This will be based on the principle of fairness and equity.

Immediate reforms will be undertaken in the areas of probate duty and stamp duty.

Before moving on to the matter of Supply, I must make reference to my distinguished predecessor, His Excellency the Honourable Sir Henry Winneke, who completed his term of office early this year.

During his period of almost eight years as Governor of Victoria Sir Henry fulfilled his high position with great distinction, travelling to all parts of Victoria and meeting people in every walk of life. He endeared himself to all Victorians whilst upholding the dignity and honour of the Crown.

It is fitting that I pay tribute to him on behalf of the people of this State. I will do my utmost to maintain the high standard he has set.

It is with deep sorrow that I refer to the death of the former Lieutenant-Governor of Victoria, Lieutenant-General the Honourable Sir Edmund Herring.

Sir Edmund served with distinction as Lieutenant-Governor for a record term of twenty-seven years and gave outstanding service to the community both in this capacity and as Chief Justice of the Supreme Court of Victoria.

I refer also with deep regret to the deaths, since you were last called together, of two former Ministers of the Crown, the Honourable P. J. Kennelly, the Honourable Sir Horace Petty and a former Member of the Legislative Council, the Honourable A. Smith.

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

To enable the services of government to continue from July 1, next, further Supply will be necessary.

A Bill will be presented to you for this purpose, thus enabling Supply for five months of the year 1982-83.

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

The Government has been given a very clear mandate from the people of Victoria to provide strong leadership over the next three years, to improve the quality and effectiveness of public administration, and to ensure that the living standards and well-being of the whole community are improved and enhanced.

It intends to carry out that mandate.

The will of the people has been expressed clearly and unmistakably.

To that end the Government will introduce a wide range of legislation and commence the implementation of comprehensive programmes across the whole spectrum of government services.

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

BRIAN MURRAY
Governor of Victoria

27 April 1982

- 9 ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH—Motion made and question proposed—That the following Address, in reply to the Speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House—

YOUR EXCELLENCY:

We, the Legislative Assembly of Victoria assembled in Parliament, wish to express our Loyalty to our Sovereign, and to thank Your Excellency for the Speech which you have made to the Parliament (*Mr McCutcheon*)—and, after debate—

Amendment proposed—That the following words be added to the proposed Address—“but expresses its concern at the failure of the Government to inform the people of Victoria fully, truthfully and in advance, of its real intentions, particularly with respect to financial and industrial matters” (*Mr Thompson*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Ross-Edwards*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 10 CHAIRMAN OF COMMITTEES—Mr Fogarty proposed to the House for appointment as Chairman of Committees, John Thomas Wilton, Esquire, and moved, That John Thomas Wilton, Esquire, be appointed Chairman of Committees of this House, which motion was seconded by Mr Kirkwood.

Mr Wilton accepted nomination.

And no other Member being proposed, Mr Speaker thereupon declared that John Thomas Wilton, Esquire, had been duly appointed as Chairman of Committees.

- 11 TEMPORARY CHAIRMAN OF COMMITTEES—The following Warrant, nominating the Temporary Chairman of Committees, was laid upon the Table by Mr Speaker:

VICTORIA

Legislative Assembly

Pursuant to the provisions of the Standing Order of the Legislative Assembly of the State of Victoria numbered 12, I do hereby nominate—Miss Valerie Joy Callister, William Thomas Ebery, Esquire, Alexander Thomas Evans, Esquire, Bruce James Evans, Esquire, William Francis Fogarty, Esquire, Gordon Stanley Hockley, Esquire, J.P., Kenneth Stephen Jasper, Esquire, Carl William Dunn Kirkwood, Esquire, Robert Henry Miller, Esquire, Mrs Jeannette Tweeddale Patrick, Keith Henry Remington, Esquire, Peter Cornelis Spyker, Esquire, Gordon Francis Stirling, Esquire, Dr Gerard

Marshall Vaughan, Milton Stanley Whiting, Esquire, to act as Temporary Chairmen of Committees whenever requested so to do by the Chairman of Committees.

Given under my hand this twenty-seventh day of April One thousand nine hundred and eighty-two.

C. T. EDMUNDS
Speaker

- 12 TEMPORARY RELIEF TO MR SPEAKER AND MR DEPUTY SPEAKER—Motion made, by leave, and question—That during any absence of Mr Deputy Speaker, Mr Speaker 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 Mr Speaker, Mr Deputy Speaker be similarly authorized to call upon any of the Temporary Chairman (*Mr Fordham*)—put and agreed to.
- 13 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 1)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Stamps (First Purchases of Land) Bill.
- 14 STAMPS (FIRST PURCHASES OF LAND) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Cain, to bring in a Bill "*to provide exemptions from Stamp Duty in relation to certain purchases of land and for that purpose to amend the 'Stamps Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 2)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Stamps (Matrimonial Settlements) Bill.
- 16 STAMPS (MATRIMONIAL SETTLEMENTS) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Cain, to bring in a Bill "*to provide exemptions from Stamp Duty in relation to certain dealings with property and for that purpose to amend the 'Stamps Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 LIBRARY COMMITTEE—Motion made, by leave, and question—That Mr Speaker, Mr Evans (*Ballarat North*), Mr Harrowfield, Mr King and Mr Wallace be members of the Library Committee; and that the Committee have leave to sit on days on which the House does not meet (*Mr Fordham*)—put and agreed to.
- 18 PRINTING COMMITTEE—Motion made, by leave, and question—That—(a) Mr Speaker, Mr Gray, Mr Ihlein, Mr McGrath, Mr McNamara, Mr Ramsay, Mr Stirling and Mr Williams be members of the Printing Committee; (b) the Committee have power to send for persons, papers and records and to sit on days on which the House does not meet; (c) three to be the quorum; and (d) the Committee have power to confer with the Printing Committee of the Legislative Council and to jointly report thereon to the House (*Mr Fordham*)—put and agreed to.
- 19 PRIVILEGES COMMITTEE—Motion made, by leave, and question—That a Select Committee be appointed to inquire into and report upon complaints of breach of privilege referred to it by the House; such Committee to consist of Miss Callister, Mr Evans (*Gippsland East*), Mr Jona, Mr Lieberman, Mr Miller, Mr Walsh and Mr Wilton; and that the Committee have power to send for persons, papers and records; to sit on days on which the House does not meet and to move from place to place; four to be the quorum (*Mr Fordham*)—put and agreed to.

- 20 STANDING ORDERS COMMITTEE—Motion made, by leave, and question—That a Select Committee be appointed to consider and report upon the Standing Orders of the House, such Committee to consist of Mr Speaker, Mr Gavin, Mr Jasper, Mr Maclellan, Mrs Ray, Mr Templeton, Mr Whiting and Mr Wilton; and that the Committee have leave to sit on days on which the House does not meet; five to be the quorum (*Mr Fordham*)—put and agreed to.
- 21 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until Tuesday, 25 May next at half-past One o'clock (*Mr Fordham*)—put, after debate, and agreed to.
- 22 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at fifty-three minutes past Ten o'clock, adjourned until Tuesday, 25 May next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 3, 4 and 5

No. 3—Tuesday, 25 May 1982

- 1 The House met pursuant to adjournment. Mr Speaker took the Chair and read the Prayer.
- 2 RESIGNATION OF SEAT—Mr Speaker announced that on Monday, 10 May instant, Mr Deputy Speaker had received the following letter:

Legislative Assembly
Parliament House
Melbourne, Vic. 3002
10 May 1982

Mr J. T. Wilton, M.P.,
Deputy Speaker of the Legislative Assembly of Victoria,
Parliament House,
Melbourne, Vic. 3002.

Dear Mr Deputy Speaker,

I wish to tender my resignation as the Member for Keilor in the Legislative Assembly as from this date.

I would like to express my thanks for the many courtesies which have been extended to me by the Speaker, Members of the House and the officers and staff of the Parliament.

Yours sincerely,

JOHN J. GINIFER
Minister of Consumer Affairs
and Minister of Immigration
and Ethnic Affairs

- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - HUMANIST RELIGION IN SCHOOLS—Seeking action to prohibit the teaching of the Humanist Religion in State schools, bearing 44 and 31 signatures (*by Mr Maclellan and Mr Burgin, respectively*).
 - HEALTH AND HUMAN RELATIONS COURSES—Seeking the withdrawal of all Health and Human Relations Courses from the education curriculum, bearing 29 signatures (*by Mr Ramsay*).
 - ADLORGA PTY LTD—Seeking action to compel Adlorga Pty Ltd to operate its Murrumbeena factory within the terms of its Environment Protection Authority licence, bearing 402 signatures (*by Mr Hockley*).
 - WOODCHIP HARVESTING—Opposing woodchip harvesting in the Otway Ranges, bearing 121 signatures (*by Dr Vaughan*).
 - POKER MACHINES—Opposing the introduction of Poker Machines in Victoria, bearing 102 signatures (*by Mr Templeton*).
 - WERRIBEE TOXIC WASTE TREATMENT PLANT—Opposing the location of the toxic waste treatment plant at Werribee and calling for a review of disposal of such wastes in Victoria, bearing 2394 signatures (*by Dr Coghill*).

WEST COBURG TRAMWAY EXTENSION—Seeking extension of the West Coburg tramway to Boundary Road, Pascoe Vale, bearing 158 signatures (*by Mr Gavin*).

FUNDING OF CENTRAL METROPOLITAN REGION STATE SCHOOLS—Seeking that action be taken to ensure sufficient funding for building and maintenance needs of State schools in the Central Metropolitan Region, bearing 37 signatures (*by Mr Richardson*).

Severally ordered to lie on the Table.

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

Decentralized Industry Housing Authority—Report for the year 1980–81.

Dentists Act 1972—

Dental Board—Report and statement of accounts for the year ended 30 September 1981.

Specialist Practitioners Qualifications Committee—Report for the year ended 30 September 1981.

Dried Fruits Act 1958—Statement of accounts of the Victorian Dried Fruits Board for the year 1981.

Equal Opportunity Board—Report for the year 1980–81—Ordered to be printed.

Historic Buildings Preservation Council—Report for the year—
1979–80;
1980–81.

Liquor Control Commission—Report for the year 1980–81—Ordered to be printed.

Marketing of Primary Products Act 1958—

Proclamation declaring that oranges, mandarins and grapefruit shall become the property of The Citrus Fruit Marketing Board on, from and after 15 May 1982.

Proclamation declaring that tobacco leaf shall become the property of The Tobacco Leaf Marketing Board on, from and after 13 May 1982.

Metropolitan Fire Brigades Board—Report for the year 1980–81.

Monash University—Report of the Council for the year 1980; together with Statutes approved by the Governor in Council during the year 1980.

National Gallery of Victoria—Report for the year 1979–80.

National Museum of Victoria—Report for the year 1980–81.

Police Regulation Act 1958—Determination Nos. 360 to 370 of the Police Service Board (eleven papers).

Port of Geelong Authority—Statement of accounts for the year 1981.

Postal voting at City of Richmond Council Elections—Order in Council authorizing maximum expenditure of the Board of Inquiry into postal voting at City of Richmond councillors' elections.

Soil Conservation Authority—Report for the year 1980–81—Ordered to be printed.

State Insurance Office—Statement of accounts for the year 1980–81.

State Library and National Museum Building Committee—Report for the year 1980–81.

Statutory Rules under the following Acts:

Abattoir and Meat Inspection Act 1973—No. 86.

Bread Industry Act 1959—No. 156.

Community Welfare Services Act 1970—No. 131.

Co-operative Housing Societies Act 1958—No. 130.

Country Fire Authority Act 1958—No. 134.
 Dried Fruits Act 1958—No. 119.
 Farm Produce Merchants and Commission Agents Act 1965—No. 125.
 Fertilizers Act 1974—Nos. 135, 159.
 Films Act 1971—No. 138.
 Hairdressers Registration Act 1958—No. 146.
 Health Act 1958—No. 80.
 Home Finance Act 1962—No. 149.
 Milk and Dairy Supervision Act 1958—Nos. 126, 160.
 Milk Pasteurization Act 1958—No. 127.
 Optometrists Registration Act 1958—No. 129.
 Police Regulation Act 1958—Nos. 132, 136, 137.
 Public Service Act 1974—Nos. 120, 143, 144, 145, 150; PSD Nos. 55, 64
 to 69, 72 to 83, 85 to 87, 89, 90, 92 to 113, 115 to 123.
 Road Traffic Act 1958—No. 133.
 State Bank Act 1958—Nos. 139, 140, 162.
 State Electricity Commission Act 1958—Nos. 141, 142.
 Stock Foods Act 1958—No. 161.
 Stock Medicines Act 1958—No. 128.
 Sunday Entertainment Act 1967—No. 94.
 Water Act 1958—No. 154.
 Workers Compensation Act 1958—No. 155.
 Zoological Parks and Gardens Act 1967—No. 147.

Town and Country Planning Act 1961:

Ballarat—City of Ballarat Planning Scheme, Amendment No. 62.
 Bulla—Shire of Bulla Planning Scheme 1959, Amendment No. 79 (1979).
 Camberwell—City of Camberwell Planning Scheme 1954, Amendment
 No. 55 (1981).
 Cobram—Shire of Cobram Planning Scheme 1979, Amendment No. 1
 (1981).
 Croydon—City of Croydon Planning Scheme 1961, Amendment No. 103.
 Horsham—City of Horsham Planning Scheme 1973, Amendment No.
 58, Part 2 (1980).
 Kilmore—Shire of Kilmore Planning Scheme 1973, Amendment No. 49
 (1981).
 Lillydale—Shire of Lillydale Planning Scheme 1958, Amendment Nos.
 60, 137 and 147 (three papers).
 Melbourne Metropolitan Planning Scheme, Amendment Nos. 113, Part
 1B, 140, Part 3, 141, Part 2C, 143, Part 3, 158, Part 2, 208, 209 (seven
 papers).
 Pakenham—Shire of Pakenham Planning Scheme, Part 1, Amendment
 No. 1 (1981).
 Portland—Town of Portland Planning Scheme, Amendment No. 29.
 Port Fairy Planning Scheme 1959, Amendment Nos. 11, 15, 18 and 19
 (1981) (four papers).
 Sebastopol—Borough of Sebastopol Planning Scheme, Amendment No. 22.
 Sherbrooke—Shire of Sherbrooke Planning Scheme 1965, Amendment
 Nos. 139 and 145 (two papers).
 Traralgon—City of Traralgon Planning Scheme 1956, Amendment No. 32.
 Wangaratta Sub-Regional Planning Scheme—(City of Wangaratta),
 Amendment No. 11.
 Warragul Planning Scheme 1954, Amendment No. 39, Part 1.

Victorian Arts Centre Trust—Report for the year 1980–81.

- 6 MINISTERIAL STATEMENT—STATE FINANCES—Mr Jolly made a Ministerial Statement relating to State finances.
 Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Jolly*)—and, after debate—
 Motion made and question—That the debate be now adjourned (*Mr Cathie*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 7 PAY-ROLL TAX (AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Pay-roll Tax Act 1971’ and the ‘Land Tax Act 1958’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 3)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Constitution (Governor’s Salary) Bill.
- 9 CONSTITUTION (GOVERNOR’S SALARY) BILL—Mr Cain, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Constitution Act 1975’ to increase the Governor’s Salary”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until tomorrow at half-past Nine o’clock (*Mr Fordham*)—put and agreed to.
- 11 BUILDING SOCIETIES (CONTROL) BILL—Mr Cathie, obtained leave, with Mr Roper, to bring in a Bill “to make further Provision with respect to the Operation of Building Societies, to amend the ‘Building Societies Act 1976’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 ENVIRONMENT PROTECTION (LEAD IN PETROL) BILL—Mr Roper, obtained leave, with Mr Fordham to bring in a Bill “to make further provision for reducing Pollution of the Air from Motor Vehicles, to amend the ‘Environment Protection Act 1970’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 HEALTH (PRIVATE HOSPITALS) BILL—Mr Roper, pursuant to amended notice of motion, obtained leave, with Mr Fordham to bring in a Bill “to amend Part X. of the ‘Health Act 1958’ ”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 LOCAL GOVERNMENT (BOARD OF REVIEW) BILL—Mr Wilkes, obtained leave, with Mr Cathie, to bring in a Bill “to amend the ‘Local Government Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—Mr Wilkes, obtained leave, with Mr Cathie, to bring in a Bill “to amend the ‘Local Government Act 1958’, the ‘Town and Country Planning Act 1961’, the ‘Local Government (Further Amendment) Act 1981’, the ‘Building Control Act 1981’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 LOCAL GOVERNMENT (PECUNIARY INTERESTS OF COUNCILLORS) BILL—Mr Wilkes, obtained leave, with Mr Cain, to bring in a Bill “to amend the Provisions of the ‘Local Government Act 1958’ with respect to the Pecuniary Interests of Councillors, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 17 MELBOURNE CORPORATION (ELECTION OF COUNCIL) BILL—Mr Wilkes, pursuant to amended notice of motion, obtained leave, with Mr Cain, to bring in a Bill “to amend the Law relating to the City of Melbourne, to amend the ‘Melbourne and Geelong Corporations Act 1938’, the ‘Local Government Act 1958’, to repeal the ‘Local Government (City of Melbourne) Act 1981’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 VICTORIAN MEAT INDUSTRY AUTHORITY BILL—Mr Hann, obtained leave, with Mr McGrath, to bring in a Bill “to constitute the Victorian Meat Industry Authority, to make provision with respect to the objects and powers of the Authority, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 CRIMES COMMISSION BILL — Mr Lieberman, obtained leave, with Mr Maclellan, to bring in a Bill “to establish a Standing Commission on Crimes, to make provision with respect to the Membership, Powers and Duties of the Standing Commission on Crimes, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 LOCAL GOVERNMENT (HOUSE BUILDERS’ LIABILITY FURTHER AMENDMENT) BILL—Mrs Patrick, obtained leave, with Mr Lieberman, to bring in a Bill “to further amend Division 1A of Part XLIX. of the ‘Local Government Act 1958’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 21 LOCAL GOVERNMENT (BOARD OF REVIEW) BILL (No. 2) — Mrs Patrick, obtained leave, with Mr Lieberman, to bring in a Bill “to amend the ‘Local Government Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 ADDRESS-IN-REPLY TO THE GOVERNOR’S SPEECH—Order read for resuming debate on question—That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see page 17 *ante*)—and on the amendment—That the following words be added to the proposed Address: “but expresses its concern at the failure of the Government to inform the people of Victoria fully, truthfully and in advance, of its real intentions, particularly with respect to financial and industrial matters”; debate resumed.
- Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
- Ordered—That the debate be adjourned until later this day.
- 23 STAMPS (FIRST PURCHASES OF LAND) BILL—Motion made and question proposed—That this Bill now be read a second time (*Mr Jolly*)—and, after debate—
- Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted to exempt all first home buyers purchasing a home up to \$50 000 from stamp duty as promised by the Australian Labor Party” (*Mr Brown*)—and, after debate—

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

The House divided.

AYES, 47

Mr Cain	Mrs Hill	Mr Newton	Mr Simmonds
Miss Callister	(<i>Frankston</i>)	Mr Norris	Mr Simpson
Mr Cathie	Mr Hill	Mr Pope	Mr Spyker
Dr Coghill	(<i>Warrandyte</i>)	Mr Remington	Mr Stirling
Mr Crabb	Mr Hockley	Mr Roper	Mrs Toner
Mr Culpin	Mr Ihlein	Mr Rowe	Mr Trezise
Mr Ernst	Mr Jolly	Mrs Setches	Dr Vaughan
Mr Fogarty	Mr Kennedy	Mr Sheehan	Mr Walsh
Mr Fordham	Mr King	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Gavin	Mr Kirkwood	Mr Sheehan	Mr Willson
Mr Gray	Mr McDonald	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Harrowfield	Mr Mathews	Mr Shell	Mr McCutcheon
Mr Hassett	Mr Miller	Mr Sidiropoulos	Mrs Ray

NOES, 30

Mr Austin	Mr Jasper	Mrs Patrick	Mr Thompson
Mr Brown	Mr Jona	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Lieberman	Mr Richardson	Mr Williams
Mr Ebery	Mr McGrath	Mr Ross-Edwards	Mr Wood
Mr Evans	Mr McKellar	Mr Saltmarsh	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McNamara	Mrs Sibree	Mr Dickinson
Mr Hann	Mr Maclellan	Mr Templeton	Mr Tanner

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 24 STAMPS (MATRIMONIAL SETTLEMENTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).

Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday next.

- 25 ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH—Order read for resuming debate on question—That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see page 17 *ante*)—and on the amendment—That the following words be added to the proposed Address: “but expresses its concern at the failure of the Government to inform the people of Victoria fully, truthfully and in advance, of its real intentions, particularly with respect to financial and industrial matters”; debate resumed.

Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to provide for the transfer to Bank of New South Wales of the undertaking of The Commercial Bank of Australia Limited and for the transfer to Bank of New South Wales Savings Bank Limited of the undertaking of The Commercial Savings Bank of Australia Limited and for other purposes*”.

- 27 THE COMMERCIAL BANK OF AUSTRALIA LIMITED (MERGER) BILL—On the motion of Mr Jolly, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 28 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to supplement ‘The Commercial Banking Company of Sydney Limited (Merger) Act 1982’ of the State of New South Wales which provides for the transfer to The National Bank of Australasia Limited of the undertaking of The Commercial Banking Company of Sydney Limited and for the transfer to The National Bank Savings Bank Limited of the undertaking of C.B.C. Savings Bank Limited and for other purposes*”.
- 29 THE COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED (MERGER) BILL—On the motion of Mr Jolly, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 30 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 31 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty-one minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 4—Wednesday, 26 May 1982

- 1 The House met pursuant to adjournment. Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 MINISTERIAL STATEMENT—WORLD TRADE CENTRE—Mr Cain made a Ministerial Statement relating to the World Trade Centre.
Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cain*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
STATE ELECTRICITY COMMISSION REFORM—Praying that the management and policies of the State Electricity Commission be reformed and that Tariffs be reduced, bearing 96 signatures (*by Mr Ihlein*).
POKER MACHINES—Opposing the introduction of poker machines in Victoria, bearing 56 signatures (*by Mr Ihlein*).
Severally ordered to lie on the Table.
- 5 PAPERS—The following Papers, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Railways Act 1958—Copy of Licence Agreement made between the Victorian Railways Board and BP Australia Ltd, Esso Australia Ltd, Mobil Oil

Australia Ltd, The Shell Company of Australia Ltd and VicRail Pipelines Pty Limited together with two related agreements for the Altona-Somerton pipeline, 15 December 1981 (three papers).

6 SESSIONAL ORDERS—Motion made and question proposed—That—

- 1 Unless otherwise ordered, the House shall meet on Tuesdays, Wednesdays and Thursdays, Mr Speaker to take the Chair at 2 p.m., 10 a.m. and 10 a.m. respectively.
- 2 During the present Session, Government Business shall take precedence of all other business (including motions pursuant to Standing Order No. 26 which is hereby to the necessary extent suspended), but not including a motion of Want of Confidence in the Government, each Tuesday, Wednesday and Friday and at 2 p.m. each Thursday, other than on every third Thursday when the provisions of Standing Order No. 59 apply.
- 3 Notwithstanding the right of a Minister to move a motion for the adjournment of the House pursuant to Standing Order No. 25—

At 10.30 p.m. on each sitting day Mr Speaker shall interrupt the business before the House, or if the House be in Committee, the Chairman shall report progress and Mr Speaker shall then interrupt such business. Provided that in the event that a Division is in progress at 10.30 p.m. such Division shall be completed and the result announced and if such Division be upon a closure motion any question required to be brought to conclusion as a result of such Division shall be so brought to conclusion.

4 Upon such interruption of business:

- (a) before a motion for the adjournment is proposed by Mr Speaker, a Minister may move that the sitting be continued; which motion shall be put forthwith without amendment or debate and if such motion is agreed to, the House or Committee shall resume the proceedings at the point at which they had been interrupted;
 - (b) if a Minister does not so move, the Speaker shall forthwith propose the question "That the House do now adjourn" which question shall be open to debate in accordance with the rules and practices of the House; at the conclusion of the debate, Mr Speaker notwithstanding the provisions of Standing Order No. 24, shall adjourn the House without putting any question until the time of the next meeting.
- 5 Any business under discussion and not disposed of at the time of the adjournment shall be set down on the Notice Paper for the next sitting and any Member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech.

(*Mr Fordham*)—

Amendment proposed—That the expression "2 p.m., 10 a.m. and 10 a.m." in paragraph 1 be omitted with the view of inserting in place thereof "3 p.m., 11 a.m. and 11 a.m." (*Mr Hann*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and negatived.

Debate resumed on question and amendment.

Amendment, by leave, withdrawn.

Further amendment proposed—That the expression "2 p.m., 10 a.m. and 10 a.m." in paragraph 1 be omitted with the view of inserting in place thereof the expression "2 p.m., 11 a.m. and 10.30 a.m." (*Mr Crabb*)—

Question—That the expression proposed to be omitted stand part of the question—put and negatived.

Question—That the expression proposed to be inserted be so inserted—put and agreed to.

Question—That the motion, as amended, be agreed to—put and agreed to.

- 7 HISTORIC BUILDINGS (AMENDMENT) BILL—Mr Cain, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Historic Buildings Act 1981’, to repeal the ‘Government Buildings Advisory Council Act 1972’, the ‘Government Buildings Advisory Council (Amendment) Act 1981’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 CONSTITUTION (COUNCIL POWERS) BILL—Mr Cain, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Fordham, to bring in a Bill “to limit the Powers of the Legislative Council with respect to Supply Bills, to amend the ‘Constitution Act 1975’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 HOWARD FLOREY INSTITUTE OF EXPERIMENTAL PHYSIOLOGY AND MEDICINE BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill “to make further provision with respect to the powers of the Howard Florey Institute of Experimental Physiology and Medicine, to amend the ‘Howard Florey Institute of Experimental Physiology and Medicine Act 1971’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 RACING (PAYMENT OF DIVIDENDS) BILL—Mr Trezise obtained leave, with Mr Wilkes, to bring in a Bill “to repeal the Provisions of the ‘Racing Act 1958’ requiring the Payment of certain Dividends by the Totalizator Agency Board to be withheld until the Holding of the last Event at a Meeting”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Metropolitan Fire Brigades Act 1958’ to increase the bank overdraft limit of the Metropolitan Fire Brigades Board and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 BUILDING SOCIETIES (CONTROL) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Kennett*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 8 June next.
- 13 HEALTH (PRIVATE HOSPITALS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Wednesday next.
- 14 THE COMMERCIAL BANK OF AUSTRALIA LIMITED (MERGER) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Mr Speaker ruled the Bill to be a Private Bill.
Motion made and question—That this Bill be treated as a Public Bill (*Mr Jolly*)—put and agreed to.
Debate resumed on question—That this Bill be now read a second time; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.

- 15 THE COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED (MERGER) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
- Mr Speaker ruled the Bill to be a Private Bill.
- Motion made and question—That this Bill be treated as a Public Bill (*Mr Jolly*)—put and agreed to.
- Debate resumed on question—That this Bill be now read a second time; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 16 ENVIRONMENT PROTECTION (LEAD IN PETROL) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
- Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Tuesday, 8 June next.
- 17 ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH—Order read for resuming debate on question—That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see page 17 *ante*)—*and on the amendment*—That the following words be added to the proposed Address: "but expresses its concern at the failure of the Government to inform the people of Victoria fully, truthfully and in advance, of its real intentions, particularly with respect to financial and industrial matters"; debate resumed.
- Motion made and question—That the debate be now adjourned (*Mrs Setches*)—put and agreed to.
- Ordered—That the debate be adjourned until later this day.
- 18 PAY-ROLL TAX (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
- Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 8 June next.
- 19 CONSTITUTION (GOVERNOR'S SALARY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday next.
- 20 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
- Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 8 June next.
- 21 LOCAL GOVERNMENT (BOARD OF REVIEW) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
- Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Tuesday, 8 June next.
- 22 ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH—Order read for resuming debate on question—That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this

House (for Address see page 17 *ante*)—*and on the amendment*—That the following words be added to the proposed Address: “but expresses its concern at the failure of the Government to inform the people of Victoria fully, truthfully and in advance, of its real intentions, particularly with respect to financial and industrial matters”; debate resumed.

Motion made and question—That the debate be now adjourned (*Mrs Sibree*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

23 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

24 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at nine minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 5—Thursday, 27 May 1982

1 Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS—(Pursuant to Standing Order No. 124).

3 MINISTERIAL STATEMENT—NAVILLUS PTY LTD AND OTHERS—REPORT OF COMPANIES INSPECTORS—Mr Cain made a Ministerial Statement relating to the report of the Companies Inspectors into the affairs of Navillus Pty Ltd and 922 other companies.

4 NAVILLUS PTY LTD AND OTHERS—REPORT OF COMPANIES INSPECTORS—Motion made, by leave, and question—That there be presented to this House a copy of the report of an investigation under Part IVA of the *Companies Act* 1961 into the particular affairs of Navillus Pty Ltd and 922 other companies (*Mr Cain*)—put, after debate, and agreed to.

5 PAPER—Mr Cain presented:

Navillus Pty Ltd and Others—Report of Companies Inspectors—Return to the foregoing Order.

Ordered to lie on the Table and to be printed.

6 MINISTERIAL STATEMENT AND REPORT OF COMPANIES INSPECTORS—NAVILLUS PTY LTD AND OTHERS—Motion made, by leave, and, after debate, question proposed—That the Ministerial Statement together with accompanying Report of the Companies Inspectors into Navillus Pty Ltd and 922 other companies be taken into consideration tomorrow (*Mr Cain*)—put and agreed to.

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

Legal Profession Practice Act 1958—Report of the Lay Observer for the year 1981 to the—

Barristers' Disciplinary Tribunal;
Solicitors' Disciplinary Tribunal.

- 8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of the Orders of the Day, Government Business, be postponed until after Order of the Day, General Business, No. 1.
- 9 VICTORIAN MEAT INDUSTRY AUTHORITY BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Hann*).
- Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday next.
- 10 CONSTITUTION (COUNCIL POWERS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 15 June next.
- 11 HISTORIC BUILDINGS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday, 10 June next.
- 12 RACING (PAYMENT OF DIVIDENDS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Trezise*).
- Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday next.
- 13 HOWARD FLOREY INSTITUTE OF EXPERIMENTAL PHYSIOLOGY AND MEDICINE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
- Mr Deputy Speaker announced that Mr Speaker had ruled Bill a Private Bill.
- Motion made and question—That this Bill be treated as a Public Bill and fees be dispensed with (*Mr Fordham*)—put and agreed to.
- Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 8 June next.
- 14 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Thursday next.
- 15 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 6 be postponed until later this day.
- 16 ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH—Order read for resuming debate on question—That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see page 17 *ante*)—and on the amendment—That the following words be added to the proposed Address: "but expresses its concern at the failure of the Government to inform the people of Victoria fully, truthfully and in advance, of its real intentions, particularly with respect to financial and industrial matters"; debate resumed.

Motion made and question—That the debate be now adjourned (*Mr Wilkes*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 17 MELBOURNE CORPORATION (ELECTION OF COUNCIL) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).

Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until Tuesday, 8 June next.

- 18 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 19 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at fifty-five minutes past Five o'clock, adjourned until Tuesday next.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 6, 7 and 8

No. 6—Tuesday, 1 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 DISTINGUISHED VISITOR—Motion made, by leave, and question—That a Chair be provided on the floor of the House for the Honourable Ruben James Kun, M.P., Speaker of the Parliament, Nauru (*Mr Cain*)—put and agreed to.
- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 4 MINISTERIAL STATEMENT—HOSPITAL CHARGES—Mr Roper made a Ministerial Statement relating to Hospital Charges.
- 5 HOSPITAL CHARGES—Motion made, by leave, and question—That there be presented to this House, Health Commission Papers relating to Hospital Fee Rises (*Mr Roper*)—put and agreed to.
- 6 PAPER—Mr Roper presented:
Hospital Charges—Health Commission Papers relating to Hospital Fee Rises—Return to the foregoing Order.
Ordered to lie on the Table.
- 7 MINISTERIAL STATEMENT AND HEALTH COMMISSION PAPERS—HOSPITAL CHARGES—Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement and Health Commission Papers (*Mr Roper*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Ross-Edwards*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 8 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Education Act 1958—Resumption of Land at Bendigo and Essendon—Certificates of the Minister of Education (two papers).
Statutory Rule under the following Act:
Co-operation Act 1981—No. 124.
- 9 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
HUMANIST RELIGION IN SCHOOLS—Seeking action to prohibit the teaching of Humanist Religion in State schools, bearing 143 signatures (*by Mr Maclellan*).
UPFIELD RAILWAY LINE BOOM BARRIERS—Seeking the installation of boom barriers at each level crossing on the Upfield railway line, bearing 19 signatures (*by Mr Gavin*).
Severally ordered to lie on the Table.

- 10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 4)—ASSENT TO BILLS—
Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
The Commercial Bank of Australia Limited (Merger) Bill.
The Commercial Banking Company of Sydney Limited (Merger) Bill.
- 11 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 5)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Supply (1982–83, No. 1) Bill.
- 12 SUPPLY (1982–83, No. 1) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “to make *Interim Provision for the Appropriation of Moneys out of the Consolidated Fund for the Service of the Financial Year 1982–83*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 6, 7)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
Local Government (Board of Review) Bill.
Historic Buildings (Amendment) Bill.
- 14 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1 be postponed until later this day.
- 15 STAMPS (MATRIMONIAL SETTLEMENTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 ADDRESS-IN-REPLY TO THE GOVERNOR’S SPEECH—Order read for resuming debate on question—That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see page 17 *ante*)—and on the amendment—That the following words be added to the proposed Address: “but expresses its concern at the failure of the Government to inform the people of Victoria fully, truthfully and in advance, of its real intentions, particularly with respect to financial and industrial matters”; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Remington*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 17 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Simpson*)—put and agreed to.
- 18 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at two minutes past Eleven o’clock, adjourned until tomorrow.

No. 7—Wednesday, 2 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Ombudsman—Report for the Quarter ended 30 September 1981—Ordered to be printed.
 - Statutory Rules under the following Acts:
 - Explosives Act 1960—No. 151.
 - Fisheries Act 1968—No. 158.
 - Industrial Training Act 1975—No. 152.
 - Mt. Hotham Alpine Resort Act 1972—No. 157.
 - Survey Co-ordination Act 1958—No. 148.
 - Water Act 1958—No. 167.
- 4 MELBOURNE AND METROPOLITAN BOARD OF WORKS (DIFFERENTIAL RATING) BILL—Mr Simpson obtained leave, with Mr Fordham, to bring in a Bill “to empower the differential rating of Land by the Melbourne and Metropolitan Board of Works, to amend the ‘Melbourne and Metropolitan Board of Works Act 1958’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 5 MOTOR CAR (BREATH ANALYSING INSTRUMENTS) BILL—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill “to amend Section 80F of and Schedule Seven to the ‘Motor Car Act 1958’ with respect to Breath Analysing Instruments and for Purposes connected therewith”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 OPTOMETRISTS REGISTRATION (AMENDMENT) BILL—Mr Roper obtained leave, with Mr Jolly, to bring in a Bill “to amend the ‘Optometrists Registration Act 1958’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 PSYCHOLOGICAL PRACTICES (SCIENTOLOGY) BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill “to repeal certain provisions of the ‘Psychological Practices Act 1965’ relating to the practice of scientology and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 CONSTITUTION (GOVERNOR’S SALARY) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read the third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 POSTPONEMENT OF ORDER OF THE DAY—Ordered, after debate—That the consideration of Order of the Day, Government Business, No. 2 be postponed until later this day.

- 10 SUPPLY (1982-83, No. 1) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 15 June instant.
- 11 MELBOURNE AND METROPOLITAN BOARD OF WORKS (DIFFERENTIAL RATING) BILL—
 Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
 Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until Tuesday, 15 June instant.
- 12 ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH—Order read for resuming debate on question—That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see page 17 *ante*)—*and on the amendment*—That the following words be added to the proposed Address: "but expresses its concern at the failure of the Government to inform the people of Victoria fully, truthfully and in advance, of its real intentions, particularly with respect to financial and industrial matters"; debate resumed.
 Motion made and question—That the debate be now adjourned (*Mr Mathews*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 13 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 14 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
 And then the House, at fifty-three minutes past Ten o'clock, adjourned until tomorrow.

J. H. CAMPBELL
 Clerk of the Legislative Assembly

C. T. EDMUNDS
 Speaker

No. 8—Thursday, 3 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:
 PRINCES HIGHWAY BICYCLE TRACK—Seeking the construction of a bicycle track along the Princes Highway between Traralgon and Morwell, bearing 522 signatures (*by Miss Callister*).
 Ordered to lie on the Table.

- 4 INTER-GOVERNMENT RELATIONS ADVISORY COUNCIL—Motion made, by leave, and question—That there be presented to this House a copy of the Fifth Annual Report of the Advisory Council for Inter-Government Relations (*Mr Cain*)—put and agreed to.
- 5 PAPER—Mr Cain presented:
Inter-Government Relations Advisory Council—Fifth Annual Report—Return to the foregoing Order.
Ordered to lie on the Table.
- 6 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Labour and Industry Department—Report for the year 1981—Ordered to be printed.
Motor Accidents Board—Report for the year 1980–81—Ordered to be printed.
- 7 BOURKE STREET MALL BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill “to provide for the Development of the Bourke Street Mall and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, to be read a second time later this day.
- 8 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 9 MOTOR CAR (BREATH ANALYSING INSTRUMENTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 10 OPTOMETRISTS REGISTRATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 15 June instant.
- 11 PSYCHOLOGICAL PRACTICES (SCIENTOLOGY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 15 June instant.
- 12 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4 be postponed until later this day.
- 13 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

15 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty-seven minutes past Five o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 9, 10 and 11

No. 9—Tuesday, 8 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 MINISTERIAL STATEMENT—STATE ELECTRICITY COMMISSION INQUIRY—Mr Cain made a Ministerial Statement relating to the State Electricity Commission Inquiry.
- 4 STATE ELECTRICITY COMMISSION INQUIRY—Motion made, by leave, and question—That there be presented to this House, Briefing Notes from the Committee of Inquiry into the State Electricity Commission of Victoria (*Mr Cain*)—put and agreed to.
- 5 PAPER—Mr Cain presented:
State Electricity Commission Inquiry—Return to the foregoing Order.
Ordered to lie on the Table.
- 6 MINISTERIAL STATEMENT—STATE ELECTRICITY COMMISSION INQUIRY AND BRIEFING NOTES—Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement and Briefing Notes from the Committee of Inquiry into the State Electricity Commission of Victoria (*Mr Cain*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put, after debate, and agreed to.
Ordered, after debate—That the debate be adjourned until tomorrow.
- 7 PAPERS—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 statement of accounts for the year 1981.
Statutory Rules under the following Acts:
Motor Car Act 1958—No. 168.
Public Service Act 1974—No. 163, PSD Nos. 88, 114, 126, 128.
Water Act 1958—Nos. 164, 167.
Taxation—Analysis of Operations:
Land Tax for the Assessment Year 1980;
Probate Duty for the year 1980–81;
Gift Duty for the year 1980–81.
Teachers Tribunal—Report for the year 1979–80—Ordered to be printed.
Teaching Service Act 1958:
Teaching Service—Primary Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (No. 600).
Teaching Service—Professional (Classification, Salaries and Allowances) Regulations—Regulations amended (No. 603).
Teaching Service—Secondary Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (No. 601).
Teaching Service—Technical Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (No. 602).

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme, Amendment Nos. 154 (Part 2A), 155 (Part 1A), 170 (Part 1), 210 (four papers).

- 8 EVIDENCE (COMMISSIONS) BILL—Mr Cain, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill “to make provision with respect to the giving of information to Commissions, to amend the ‘Land Tax Act 1958’, the ‘Stamps Act 1958’, the ‘Pay-roll Tax Act 1971’ and the ‘Business Franchise (Tobacco) Act 1974’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 HOSPITAL BENEFITS (LEVY) BILL—Mr Roper, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill “to impose a levy on organizations carrying on Hospital Benefits business in Victoria, to make provision to free from Payment of Out-Patient Fees Contributors to Hospital Benefit Funds in Victoria and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 WEIGHTS AND MEASURES (TIME FOR VERIFICATION) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill “to amend the ‘Weights and Measures Act 1958’ with respect to the Time for Verification of certain Weights Measures Weighing Instruments and Measuring Instruments”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 LOCAL GOVERNMENT (PECUNIARY INTERESTS OF COUNCILLORS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.
- 12 BOURKE STREET MALL BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.
- 13 HEALTH (PRIVATE HOSPITALS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Constitution (Governor’s Salary) Bill without amendment.
- 15 RACING (PAYMENT OF DIVIDENDS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted to provide for totalizator dividends to be payable to the nearest calculated five cents, as promised by the Government in its policy on after race payouts” (*Mr Brown*)—and, after debate—
Question—That the words proposed to be omitted stand part of the question—put.
The House divided.

AYES, 46

Mr Cain	Mrs Hill	Mr Newton	Mr Simmonds
Miss Callister	(Frankston)	Mr Pope	Mr Simpson
Mr Cathie	Mr Hill	Mrs Ray	Mr Spyker
Dr Coghill	(Warrandyte)	Mr Remington	Mr Stirling
Mr Crabb	Mr Ihlein	Mr Roper	Mrs Toner
Mr Culpin	Mr Jolly	Mr Rowe	Mr Trezise
Mr Ernst	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Fogarty	Mr King	Mr Sheehan	Mr Walsh
Mr Fordham	Mr Kirkwood	(Ivanhoe)	Mr Wilkes
Mr Gavin	Mr McCutcheon	Mr Sheehan	
Mr Gray	Mr McDonald	(Ballarat South)	<i>Tellers</i>
Mr Harrowfield	Mr Mathews	Mr Shell	Mr Hockley
Mr Hassett	Mr Miller	Mr Sidiropoulos	Mr Norris

NOES, 28

Mr Austin	Mr Evans	Mr McNamara	Mr Smith
Mr Brown	(Gippsland East)	Mr Maclellan	Mr Thompson
Mr Burgin	Mr Hann	Mrs Patrick	Mr Wallace
Mr Dickinson	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Ebery	Mr Kennett	Mr Reynolds	Mr Wood
Mr Evans	Mr Lieberman	Mr Richardson	<i>Tellers</i>
(Ballarat North)	Mr McGrath	Mr Ross-Edwards	Mr Saltmarsh
	Mr McKellar	Mrs Sibree	Mr Williams

And so it was resolved in the affirmative.

Debate resumed on the question—That this Bill be now read a second time.

Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 16 HOWARD FLOREY INSTITUTE OF EXPERIMENTAL PHYSIOLOGY AND MEDICINE BILL—
—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 17 BUILDING SOCIETIES (CONTROL) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

Business having been interrupted at 10.30 p.m.—

- 18 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at twenty-one minutes past Eleven o'clock.

No. 10—Wednesday, 9 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PAPERS—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, May 1982—Ordered to be printed.
 - Upper Yarra Valley and Dandenong Ranges Authority—Report for the year ended 30 September 1979.
 - Victoria Law Foundation—Report for the year ended 30 September 1981.
- 4 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—Mr Wilkes obtained leave, with Mr Jolly, to bring in a Bill "*to amend the 'Local Authorities Superannuation Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 5 TOWN AND COUNTRY PLANNING (AMENDMENT) BILL—Mr Wilkes obtained leave, with Mr Cain, to bring in a Bill "*to amend the 'Town and Country Planning Act 1961' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL—Mr Cain obtained leave, with Mr Jolly, to bring in a Bill "*to amend the 'Victorian Economic Development Corporation Act 1981', to repeal the 'Victorian Economic Development Corporation (Amendment) Act 1981' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 WEIGHTS AND MEASURES (TIME FOR VERIFICATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
 Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday next.
- 8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered, after debate—That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until later this day.
- 9 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 PAY-ROLL TAX (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the expression “this Bill be withdrawn and re-drafted to provide that the surcharge on pay-roll tax imposed by the *Pay-roll Tax (Amendment) Act 1981* for the period ending 30 June 1982 is not extended beyond the period ending 31 December 1982” (*Mr Thompson*)—and, after debate—

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

AYES, 44

Mr Cain	Mr Hill	Mr Roper	Dr Vaughan
Miss Callister	(<i>Warrandyte</i>)	Mr Rowe	Mr Walsh
Mr Cathie	Mr Hockley	Mr Sheehan	Mr Wilkes
Dr Coghill	Mr Ihlein	(<i>Ivanhoe</i>)	Mr Wilton
Mr Crabb	Mr Jolly	Mr Sheehan	
Mr Culpin	Mr Kennedy	(<i>Ballarat South</i>)	
Mr Ernst	Mr King	Mr Shell	
Mr Fogarty	Mr Kirkwood	Mr Sidiropoulos	
Mr Fordham	Mr McCutcheon	Mr Simmonds	
Mr Gavin	Mr Miller	Mr Simpson	
Mr Harrowfield	Mr Newton	Mr Spyker	
Mr Hassett	Mr Norris	Mr Stirling	<i>Tellers</i>
Mrs Hill	Mrs Ray	Mrs Toner	Mr Pope
(<i>Frankston</i>)	Mr Remington	Mr Trezise	Mrs Setches

NOES, 29

Mr Brown	Mr Hann	Mr Maclellan	Mr Thompson
Mr Burgin	Mr Jasper	Mrs Patrick	Mr Wallace
Mr Delzoppo	Mr Jona	Mr Ramsay	Mr Whiting
Mr Ebery	Mr Kennett	Mr Reynolds	Mr Williams
Mr Evans	Mr Lieberman	Mr Richardson	Mr Wood
(<i>Ballarat North</i>)	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Sibree	Mr Dickinson
(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner	Mr Saltmarsh

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 SUSPENSION OF STANDING ORDERS—Motion made, by leave, and question—That Standing Order No. 47 be suspended so as to permit the giving of Notices of Motion (*Mr Fordham*)—put and agreed to.
- 12 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 8)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the West Gate Bridge Authority (Transfer of Functions) Bill.
- 13 WEST GATE BRIDGE AUTHORITY (TRANSFER OF FUNCTIONS) BILL—Mr Crabb, pursuant to Standing Order No. 169, obtained leave, with Mr Jolly, to bring in a Bill “to confer certain powers on the Country Roads Board, to amend the ‘Country Roads Act 1958’, to repeal the ‘West Gate Bridge Authority Act 1980’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 LOCAL GOVERNMENT (BOARD OF REVIEW) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the expression “this Bill be withdrawn and

redrafted to provide for municipal rolls as detailed in the Local Government (Board of Review) Bill 1981" (*Mrs Patrick*)—and, after debate—

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

AYES, 44

Mr Cain	Mr Hill	Mr Remington	Mr Trezise
Miss Callister	(<i>Warrandyte</i>)	Mr Roper	Dr Vaughan
Mr Cathie	Mr Hockley	Mrs Setches	Mr Walsh
Dr Coghill	Mr Ihlein	Mr Sheehan	Mr Wilkes
Mr Culpin	Mr Jolly	(<i>Ivanhoe</i>)	
Mr Ernst	Mr Kennedy	Mr Sheehan	
Mr Fogarty	Mr King	(<i>Ballarat South</i>)	
Mr Fordham	Mr Kirkwood	Mr Shell	
Mr Gavin	Mr McDonald	Mr Sidiropoulos	
Mr Gray	Mr Miller	Mr Simmonds	
Mr Harrowfield	Mr Newton	Mr Simpson	
Mr Hassett	Mr Norris	Mr Spyker	<i>Tellers</i>
Mrs Hill	Mr Pope	Mr Stirling	Mr McCutcheon
(<i>Frankston</i>)	Mrs Ray	Mrs Toner	Mr Rowe

NOES, 25

Mr Brown	Mr Hann	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Jona	Mr Richardson	Mr Wood
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McNamara	Mr Saltmarsh	
Mr Evans	Mr Maclellan	Mrs Sibree	<i>Tellers</i>
(<i>Ballarat North</i>)	Mrs Patrick	Mr Thompson	Mr Jasper
Mr Evans	Mr Ramsay	Mr Wallace	Mr Tanner
(<i>Gippsland East</i>)		Mr Whiting	

And so it was resolved in the affirmative.

Debate resumed on the question—That this Bill be now read a second time.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.

Motion made and question proposed—That this Bill be now read a third time (*Mr Wilkes*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—after debate, put.

The House divided.

AYES, 25

Mr Brown	Mr Jasper	Mr Reynolds	Mr Wallace
Mr Ebery	Mr Kennett	Mr Richardson	Mr Whiting
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr Williams
(<i>Ballarat North</i>)	Mr McNamara	Mr Saltmarsh	Mr Wood
Mr Evans	Mr Maclellan	Mrs Sibree	<i>Tellers</i>
(<i>Gippsland East</i>)	Mrs Patrick	Mr Tanner	Mr Delzoppo
Mr Hann	Mr Ramsay	Mr Thompson	Mr Dickinson

NOES, 45

Mr Cain	Mr Hill	Mr Remington	Mr Trezise
Miss Callister	(<i>Warrandyte</i>)	Mr Roper	Dr Vaughan
Mr Cathie	Mr Hockley	Mr Rowe	Mr Walsh
Dr Coghill	Mr Ihlein	Mr Sheehan	Mr Wilkes
Mr Crabb	Mr Jolly	(<i>Ivanhoe</i>)	Mr Wilton
Mr Culpin	Mr Kennedy	Mr Sheehan	
Mr Ernst	Mr King	(<i>Ballarat South</i>)	
Mr Fogarty	Mr Kirkwood	Mr Shell	
Mr Fordham	Mr McCutcheon	Mr Sidiropoulos	
Mr Gavin	Mr Miller	Mr Simmonds	
Mr Gray	Mr Newton	Mr Simpson	
Mr Harrowfield	Mr Norris	Mr Spyker	<i>Tellers</i>
Mrs Hill	Mr Pope	Mr Stirling	Mr Hassett
(<i>Frankston</i>)	Mrs Ray	Mrs Toner	Mr McDonald

And so it passed in the negative.

Debate resumed on the question—That this Bill be now read a third time.

Question—put.

The House divided.

AYES, 44

Mr Cain	Mr Hill	Mrs Ray	Mr Stirling
Miss Callister	(<i>Warrandyte</i>)	Mr Remington	Mrs Toner
Mr Cathie	Mr Hockley	Mr Roper	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Sheehan	Mr Walsh
Mr Ernst	Mr Kennedy	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fogarty	Mr King	Mr Sheehan	Mr Wilton
Mr Fordham	Mr Kirkwood	(<i>Ballarat South</i>)	
Mr Gavin	Mr McCutcheon	Mr Shell	
Mr Gray	Mr Miller	Mr Sidiropoulos	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Hassett
Mrs Hill	Mr Norris	Mr Simpson	Mr McDonald
(<i>Frankston</i>)	Mr Pope	Mr Spyker	

NOES, 25

Mr Brown	Mr Jasper	Mr Reynolds	Mr Wallace
Mr Ebery	Mr Kennett	Mr Richardson	Mr Whiting
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr Williams
(<i>Ballarat North</i>)	Mr McNamara	Mr Saltmarsh	Mr Wood
Mr Evans	Mr Maclellan	Mrs Sibree	<i>Tellers</i>
(<i>Gippsland East</i>)	Mrs Patrick	Mr Tanner	Mr Delzoppo
Mr Hann	Mr Ramsay	Mr Thompson	Mr Dickinson

And so it was resolved in the affirmative.

Bill read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to make amendments to certain Acts consequential on the enactment of the ‘Companies (Application of Laws) Act 1981’ and for other purposes*”.
- 16 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 17 MELBOURNE CORPORATION (ELECTION OF COUNCIL) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed. Business having been interrupted at 10.30 p.m.—
- 18 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at twenty-five minutes past Eleven o’clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 11—Thursday, 10 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).

- 3 PUBLIC AUTHORITIES (SINKING FUNDS) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “to make provision with respect to Sinking Funds of certain Public Authorities, to amend the ‘Grain Elevators Act 1958’, the ‘Melbourne and Metropolitan Board of Works Act 1958’, the ‘Port of Geelong Authority Act 1958’, the ‘Port of Melbourne Authority Act 1958’, the ‘State Electricity Commission Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 4 PUBLIC ACCOUNT (CASH MANAGEMENT ACCOUNT) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Public Account Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 5 FREEWAY EXTENSIONS—Motion made and question—That this House calls upon the Government—(a) to reconsider as a matter of urgency its proposed abandonment of the planned link between the South-Eastern and Mulgrave Freeways and the planned extension of the Eastern Freeway; and (b) to proceed with planning to protect prospective routes and to ensure the maintenance of options for the future (*Mr Maclellan*)—after debate, put.

The House divided.

AYES, 25

Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Dickinson	Mr Jona	Mr Reynolds	Mr Whiting
Mr Ebery	Mr Lieberman	Mr Richardson	Mr Williams
Mr Evans	Mr McGrath	Mr Ross-Edwards	Mr Wood
(<i>Ballarat North</i>)	Mr McNamara	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Tanner	Mr Delzoppo
(<i>Gippsland East</i>)	Mrs Patrick	Mr Thompson	Mr Saltmarsh

NOES, 45

Mr Cain	Mr Hill	Mr Roper	Mr Trezise
Miss Callister	(<i>Warrandyte</i>)	Mr Rowe	Dr Vaughan
Mr Cathie	Mr Hockley	Mrs Setches	Mr Walsh
Dr Coghill	Mr Jolly	Mr Sheehan	Mr Wilkes
Mr Crabb	Mr Kennedy	(<i>Ivanhoe</i>)	Mr Wilton
Mr Culpin	Mr King	Mr Sheehan	
Mr Ernst	Mr Kirkwood	(<i>Ballarat South</i>)	
Mr Fogarty	Mr McCutcheon	Mr Shell	
Mr Gavin	Mr McDonald	Mr Sidiropoulos	
Mr Gray	Mr Mathews	Mr Simmonds	
Mr Harrowfield	Mr Norris	Mr Simpson	
Mr Hassett	Mr Pope	Mr Spyker	<i>Tellers</i>
Mrs Hill	Mrs Ray	Mr Stirling	Mr Ihlein
(<i>Frankston</i>)	Mr Remington	Mrs Toner	Mr Newton

And so it passed in the negative.

- 6 HOSPITAL BENEFITS (LEVY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
- Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
- Motion made and question proposed—That the debate be adjourned for one week (*Mr Roper*)—and, after debate—
- Amendment proposed—That the words “for one week” be omitted with the view of inserting in place thereof the words “until Tuesday week” (*Mr Fordham*)—and, after debate—
- Question—That the words proposed to be omitted stand part of the question—put and negatived.
- Question—That the expression proposed to be inserted be so inserted—put and agreed to.

Question—That the debate be adjourned until Tuesday, 22 June instant—put.
The House divided.

AYES, 46

Mr Cain	Mrs Hill	Mr Norris	Mr Spyker
Miss Callister	(<i>Frankston</i>)	Mr Pope	Mr Stirling
Mr Cathie	Mr Hill	Mrs Ray	Mrs Toner
Dr Coghill	(<i>Warrandyte</i>)	Mr Remington	Mr Trezise
Mr Crabb	Mr Hockley	Mr Roper	Dr Vaughan
Mr Culpin	Mr Ihlein	Mr Rowe	Mr Walsh
Mr Ernst	Mr Jolly	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr King	Mr Sheehan	Mr Wilton
Mr Fordham	Mr Kirkwood	(<i>Ivanhoe</i>)	
Mr Gavin	Mr McCutcheon	Mr Shell	<i>Tellers</i>
Mr Gray	Mr McDonald	Mr Sidiropoulos	Mr Kennedy
Mr Harrowfield	Mr Mathews	Mr Simmonds	Mr Sheehan
Mr Hassett	Mr Newton	Mr Simpson	(<i>Ballarat South</i>)

NOES, 25

Mr Brown	Mr Kennett	Mr Richardson	Mr Whiting
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	Mr Williams
Mr Evans	Mr McGrath	Mr Saltmarsh	Mr Wood
(<i>Gippsland East</i>)	Mr McNamara	Mrs Sibree	
Mr Hann	Mr Maclellan	Mr Tanner	<i>Tellers</i>
Mr Jasper	Mrs Patrick	Mr Thompson	Mr Delzoppo
Mr Jona	Mr Reynolds	Mr Wallace	Mr Dickinson

And so it was resolved in the affirmative.

- 7 PUBLIC AUTHORITIES (SINKING FUNDS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Wednesday, 23 June instant.
- 8 PUBLIC ACCOUNT (CASH MANAGEMENT ACCOUNT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Wednesday, 23 June instant.
- 9 WEST GATE BRIDGE AUTHORITY (TRANSFER OF FUNCTIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Thursday next.
- 10 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 11 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

- 12 TOWN AND COUNTRY PLANNING (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).

Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 22 June instant.

- 13 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).

Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.

Motion made and question proposed—That the debate be adjourned until Tuesday week (*Mr Cain*)—and, after debate—

Amendment proposed—That the words “until Tuesday week” be omitted with the view of inserting in place thereof the words “for four weeks” (*Mr Ramsay*).

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

AYES, 43

Mr Cain	Mrs Hill	Mr Newton	Mr Simmonds
Miss Callister	(<i>Frankston</i>)	Mr Norris	Mr Simpson
Mr Cathie	Mr Hill	Mr Pope	Mr Spyker
Dr Coghill	(<i>Warrandyte</i>)	Mrs Ray	Mr Stirling
Mr Crabb	Mr Hockley	Mr Remington	Mr Trezise
Mr Culpin	Mr Ihlein	Mr Roper	Dr Vaughan
Mr Ernst	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Fogarty	Mr King	Mrs Setches	Mr Wilkes
Mr Fordham	Mr Kirkwood	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr McCutcheon	(<i>Ballarat South</i>)	Mr Gavin
Mr Harrowfield	Mr McDonald	Mr Shell	Mr Sheehan
Mr Hassett	Mr Mathews	Mr Sidiropoulos	(<i>Ivanhoe</i>)

NOES, 26

Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Jona	Mr Richardson	Mr Whiting
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	Mr Williams
Mr Ebery	Mr Lieberman	Mr Saltmarsh	Mr Wood
Mr Evans	Mr McNamara	Mrs Sibree	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Maclellan	Mr Tanner	Mr McGrath
Mr Hann	Mrs Patrick	Mr Thompson	Mr Reynolds

And so it was resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, 22 June instant.

- 14 MELBOURNE CORPORATION (ELECTION OF COUNCIL) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee.

Committee reported progress; to sit again tomorrow.

- 15 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).

Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.

Ordered—That the debate be adjourned until Thursday next.

- 16 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 8, be postponed until later this day.

- 17 MOTOR CAR (BREATH ANALYSING INSTRUMENTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 10 to 12 inclusive, be postponed until later this day.
- 19 EVIDENCE (COMMISSIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 20 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 21 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at twenty minutes past Six o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 12, 13 and 14

No. 12—Tuesday, 15 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:
 POKER MACHINES—Opposing the introduction of poker machines in Victoria, bearing 68 signatures (*by Mr Austin*).
 Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 National Parks Act 1975—Consent of the Minister for Conservation to the granting of an exploration licence in the Wabonga Plateau State Park.
 Statutory Rules under the following Acts:
 Explosives Act 1960—No. 172.
 Fisheries Act 1968—No. 153.
- 5 SUPERANNUATION (AMENDMENT) BILL—Mr Mathews, pursuant to Standing Order No. 169 (*b*), obtained leave, with Mr Jolly, to bring in a Bill "*to amend the 'Superannuation Act 1958'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 9, 10, 11, 12)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
 Bourke Street Mall Bill.
 Victorian Economic Development Corporation (Amendment) Bill.
 Hospital Benefits (Levy) Bill.
 Public Account (Cash Management Account) Bill.
- 7 MELBOURNE AND METROPOLITAN BOARD OF WORKS (DIFFERENTIAL RATING) BILL—
 Order read for resuming date on question—That this Bill be now read a second time; debate resumed.
 Question—put.
 The House divided.

AYES, 51

Mr Cain	Mrs Hill	Mr Miller	Mr Simpson
Miss Callister	(<i>Frankston</i>)	Mr Newton	Mr Spyker
Mr Cathie	Mr Hill	Mr Norris	Mr Stirling
Dr Coghill	(<i>Warrandyte</i>)	Mr Pope	Mrs Toner
Mr Crabb	Mr Hockley	Mrs Ray	Mr Trezise
Mr Culpin	Mr Ihlein	Mr Remington	Dr Vaughan
Mr Ernst	Mr Jasper	Mr Roper	Mr Wallace
Mr Evans	Mr Jolly	Mr Ross-Edwards	Mr Walsh
(<i>Gippsland East</i>)	Mr King	Mr Rowe	Mr Whiting
Mr Fogarty	Mr Kirkwood	Mr Sheehan	
Mr Fordham	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Gavin	Mr McDonald	Mr Sheehan	
Mr Gray	Mr McGrath	(<i>Ballarat South</i>)	
Mr Hann	Mr McNamara	Mr Shell	
Mr Harrowfield	Mr Mathews	Mr Simmonds	

Tellers
 Mr Kennedy
 Mr Sidiropoulos

NOES, 23

Mr Austin	Mr Evans	Mrs Patrick	Mr Williams
Mr Brown	(Ballarat North)	Mr Ramsay	Mr Wood
Mr Burgin	Mr Jona	Mr Reynolds	
Mr Delzoppo	Mr Kennett	Mr Saltmarsh	
Mr Dickinson	Mr Lieberman	Mrs Sibree	<i>Tellers</i>
Mr Ebery	Mr McKellar	Mr Smith	Mr Richardson
	Mr Maclellan	Mr Thompson	Mr Tanner

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 8 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

Stamps (Matrimonial Settlements) Bill.

Stamps (First Purchases of Land) Bill.

Metropolitan Fire Brigades (Amendment) Bill.

- 9 OPTOMETRISTS REGISTRATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Howard Florey Institute of Experimental Physiology and Medicine Bill without amendment.

- 11 PSYCHOLOGICAL PRACTICES (SCIENTOLOGY) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4 be postponed until later this day.

- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Council of Law Reporting in Victoria Act 1967’ and for other purposes*”.

- 14 COUNCIL OF LAW REPORTING IN VICTORIA BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 15 HISTORIC BUILDINGS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill now be read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until the provisions of the *Historic Buildings Act 1981* have been given a fair trial and until extensive consultations have taken place with all interested and affected persons in the State of Victoria” (*Mrs Patrick*)—and, after debate—

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

AYES, 44

Mr Cain	Mr Hill	Mrs Ray	Dr Vaughan
Miss Callister	(<i>Warrandyte</i>)	Mr Remington	Mr Walsh
Mr Cathie	Mr Hockley	Mr Roper	Mr Wilton
Dr Coghill	Mr Ihlein	Mr Rowe	
Mr Crabb	Mr Jolly	Mr Sheehan	
Mr Culpin	Mr Kennedy	(<i>Ivanhoe</i>)	
Mr Ernst	Mr King	Mr Shell	
Mr Fogarty	Mr Kirkwood	Mr Sidiropoulos	
Mr Fordham	Mr McCutcheon	Mr Simmonds	
Mr Gavin	Mr McDonald	Mr Simpson	
Mr Gray	Mr Mathews	Mr Spyker	<i>Tellers</i>
Mr Harrowfield	Mr Miller	Mr Stirling	Mr Pope
Mrs Hill	Mr Newton	Mrs Toner	Mr Sheehan
(<i>Frankston</i>)	Mr Norris	Mr Trezise	(<i>Ballarat South</i>)

NOES, 28

Mr Austin	Mr Hann	Mr Reynolds	Mr Wood
Mr Brown	Mr Jasper	Mr Richardson	
Mr Burgin	Mr Jona	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mrs Sibree	
Mr Ebery	Mr McGrath	Mr Tanner	
Mr Evans	Mr McKellar	Mr Thompson	
(<i>Ballarat North</i>)	Mr McNamara	Mr Wallace	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Whiting	Mr Delzoppo
(<i>Gippsland East</i>)	Mrs Patrick	Mr Williams	Mr Saltmarsh

And so it was resolved in the affirmative.

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

The House divided.

AYES, 44

Mr Cain	Mr Hill	Mrs Ray	Dr Vaughan
Miss Callister	(<i>Warrandyte</i>)	Mr Remington	Mr Walsh
Mr Cathie	Mr Hockley	Mr Roper	Mr Wilton
Dr Coghill	Mr Ihlein	Mr Rowe	
Mr Crabb	Mr Jolly	Mr Sheehan	
Mr Culpin	Mr Kennedy	(<i>Ivanhoe</i>)	
Mr Ernst	Mr King	Mr Shell	
Mr Fogarty	Mr Kirkwood	Mr Sidiropoulos	
Mr Fordham	Mr McCutcheon	Mr Simmonds	
Mr Gavin	Mr McDonald	Mr Simpson	
Mr Gray	Mr Mathews	Mr Spyker	<i>Tellers</i>
Mr Harrowfield	Mr Miller	Mr Stirling	Mr Pope
Mrs Hill	Mr Newton	Mrs Toner	Mr Sheehan
(<i>Frankston</i>)	Mr Norris	Mr Trezise	(<i>Ballarat South</i>)

NOES, 28

Mr Austin	Mr Hann	Mr Reynolds	Mr Wood
Mr Brown	Mr Jasper	Mr Richardson	
Mr Burgin	Mr Jona	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mrs Sibree	
Mr Ebery	Mr McGrath	Mr Tanner	
Mr Evans	Mr McKellar	Mr Thompson	
(<i>Ballarat North</i>)	Mr McNamara	Mr Wallace	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Whiting	Mr Delzoppo
(<i>Gippsland East</i>)	Mrs Patrick	Mr Williams	Mr Saltmarsh

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

Business having been interrupted at 10.34 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Bill committed and considered in Committee.

And having continued to sit after Twelve of the clock—

WEDNESDAY, 16 JUNE 1982

Further considered in Committee and reported without amendment.

Motion made and question—That this Bill be now read a third time (*Mr Cain*)
—put.

The House divided.

AYES, 44

Mr Cain	Mr Hill	Mr Remington	Mr Trezise
Miss Callister	(<i>Warrandyte</i>)	Mr Roper	Dr Vaughan
Mr Cathie	Mr Hockley	Mr Rowe	Mr Walsh
Dr Coghill	Mr Ihlein	Mr Sheehan	Mr Wilton
Mr Crabb	Mr Jolly	(<i>Ivanhoe</i>)	
Mr Culpin	Mr King	Mr Sheehan	
Mr Ernst	Mr Kirkwood	(<i>Ballarat South</i>)	
Mr Fogarty	Mr McCutcheon	Mr Shell	
Mr Fordham	Mr McDonald	Mr Sidiropoulos	
Mr Gavin	Mr Mathews	Mr Simmonds	
Mr Gray	Mr Miller	Mr Simpson	
Mr Harrowfield	Mr Newton	Mr Spyker	<i>Tellers</i>
Mrs Hill	Mr Norris	Mr Stirling	Mr Kennedy
(<i>Frankston</i>)	Mr Pope	Mrs Toner	Mrs Ray

NOES, 28

Mr Austin	Mr Jasper	Mrs Patrick	Mr Whiting
Mr Brown	Mr Jona	Mr Reynolds	Mr Williams
Mr Burgin	Mr Kennett	Mr Richardson	Mr Wood
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McGrath	Mr Saltmarsh	
Mr Evans	Mr McKellar	Mrs Sibree	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner	Mr Delzoppo
Mr Hann	Mr Maclellan	Mr Thompson	Mr Wallace

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

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 16 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 13)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Constitution (Executive Council Expenses) Bill.
- 17 CONSTITUTION (EXECUTIVE COUNCIL EXPENSES) BILL—Mr Cain, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Constitution Act 1975’ to increase the amount payable for the Clerk and the expenses of the Executive Council”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 14)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Petroleum (Submerged Lands) Bill.
- 19 PETROLEUM (SUBMERGED LANDS) BILL—Mr Mathews, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “to make provision with respect to the Exploration for and the Exploitation of the Petroleum Resources, and certain other Resources, of certain Submerged Lands adjacent to the Coasts of Victoria, to amend the ‘Petroleum Act 1958’ and the ‘Acts Interpretation Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 20 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Environment Protection Act 1970’ to increase penalties*”.
- 21 ENVIRONMENT PROTECTION (PENALTIES) BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Pay-roll Tax (Amendment) Bill and, on consideration of the Bill in Committee, suggesting amendments.
Ordered—That the said suggested amendments be printed and taken into consideration tomorrow.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Building Societies (Control) Bill without amendment.
- 24 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 25 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at twenty-two minutes past One o’clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 13—Wednesday, 16 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 MINISTERIAL STATEMENT—SECURITY ON MINISTRY OF HOUSING ESTATES—Mr Cathie made a Ministerial Statement relating to security on Ministry of Housing estates. Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cathie*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr McCutcheon*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 4 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Trade Unions—Report of the Registrar of Friendly Societies on Trade Unions for the year 1980–81.
- 5 APPEAL COSTS FUND (AMENDMENT) BILL—Mr Cain, pursuant to motion moved on his behalf by Mr Roper, obtained leave, with Mr Crabb, to bring in a Bill “*to amend the ‘Appeal Costs Fund Act 1964’ and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 6 BAXTER TECHNICAL SCHOOL LAND BILL—Mr Fordham, pursuant to motion moved on his behalf by Mr Crabb, obtained leave, with Mr Roper, to bring in a Bill “to authorize the Minister of Education of the State of Victoria to enter into a Lease and Licence with the Commonwealth of Australia with respect to the use for Defence and other purposes of certain Lands in the City of Frankston, to expend moneys on the construction of Buildings and the provision of facilities in connection with the Lease and Licence, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 PARLIAMENTARY COMMITTEES (JOINT INVESTIGATORY COMMITTEES) BILL—Mr Crabb obtained leave, with Mr Roper, to bring in a Bill “to make Provision with respect to the Establishment, Powers and Functions of certain Joint Investigatory Committees of the Legislative Council and the Legislative Assembly, to repeal the ‘Public Works Committee Act 1958’, the ‘State Development Committee Act 1958’, the ‘Joint Select Committee (Conservation of Energy Resources) Act 1976’ and certain other Acts, to amend the ‘Melbourne and Metropolitan Tramways Act 1958’, the ‘Subordinate Legislation Act 1962’, the ‘Parliamentary Committees Act 1968’, the ‘Constitution Act 1975’ and certain other Acts and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 TRANSPORT REGULATION (VEHICLES) BILL—Mr Crabb obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Transport Regulation Act 1958’ with respect to the Carriage of Goods and Passengers for certain purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 VICTORIAN ARTS CENTRE (GUARANTEES) BILL—Mr Mathews obtained leave, with Mr Cathie, to bring in a Bill “to amend Section 7 of the ‘Victorian Arts Centre Act 1979’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 POSTPONEMENT OF ORDER OF THE DAY—Ordered, after debate—That the consideration of Order of the Day, Government Business, No. 1 be postponed until later this day.
- 11 COUNCIL OF LAW REPORTING IN VICTORIA BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)
—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 12 POSTPONEMENT OF ORDER OF THE DAY—Ordered, after debate—That the consideration of Order of the Day, Government Business, No. 3 be postponed until later this day.
- 13 ENVIRONMENT PROTECTION (PENALTIES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)
—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 29 June instant.
- 14 CONSTITUTION (EXECUTIVE COUNCIL EXPENSES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)
—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday next.

- 15 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 6 be postponed until later this day.
- 16 SUPPLY (1982-83, No. 1) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 SUPERANNUATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Wednesday next.
- 18 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 8 be postponed until later this day.
- 19 LOCAL GOVERNMENT (PECUNIARY INTERESTS OF COUNCILLORS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 10 be postponed until later this day.
- 21 WEIGHTS AND MEASURES (TIME FOR VERIFICATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 22 BOURKE STREET MALL BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Crabb*)—put and agreed to.
Debate resumed on the question—That this Bill be now read a second time.
Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Crabb*)—put and agreed to.
- 24 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at twenty minutes past Eleven o'clock, adjourned until tomorrow.

No. 14—Thursday, 17 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Statutory Rules under the following Acts:
 - Explosives Act 1960—No. 172.
 - Industrial Training Act 1975—No. 178.
 - Local Government Act 1958—No. 179.
 - Public Service Act 1974—PSD No. 129.
 - Victorian Brown Coal Council Act 1978—No. 169.
 - Water Act 1958—Nos. 170, 180.
 - Town and Country Planning Act 1961—
 - Colac—City of Colac Planning Scheme 1963, Amendment No. 16 (1981).
 - Eaglehawk—Borough of Eaglehawk Planning Scheme, Amendment No. 3.
 - Echuca—City of Echuca Planning Scheme, Amendment Nos. 49, 50 (1981) (two papers).
 - Geelong—Geelong Regional Planning Scheme, Amendment Nos. 21 (Part 2A), 27 (1981) (two papers).
 - Horsham—City of Horsham Planning Scheme 1973, Amendment No. 65 (1981).
 - Melbourne and Metropolitan Planning Scheme, Amendment Nos. 143 (Part 2A), 159 (Part 2), 211 (three papers).
 - Morwell—Shire of Morwell Planning Scheme 1977, Amendment No. 10 (1981).
 - Rosedale—Shire of Rosedale Planning Scheme Part 2, Amendment No. 6.
 - Sherbrooke—Shire of Sherbrooke Planning Scheme 1965, Amendment No. 146.
- 4 DISCHARGE OF ORDER OF THE DAY—Motion made, by leave, and question—That the following Order of the Day, General Business, be read and discharged:
 - Local Government (Board of Review) Bill (No. 2)—Second reading.*
 - and that the Bill be withdrawn (*Mrs Patrick*)—put and agreed to.
- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to establish an Electoral Commission for dividing the State of Victoria from time to time into Electoral Provinces for the Legislative Council and Electoral Districts for the Legislative Assembly*”.
- 6 ELECTORAL COMMISSION BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 7 NUCLEAR-FREE STATE DECLARATION—Motion made and question—That this House deplores the professed intention of the Government to declare a “nuclear-free State” on the following grounds: (a) Its potential for embarrassing Australia internationally and its detrimental effect on our defence arrangements; (b) The unnecessary and premature closing off of options for the peaceful application of nuclear energy in Victoria for the enhancement of living standards; and (c) Constitutionally, the issue of naval vessels visiting Australia should rest with the Federal Government under its defence powers (*Mr Ross-Edwards*)—after debate, put.

The House divided.

AYES, 28

Mr Austin	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Brown	Mr Jona	Mr Reynolds	Mr Williams
Mr Burgin	Mr Kennett	Mr Richardson	Mr Wood
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McGrath	Mr Saltmarsh	
Mr Evans	Mr McKellar	Mrs Sibree	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Maclellan	Mr Tanner	Mr Delzoppo
Mr Hann	Mrs Patrick	Mr Thompson	Mr McNamara

NOES, 44

Mr Cain	Mr Hockley	Mr Remington	Mr Stirling
Miss Callister	Mr Ihlein	Mr Roper	Mrs Toner
Mr Cathie	Mr Jolly	Mr Rowe	Mr Trezise
Dr Coghill	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Crabb	Mr King	Mr Sheehan	Mr Walsh
Mr Culpin	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Wilton
Mr Ernst	Mr McCutcheon	Mr Sheehan	
Mr Fogarty	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gavin	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Sidiropoulos	Mr Gray
Mr Hassett	Mr Norris	Mr Simmonds	Mr McDonald
Mr Hill	Mr Pope	Mr Simpson	
(<i>Warrandyte</i>)	Mrs Ray	Mr Spyker	

And so it passed in the negative.

- 8 APPEAL COSTS FUND (AMENDMENT) BILL—Motion made and question proposed—
That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)
—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.
- 9 BAXTER TECHNICAL SCHOOL LAND BILL—Motion made and question proposed—
That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)
—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 10 PARLIAMENTARY COMMITTEES (JOINT INVESTIGATORY COMMITTEES) BILL—Motion
made and question proposed—That this Bill be now read a second time (*Mr
Roper*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)
—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 11 TRANSPORT REGULATION (VEHICLES) BILL—Motion made and question proposed—
That this Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)
—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 12 VICTORIAN ARTS CENTRE (GUARANTEES) BILL—Motion made and question proposed
—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)
—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.

- 13 "GRIEVANCES" DEBATE—Motion made, by leave, and question proposed—That notwithstanding anything to the contrary in Standing Orders or Sessional Orders, at 8.00 p.m. on Wednesday, 23rd instant the question "That grievances be noted" shall be proposed, to which question any Member may speak for not more than twenty minutes (*Mr Crabb*)—and, after debate—

Motion made and question—That the question be now put (*Mr Cathie*)—put.

The House divided.

AYES, 44

Mr Cain	Mr Hockley	Mr Remington	Mr Stirling
Miss Callister	Mr Jolly	Mr Roper	Mrs Toner
Mr Cathie	Mr Kennedy	Mr Rowe	Mr Trezise
Dr Coghill	Mr King	Mrs Setches	Dr Vaughan
Mr Crabb	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Culpin	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilton
Mr Ernst	Mr McDonald	Mr Sheehan	
Mr Fogarty	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gavin	Mr Miller	Mr Shell	
Mr Gray	Mr Newton	Mr Sidiropoulos	
Mr Hassett	Mr Norris	Mr Simmonds	<i>Tellers</i>
Mr Hill	Mr Pope	Mr Simpson	Mr Harrowfield
(<i>Warrantyte</i>)	Mrs Ray	Mr Spyker	Mr Ihlein

NOES, 27

Mr Austin	Mr Jasper	Mr Reynolds	Mr Williams
Mr Brown	Mr Jona	Mr Richardson	Mr Wood
Mr Burgin	Mr Kennett	Mr Ross-Edwards	
Mr Delzoppo	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	
Mr Evans	Mr McKellar	Mr Tanner	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Maclellan	Mr Thompson	Mr Dickinson
Mr Hann	Mrs Patrick	Mr Wallace	Mr McNamara

And so it was resolved in the affirmative.

Question—accordingly put.

AYES, 44

Mr Cain	Mr Hockley	Mr Remington	Mr Stirling
Miss Callister	Mr Jolly	Mr Roper	Mrs Toner
Mr Cathie	Mr Kennedy	Mr Rowe	Mr Trezise
Dr Coghill	Mr King	Mrs Setches	Dr Vaughan
Mr Crabb	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Culpin	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilton
Mr Ernst	Mr McDonald	Mr Sheehan	
Mr Fogarty	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gavin	Mr Miller	Mr Shell	
Mr Gray	Mr Newton	Mr Sidiropoulos	
Mr Hassett	Mr Norris	Mr Simmonds	<i>Tellers</i>
Mr Hill	Mr Pope	Mr Simpson	Mr Harrowfield
(<i>Warrantyte</i>)	Mrs Ray	Mr Spyker	Mr Ihlein

NOES, 27

Mr Austin	Mr Jasper	Mr Reynolds	Mr Williams
Mr Brown	Mr Jona	Mr Richardson	Mr Wood
Mr Burgin	Mr Kennett	Mr Ross-Edwards	
Mr Delzoppo	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	
Mr Evans	Mr McKellar	Mr Tanner	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Maclellan	Mr Thompson	Mr Dickinson
Mr Hann	Mrs Patrick	Mr Wallace	Mr McNamara

And so it was resolved in the affirmative.

- 14 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 6 be postponed until later this day.

15 MELBOURNE CORPORATION (ELECTION OF COUNCIL) BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

16 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Crabb*)—put and agreed to.

17 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at fourteen minutes past Six o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 15 and 16

No. 15—Tuesday, 22 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 MINISTERIAL STATEMENT—CHARITY COLLECTIONS—Mr Roper made a Ministerial Statement relating to organizations collecting for charities.
- 4 CHARITIES ADMINISTRATION—Motion made, by leave, and question—That there be presented to this House a copy of the Second Report of the State Government Interdepartmental Working Party on the Administration of Charities (*Mr Roper*)—put and agreed to.
- 5 PAPER—Mr Roper presented:

Charities Administration—Second Report of State Government Interdepartmental Working Party on the Administration of Charities—Return to the foregoing Order.

Ordered to lie on the Table.
- 6 MINISTERIAL STATEMENT AND CHARITIES ADMINISTRATION REPORT—CHARITIES COLLECTION—Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement and the Charities Administration Report (*Mr Roper*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Miller*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.
- 7 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Co-operative Housing Societies—Report of the Registrar for the year 1979–80—Ordered to be printed.

Co-operative Societies—Report for the Registrar for the year 1979–80—Ordered to be printed.

Statutory Rules under various Acts:

Industrial Training Act 1975—No. 166.

Legal Profession Practice Act 1958—No. 174.

Marine Act 1958—No. 177.

Post-Secondary Education Act 1978—No. 173.

Securities Industry (Application of Laws) Act 1981—No. 175.

Warehousemen's Liens Act 1958—No. 171.

State Classification of Publications Board—Report for the year 1980–81—Ordered to be printed.
- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 15)—BILL RESERVED—Informing the Assembly that he had, on 16 June instant, reserved for the signification of Her Majesty's pleasure thereon the following Bill, presented to him by the Clerk of the Parliaments:

Constitution (Governor's Salary) Bill.

- 9 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 16)—ASSENT TO BILLS—
Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Stamps (Matrimonial Settlements) Bill.
 - Stamps (First Purchases of Land) Bill.
 - Metropolitan Fire Brigades (Amendment) Bill.
 - Howard Florey Institute of Experimental Physiology and Medicine Bill.
 - Building Societies (Control) Bill.
- 10 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 17, 18, 19)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Superannuation (Amendment) Bill.
 - Victorian Arts Centre (Guarantees) Bill.
 - Parliamentary Committees (Joint Investigatory Committees) Bill.
- 11 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 12 WEST GATE BRIDGE AUTHORITY (TRANSFER OF FUNCTIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again later this day.
- 13 CONSTITUTION (EXECUTIVE COUNCIL EXPENSES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of Members of the Legislative Assembly and, by leave, read the third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 APPEAL COSTS FUND (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 WEST GATE BRIDGE AUTHORITY (TRANSFER OF FUNCTIONS) BILL—Further considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time, after debate.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 PAY-ROLL TAX (AMENDMENT) BILL—The Order of the Day for the consideration of the amendments suggested by the Legislative Council was read.
On the motion of Mr Jolly and, after debate—
- Suggested amendment No. 1 made.
 - Suggested amendment No. 2 made with a modification.
 - Suggested amendment Nos. 3 to 6 inclusive not made.
 - Suggested amendment No. 7 made with a modification.
 - Suggested amendment No. 8 made with a modification.
- Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 17 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 ENVIRONMENT PROTECTION (LEAD IN PETROL) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Constitution (Executive Council Expenses) Bill.
Appeal Costs Fund (Amendment) Bill.
- 20 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill now be read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Crabb*)—put and agreed to.
Debate resumed on the question—That this Bill be now read a second time.
Motion made and question—That the debate be now adjourned (*Mr Ross-Edwards*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Supply (1982–83, No. 1) Bill without amendment.
- 22 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Crabb*)—put and agreed to.
- 23 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at twenty-one minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 16—Wednesday, 23 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).

- 3 PETITION—The Clerk announced that the following petition has been lodged for presentation:

HUMANIST RELIGION IN SCHOOLS—Seeking urgent positive action to prohibit the teaching of the Humanist Religion in State schools, bearing 24 signatures (by Mr Maclellan).

Ordered to lie on the Table.

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

Ombudsman—Report for the quarter ended 31 December 1981—Ordered to be printed.

Statutory Rules under the following Acts:

Marketing of Primary Products Act 1958—No. 176.

Melbourne and Metropolitan Board of Works Act 1958—No. 182.

- 5 VACANCIES IN MEMBERSHIP OF THE COUNCIL OF VICTORIAN INSTITUTE OF MARINE SCIENCES, DEAKIN UNIVERSITY COUNCIL, LA TROBE UNIVERSITY COUNCIL, MONASH UNIVERSITY COUNCIL, VICTORIAN INSTITUTE OF SECONDARY EDUCATION COUNCIL AND MELBOURNE UNIVERSITY COUNCIL—Mr Speaker announced that he had received the following communications:

4 June 1982

The Honourable T. Edmunds, M.P.,
Speaker of the Legislative Assembly,
Parliament House,
Melbourne, 3000.

Dear Mr Speaker,

Section 7 (1) of the *Victorian Institute of Marine Sciences Act 1974*, provides, among other things, that three members of the Council of the Institute shall be members of the Parliament of Victoria who have been recommended for appointment by a joint sitting of the members of the Legislative Council and the Legislative Assembly conducted in accordance with the rules adopted for the purpose by the members at the sitting.

The previous members, whose term of office would have expired on 15 June 1982, were Messrs A. V. Smith, G. F. Stirling, M.P., and B. J. Evans, M.P.

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

I have also written to the President of the Legislative Council in similar vein.

Yours sincerely,

EVAN WALKER
Minister for Conservation

* * * *

22 June 1982

The Hon. C. T. Edmunds, M.P.,
Speaker of the Legislative Assembly,
Parliament House,
Melbourne.

Dear Mr Speaker,

The statutes relating to the universities and the institute listed below provide for the appointment by the Governor in Council of three Members of the Parliament to each of their governing councils—the Members to be recommended for appointment by a joint sitting of the Legislative Council

and the Legislative Assembly conducted in accordance with the rules adopted for the purpose by the members present at the sitting.

I should be grateful if you could arrange for such a joint sitting to recommend Members for appointment to the following vacancies:

Deakin University Council [*Deakin University Act 1974*, Section 7 (1) (a)]
(4 year term ending 31 December 1985)

Aurel Vernon Smith

Hon. Neil Benjamin Trezise, M.P.

La Trobe University Council [*La Trobe University Act 1964*, Section 7 (1) (a)]

(4 year term ending 18 December 1982)

Dr Ralph William Howard, M.L.C.

Hon. John Cain, M.P.

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

(4 year term ending 11 December 1983)

Thomas Campion Trewin

Hon. Ian Robert Cathie, M.P.

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

(4 year term ending 10 January 1985)

Hon. Mrs Pauline Therese Toner, M.P.

Donald James Mackinnon

In addition there is a vacancy on the Melbourne University Council for the remainder of the four year term ending on 16 December 1983 *vice* John Joseph Ginifer, resigned. Under section 5 (1) (a) of the *Melbourne University Act 1958* this vacancy can be filled by a Member of the Legislative Assembly recommended for appointment by the Members thereof.

I should be grateful if this could be done at the same time as the other vacancies are filled.

Yours sincerely,

ROBERT CLIVE FORDHAM
Minister of Education

Motion made and question—That this House meets the Legislative Council for the purpose of sitting and voting together to choose various Members of the Parliament to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences; the Council of the Deakin University; the Council of the La Trobe University; the Council of the Monash University; and the Council of the Victorian Institute of Secondary Education, and proposes that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 30 June instant at a quarter past Six o'clock (*Mr Cain*)—put and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.

- 6 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until Tuesday next (*Mr Crabb*)—put and agreed to.
- 7 DOMICILE (AMENDMENT) BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Domicile Act 1978’ in relation to the Domicile of certain Children and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 STATE EMPLOYEES RETIREMENT BENEFITS (SCHOOL COUNCIL EMPLOYEES) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘State Employees Retirement Benefits Act 1979’ with respect to past Service of Employees of School Councils and other matters”; and the said Bill was read

a first time, ordered to be printed and, by leave, read a second time later this day.

- 9 TRANSPORT REGULATION (TOW TRUCKS) BILL—Mr Crabb obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Transport Regulation Act 1958’ with respect to the Operation of Tow Trucks in certain Areas and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 10 EVIDENCE (COMMISSIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 11 PUBLIC AUTHORITIES (SINKING FUNDS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 TRANSPORT REGULATION (TOW TRUCKS) BILL—Read a second time, after debate, and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill now be read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted to provide the House with the opportunity of considering separately the validity provisions and the restructuring of the Victorian Economic Development Corporation” (*Mr Ross-Edwards*)—and, after debate—

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

AYES, 41

Miss Callister	Mr Hockley	Mrs Ray	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Remington	Mr Trezise
Dr Coghill	Mr Kennedy	Mr Roper	Dr Vaughan
Mr Culpin	Mr King	Mr Rowe	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr McCutcheon	(Ballarat South)	
Mr Gavin	Mr McDonald	Mr Shell	
Mr Gray	Mr Mathews	Mr Sidiropoulos	
Mr Harrowfield	Mr Miller	Mr Simmonds	<i>Tellers:</i>
Mr Hassett	Mr Newton	Mr Simpson	Mrs Setches
Mrs Hill	Mr Norris	Mr Spyker	Mr Sheehan
(Frankston)	Mr Pope	Mr Stirling	(Ivanhoe)

NOES, 30

Mr Austin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Brown	Mr Kennett	Mr Richardson	Mr Williams
Mr Burgin	Mr Lieberman	Mr Ross-Edwards	
Mr Dickinson	Mr McGrath	Mrs Sibree	
Mr Ebery	Mr McKellar	Mr Smith	
Mr Evans	Mr McNamara	Mr Tanner	
(Gippsland East)	Mr Maclellan	Mr Templeton	<i>Tellers:</i>
Mr Hann	Mrs Patrick	Mr Thompson	Mr Delzoppo
Mr Jasper	Mr Ramsay	Mr Wallace	Mr Saltmarsh

And so it was resolved in the affirmative.

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

AYES, 41

Miss Callister	Mr Hockley	Mrs Ray	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Remington	Mr Trezise
Dr Coghill	Mr Kennedy	Mr Roper	Dr Vaughan
Mr Culpin	Mr King	Mr Rowe	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr McCutcheon	(Ballarat South)	
Mr Gavin	Mr McDonald	Mr Shell	
Mr Gray	Mr Mathews	Mr Sidiropoulos	
Mr Harrowfield	Mr Miller	Mr Simmonds	<i>Tellers:</i>
Mr Hassett	Mr Newton	Mr Simpson	Mrs Setches
Mrs Hill	Mr Norris	Mr Spyker	Mr Sheehan
(Frankston)	Mr Pope	Mr Stirling	(Ivanhoe)

NOES, 30

Mr Austin	Mr Jasper	Mrs Patrick	Mr Templeton
Mr Brown	Mr Jona	Mr Ramsay	Mr Thompson
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Wallace
Mr Dickinson	Mr Lieberman	Mr Richardson	Mr Whiting
Mr Ebery	Mr McGrath	Mr Ross-Edwards	Mr Williams
Mr Evans	Mr McKellar	Mrs Sibree	<i>Tellers:</i>
(Gippsland East)	Mr McNamara	Mr Smith	Mr Delzoppo
Mr Hann	Mr Maclellan	Mr Tanner	Mr Saltmarsh

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered and amendments agreed to.

Motion made and question—That this Bill be now read a third time (*Mr Roper*)—after debate, put.

The House divided.

AYES, 41

Miss Callister	Mr Hockley	Mr Roper	Mr Stirling
Mr Cathie	Mr Ihlein	Mr Rowe	Mrs Toner
Dr Coghill	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Culpin	Mr King	Mr Sheehan	Dr Vaughan
Mr Ernst	Mr Kirkwood	(Ivanhoe)	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Gavin	Mr McDonald	(Ballarat South)	
Mr Gray	Mr Mathews	Mr Shell	
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	
Mr Hassett	Mr Newton	Mr Simmonds	<i>Tellers:</i>
Mrs Hill	Mr Norris	Mr Simpson	Mr Pope
(Frankston)	Mr Remington	Mr Spyker	Mrs Ray

NOES, 27

Mr Austin	Mr Jasper	Mr Reynolds	Mr Thompson
Mr Brown	Mr Jona	Mr Richardson	Mr Williams
Mr Burgin	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McKellar	Mrs Sibree	
Mr Evans	Mr Maclellan	Mr Smith	<i>Tellers:</i>
(Gippsland East)	Mrs Patrick	Mr Tanner	Mr Delzoppo
Mr Hann	Mr Ramsay	Mr Templeton	Mr McNamara

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

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 MESSAGES FROM THE LEGISLATIVE COUNCIL—
 Agreeing to the Pay-roll Tax (Amendment) Bill, including the amendments made by the Assembly which were suggested by the Council, as modified by the Assembly, without amendment.
 Agreeing to the West Gate Bridge Authority (Transfer of Functions) Bill without amendment.
- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to meet with the Assembly for the purpose of sitting and voting together to choose various Members of the Parliament of Victoria to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences, the Council of the Deakin University, the Council of the La Trobe University, the Council of the Monash University and the Council of the Victorian Institute of Secondary Education and, as proposed by the Assembly, concur with the place and time of such meeting.
- 16 TEMPORARY CHAIRMAN OF COMMITTEES—The following Warrant, nominating the Temporary Chairman of Committees, was laid upon the Table by Mr Speaker:

VICTORIA

Legislative Assembly

Pursuant to the provisions of the Standing Order of the Legislative Assembly of the State of Victoria numbered 12, I do hereby nominate—Miss Valerie Joy Callister, William Thomas Ebery, Esquire, Graham Keith Ernst, Esquire, Alexander Thomas Evans, Esquire, Bruce James Evans, Esquire, William Francis Fogarty, Esquire, Gordon Stanley Hockley, Esquire, J.P., Kenneth Stephen Jasper, Esquire, Carl William Dunn Kirkwood, Esquire, Robert Henry Miller, Esquire, Mrs Jeannette Tweeddale Patrick, Keith Henry Remington, Esquire, John Ingles Richardson, Esquire, Gordon Francis Stirling, Esquire, Dr Gerard Marshall Vaughan and Milton Stanley Whiting, Esquire, to act as Temporary Chairmen of Committees whenever requested so to do by the Chairman of Committees.

This warrant is in substitution for my warrant dated 27 April 1982.

Given under my hand this twenty-third day of June One thousand nine hundred and eighty-two.

C. T. EDMUNDS
 Speaker

- 17 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
 Business having been interrupted at 10.30 p.m.
- 18 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at twenty-six minutes past Eleven o'clock.

J. H. CAMPBELL
 Clerk of the Legislative Assembly

C. T. EDMUNDS
 Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 17, 18 and 19

No. 17—Tuesday, 29 June 1982

- 1 The House met pursuant to adjournment. Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 MINISTERIAL STATEMENT—RICHMOND CITY COUNCIL REPORT—Mr Wilkes made a Ministerial Statement relating to Report of the Board of Inquiry relating to certain matters within the City of Richmond—Part 1.
 Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Wilkes*)—and, after debate—
 Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until tomorrow.
- 4 MINISTERIAL STATEMENT—PREMIERS CONFERENCE AND LOAN COUNCIL MEETING—Mr Cain made a Ministerial Statement relating to the Premiers Conference and Meeting of the Loan Council.
 Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cain*)—and, after debate—
 Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until tomorrow.
- 5 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - HEALTH AND HUMAN RELATIONS COURSES—Seeking the withdrawal of all Health and Human Relations Courses from the education curriculum, bearing 24 signatures (*by Mr Templeton*).
 - “HUMES” SITE, MARIBYRNONG—Seeking action to protect and preserve the unique significance of the “Humes” site at Maribyrnong, bearing 1201 signatures (*by Mr Fogarty*).
 Severally ordered to lie on the Table.
- 6 PAPERS—Mr Wilkes presented, by command of His Excellency the Governor—City of Richmond—Report of the Board of Inquiry relating to certain matters within the City of Richmond, Part 1 (two papers).
 Ordered to lie on the Table and to be printed.
 The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Casinos—Order in Council authorizing maximum expenditure of the Board of Inquiry into Casinos.
 - Grain Elevators Board—Report and statement of accounts for the year ended 31 October 1981.

Groundwater Act 1969—Groundwater Investigation Programme for the year 1981.

Statutory Rules under the following Acts:

Dental Technicians Act 1972—No. 190.

Melbourne and Metropolitan Board of Works Act 1958—Nos. 183, 188, 189.

Public Service Act 1974—PSD Nos. 130 to 133, 135 to 138.

State Bank Act 1958—Nos. 162 (*In lieu of Statutory Rule tabled on 25 May 1982*), 184.

Weights and Measures Act 1958—No. 181.

Wildlife Act 1975—No. 186.

Town and Country Planning Act 1961—

Geelong Regional Planning Scheme, Amendment Nos. 34 and 39 (two papers).

Horsham—City of Horsham Planning Scheme 1973, Amendment No. 67 (1981).

Knox—City of Knox Planning Scheme 1965, Amendment No. 236 (1980).

Maffra—Shire of Maffra (Maffra Township) Planning Scheme 1965, Amendment No. 20 (1981).

Moe—City of Moe Planning Scheme 1966, Amendment No. 63.

Sebastopol—Borough of Sebastopol Planning Scheme, Amendment No. 21.

Warragul Planning Scheme 1954, Amendment No. 41 (1981).

7 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

Melbourne and Metropolitan Board of Works (Differential Rating) Bill.

Psychological Practices (Scientology) Bill.

Health (Private Hospitals) Bill.

Racing (Payment of Dividends) Bill.

8 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to facilitate the Transfer of the 'Hospitals Superannuation Act 1965' from the administration of the Minister of Health*".

9 HOSPITALS SUPERANNUATION (AMENDMENT) BILL—On the motion of Mr Roper, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

10 PROBATE DUTY BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Probate Duty Act 1962' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

11 GIFT DUTY (AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Gift Duty Act 1971' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

12 LOCAL GOVERNMENT (CITY OF RICHMOND) BILL—Mr Wilkes, by leave, obtained leave, with Mr Roper, to bring in a Bill "*to authorize the Establishment of a Commission to administer the City of Richmond, to dismiss the Council of the*

City of Richmond from Office, to provide for the restoration of an Elected Council and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 13 WORKERS COMPENSATION (BENEFIT RATES) BILL—Mr Jolly, by leave, obtained leave, with Mr Fordham, to bring in a Bill "*to amend Section 9 of the 'Workers Compensation Act 1958'*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 14 HOUSE COMMITTEE—Motion made, by leave, and question—That Mr Hann, Mr Hockley, Mr McCutcheon, Mr Templeton and Mr Wood be members of the House Committee; and that the Committee have leave to sit on days on which the House does not meet (*Mr Fordham*)—put and agreed to.
- 15 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 20)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the State Employees Retirement Benefits (School Council Employees) Bill.
- 16 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 21)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Parliamentary Superannuation Bill.
- 17 PARLIAMENTARY SUPERANNUATION BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill "*to amend 'The Constitution Act Amendment Act 1958', the 'Parliamentary Contributory Superannuation Act 1962' and the 'Parliamentary Salaries and Superannuation Act 1968' to make Provision with respect to the Superannuation Entitlements of Members of Parliament, former Members, their Widows and Dependants and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 18 LOCAL GOVERNMENT (CITY OF RICHMOND) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 19 PARLIAMENTARY SUPERANNUATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 20 WORKERS COMPENSATION (BENEFIT RATES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
Ordered—That the debate be adjourned until later this day.
- 21 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 22)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
Constitution (Executive Council Expenses) Bill.
Appeal Costs Fund (Amendment) Bill.
Supply (1982–83, No. 1) Bill.
Pay-roll Tax (Amendment) Bill.

West Gate Bridge Authority (Transfer of Functions) Bill.
 Melbourne and Metropolitan Board of Works (Differential Rating) Bill.
 Psychological Practices (Scientology) Bill.
 Health (Private Hospitals) Bill.
 Racing (Payment of Dividends) Bill.

- 22 DOMICILE (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
 Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 23 STATE EMPLOYEES RETIREMENT BENEFITS (SCHOOL COUNCIL EMPLOYEES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 24 PETROLEUM (SUBMERGED LANDS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
 Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 13 July next.
- 25 SUPERANNUATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 26 TRANSPORT REGULATION (VEHICLES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 27 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, General Business, No. 6, be postponed until later this day.
- 28 HOSPITAL BENEFITS (LEVY) BILL—Order read for resuming debate on question—That this Bill now be read a second time; debate resumed.
 Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and re-drafted to enable full and adequate consultation with representatives of public hospitals, hospital benefits funds and the Health Commission, with the view to evolving an equitable and efficient management mechanism designed to achieve, at a minimum of cost, prompt collection of fees for out-patient services provided by hospitals and to identify the nature and extent of contributions paid by Victorians to hospital benefit funds for out-patient

services, so guaranteeing that hospitals receive payment from contributors or funds for out-patient services actually provided" (*Mr Lieberman*)—and, after debate—

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Debate resumed on question and amendment.

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

AYES, 46

Mr Cain	Mr Hockley	Mr Remington	Mrs Toner
Miss Callister	Mr Ihlein	Mr Roper	Mr Trezise
Mr Cathie	Mr Jolly	Mr Rowe	Dr Vaughan
Dr Coghill	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Crabb	Mr King	Mr Sheehan	Mr Wilton
Mr Culpin	Mr Kirkwood	(<i>Ivanhoe</i>)	
Mr Ernst	Mr McCutcheon	Mr Sheehan	
Mr Fogarty	Mr McDonald	(<i>Ballarat South</i>)	
Mr Fordham	Mr Mathews	Mr Shell	
Mr Gavin	Mr Miller	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Simmonds	Mr Harrowfield
Mr Hassett	Mr Norris	Mr Simpson	Mr Hill
Mrs Hill	Mr Pope	Mr Spyker	(<i>Warrandyte</i>)
(<i>Frankston</i>)	Mrs Ray	Mr Stirling	

NOES, 28

Mr Austin	Mr Hann	Mr Maclellan	Mr Tanner
Mr Brown	Mr Jasper	Mrs Patrick	Mr Thompson
Mr Burgin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Ebery	Mr Kennett	Mr Richardson	Mr Williams
Mr Evans	Mr Lieberman	Mr Ross-Edwards	
(<i>Ballarat North</i>)	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Delzoppo
(<i>Gippsland East</i>)	Mr McNamara	Mr Smith	Mr Wallace

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

And having continued to sit till after Twelve of the clock—

WEDNESDAY, 30 JUNE 1982

Further considered in Committee and reported with amendments; as amended, considered and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

29 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend Section 65C of the 'Water Act 1958' and to amend Section 81 of the 'Sewerage Districts Act 1958' and for other purposes*".

30 WATER AND SEWERAGE DISTRICTS (AMENDMENT) BILL—On the motion of Mr Mathews, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

31 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Optometrists Registration (Amendment) Bill without amendment.

32 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Victorian Economic Development Corporation (Amendment) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 33 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Motor Car (Breath Analysing Instruments) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 34 PARLIAMENTARY COMMITTEES (JOINT INVESTIGATORY COMMITTEES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 35 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 36 ADJOURNMENT—Resolved—That the House do now adjourn.
And then the House, at fourteen minutes past One o'clock in the morning adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 18—Wednesday, 30 June 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 MINISTERIAL STATEMENT—CHAIRMAN OF PLANNING APPEALS BOARD—Mr Cain made a Ministerial Statement relating to the Chairman of the Planning Appeals Board.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Public Service Board—Report for the year 1980–81—Ordered to be printed.
Teachers Tribunal—Report for the year 1980–81—Ordered to be printed.
- 5 CO-OPERATIVE HOUSING SOCIETIES AND CO-OPERATION (AMENDMENT) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Co-operative Housing Societies Act 1958' and the 'Co-operation Act 1981' with respect to the Execution of Guarantees and the Entering into of Agreements by the Treasurer of Victoria and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL—Mr Cathie obtained leave, with Mr Simpson, to bring in a Bill "*to amend the 'Industrial and Provident Societies Act 1958'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 7 **LOTTERIES GAMING AND BETTING (ADVERTISEMENTS) BILL**—Mr Trezise obtained leave, with Mr Cain, to bring in a Bill “to amend section 40 of the ‘*Lotteries Gaming and Betting Act 1966*’ to further restrict the publication of information concerning betting odds”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL**—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘*Medical Practitioners Act 1970*’ to make provision with respect to Private Hospitals in which a Medical Practitioner has a Notifiable Interest, to amend the ‘*Health Act 1958*’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL**—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill was read.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 10 **MOTOR CAR (BREATH ANALYSING INSTRUMENTS) BILL**—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill was read.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 11 **WATER AND SEWERAGE DISTRICTS (AMENDMENT) BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Smith*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until later this day.
- 12 **HOSPITALS SUPERANNUATION (AMENDMENT) BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until later this day.
- 13 **BAXTER TECHNICAL SCHOOL LAND BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 **VICTORIAN ARTS CENTRE (GUARANTEES) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 23)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Parliamentary Committees (Joint Investigatory Committees) Bill.
- 16 PARLIAMENTARY COMMITTEES (JOINT INVESTIGATORY COMMITTEES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time, after debate.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 VACANCIES IN MEMBERSHIP OF THE VICTORIAN INSTITUTE OF MARINE SCIENCES COUNCIL, DEAKIN UNIVERSITY COUNCIL, LA TROBE UNIVERSITY COUNCIL, MONASH UNIVERSITY COUNCIL AND VICTORIAN INSTITUTE OF SECONDARY EDUCATION COUNCIL—Mr Speaker reported that the House had, that day, met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to choose Members of the Parliament of Victoria to be recommended for appointment to the governing bodies of various institutions, and that—
- (a) Bruce James Evans, Esquire, M.P., the Honourable William Vasey Houghton, M.L.C., and Gordon Francis Stirling, Esquire, M.P. were recommended for appointment to the Council of the Victorian Institute or Marine Sciences.
 - (b) The Honourable Clive Bubb, M.L.C. and the Honourable David Ernest Henshaw, M.B.E., M.L.C., were recommended for appointment to the Council of the Deakin University.
 - (c) Carl William Dunn Kirkwood, Esquire, M.P. and Donald Neville Saltmarsh, Esquire, M.P. were recommended for appointment to the Council of the La Trobe University.
 - (d) The Honourable William Robert Baxter, M.L.C. and Dr Gerard Marshall Vaughan, M.P. were recommended for appointment to the Council of the Monash University.
 - (e) The Honourable Joan Elizabeth Kirner, M.L.C. and John Ingles Richardson, Esquire, M.P. were recommended for appointment to the Council of the Victorian Institute of Secondary Education.
- 18 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 8 to 10 inclusive, be postponed until later this day.
- 19 LOCAL GOVERNMENT (CITY OF RICHMOND) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith, after debate.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Bourke Street Mall Bill.
Victorian Arts Centre (Guarantees) Bill.
Transport Regulation (Tow Trucks) Bill.
Weights and Measures (Time for Verification) Bill.
- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Abattoir and Meat Inspection Act 1973'*".

- 22 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to consolidate and amend the Law relating to Seeds, and for other purposes*”.
- 24 SEEDS BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 25 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to authorize the Granting of Leases of certain Crown land in the Parish of Haddon permanently reserved as a Site for Public Purposes and for other purposes*”.
- 26 BURRUMBEET (RUSSELL RESERVE) LAND BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 27 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Pipelines Act 1967’ and for other purposes*”.
- 28 PIPELINES (AMENDMENT) BILL—On the motion of Mr Mathews, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 29 WORKERS COMPENSATION (BENEFIT RATES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 30 PARLIAMENTARY SUPERANNUATION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 31 PUBLIC ACCOUNT (CASH MANAGEMENT ACCOUNT) BILL—Order read for resuming debate on question—That this Bill now be read a second time; debate resumed. Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Debate resumed on the question—That this Bill be now read a second time.
Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 32 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Melbourne and Metropolitan Board of Works Act 1958’ with respect to Offices, and for other purposes*”.
- 33 MELBOURNE AND METROPOLITAN BOARD OF WORKS (OFFICES) BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 34 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 Superannuation (Amendment) Bill.
 Local Government (City of Richmond) Bill.
- 35 TOWN AND COUNTRY PLANNING (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 36 STATE EMPLOYEES RETIREMENT BENEFITS (SCHOOL COUNCIL EMPLOYEES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 37 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 Public Authorities (Sinking Funds) Bill.
 Local Authorities Superannuation (Amendment) Bill.
 Transport Regulation (Vehicles) Bill.
- 38 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 39 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 40 ADJOURNMENT—Motion made and question proposed—That the House do now adjourn (*Mr Fordham*)—and, after debate—
 And the House having continued to sit till after Twelve of the clock—
 THURSDAY, 1 JULY 1982
 Question—put and agreed to.

And then the House, at thirty-seven minutes past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 19—Thursday, 1 July 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).

3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

HEALTH AND HUMAN RELATIONS COURSES—Seeking that all Health and Human Relations Courses be withdrawn from the education curriculum, bearing 27 signatures (*by Mr Templeton*).

COBRAM RAIL SERVICE—Seeking the re-introduction of rail services for Cobram, bearing 39 signatures (*by Mr Jasper*).

Severally ordered to lie on the Table.

4 PAPERS—Mr Speaker presented:

Auditor-General—Special Report on an overview of works contracts in relation to Government departments and Statutory authorities.

Ordered to lie on the Table and to be printed.

Mr Cain presented, by command of His Excellency the Governor:

Drug Trafficking—Interim Report No. 2 of the Royal Commission.

Federated Ship Painters and Dockers Union—Interim Report No. 3 of the Royal Commission.

Severally ordered to lie on the Table.

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

Medical Board of Victoria—Report for the year 1980–81.

Victorian Film Corporation—Report for the year 1980–81.

Youth, Sport and Recreation—Report for the year 1980–81—Ordered to be printed.

5 CONSTITUTIONAL CONVENTION—Motion made, by leave, and question—That the Joint Resolution of the Legislative Council and the Legislative Assembly concerning the Constitutional Convention adopted on 3 May 1972 be amended as follows:

Omit paragraph 1 and insert the following paragraph:

“1. That for the purposes of the proposed Convention—

- (a) twelve Members of the Parliament of Victoria be appointed as Delegates to the proposed Convention to review the operation of the Constitution of the Commonwealth of Australia and to propose such amendments to that Constitution as they think fit;
- (b) the four Members appointed by the Legislative Council shall be The Honourable _____, The Honourable _____, The Honourable _____, and The Honourable _____;
- (c) the eight Members appointed by the Legislative Assembly shall be The Honourable John Cain, The Honourable C. T. Edmunds, The Honourable R. C. Fordham, E. J. Hann, Esquire, R. H. Miller, Esquire, The Honourable R. R. C. Maclellan, Peter Ross-Edwards, Esquire, and the Honourable L. H. S. Thompson, C.M.G.”

Omit paragraphs 3 and 4 and insert the following paragraphs:

“3. That the Honourable John Cain be Leader of the Delegation and that the Honourable L. H. S. Thompson, C.M.G., be Deputy-Leader.

4. That where, because of illness or other cause, a Delegate is unable to attend a meeting of the proposed Convention—

- (i) if the Delegate is a Member of the Legislative Council, the Leader may appoint an alternate Member being either The Honourable _____, The Honourable _____, or The Honourable _____; and

- (ii) if the Delegate is a Member of the Legislative Assembly, the Leader may appoint an alternate Member being either B. J. Evans, Esquire, L. J. Hill, Esquire, The Honourable L. S. Lieberman, The Honourable J. H. Ramsay, The Honourable F. N. Wilkes, or J. T. Wilton, Esquire—

and the Member so appointed shall be a Member of the Delegation for that meeting" (*Mr Fordham*)—put and agreed to.

Ordered—That the foregoing Resolution be transmitted to the Legislative Council with a Message desiring their concurrence therein.

- 6 LEAVE OF THE HOUSE FOR ADDUCTION OF OFFICIAL RECORDS—Motion made, by leave, and question—That this House grants leave for the Royal Commission into the meat industry to be provided with copies of, and to adduce the official records of the proceedings in this House in which references were made to matters relevant to such Commission, namely Victorian Parliamentary Debates (*Hansard*), Legislative Assembly, viz.: (a) 25.11.1975 p. 9178; (b) 6.10.1976 and 9.11.1976 pp. 2933 and 3911; (c) 13.9.1977 pp. 9485–6; (d) 20.9.1977 pp. 9648–9 and 10069; (e) 9.3.1978 p. 170; (f) 9.3.1978 p. 173; (g) 4.5.1978 p. 2314; (h) 1.4.1981 p. 6832; (i) 8.9.1981 p. 57; (j) 15.9.1981 pp. 367–394; (k) 17.9.1981 p. 616; (l) 22.9.1981 p. 741; (m) 22.9.1981 p. 826; (n) 7.10.1981 pp. 1207, 1208 and 1213; (o) 28.10.1981 pp. 2286 and 2289; and (p) 15.9.1981 pp. 367–394 (*Mr Cain*)—put, after debate, and agreed to.
- 7 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, Government Business, Nos. 1 and 2, be postponed until after Notices of Motion, General Business.
- 8 LAND CONSERVATION (AMENDMENT) BILL—Mr Evans (*Gippsland East*) obtained leave, with Mr Hann, to bring in a Bill "to amend the 'Land Conservation Act 1970' in relation to investigations by the Land Conservation Council with respect to the use of public land, and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time forthwith. Motion made and question proposed—That this Bill be now read a second time (*Mr Evans, Gippsland East*). Motion made and question—That the debate be now adjourned (*Mr Cathie*)—put and agreed to. Ordered—That the debate be adjourned until tomorrow.
- 9 HOSPITAL SERVICES REDUCTION—Motion made and question proposed—That this House repudiates the threats by the Minister of Health to reduce hospital services in three specified Federal electorates held by Commonwealth Ministers, which threats were discriminatory against citizens living in those electorates and in breach of the tenets of ministerial responsibility and, accordingly, demands the resignation of the Honourable the Minister (*Mr Lieberman*)—and, after debate— The time having arrived, pursuant to Sessional Orders, for Government Business to take precedence—
- 10 PAPERS—Mr Cain presented, by command of His Excellency the Governor: Australian Building Construction Employees and Builders Labourers Federation—Report of the Commissioner appointed to inquire into activities of the Australian Building Construction Employees and Builders Labourers Federation (two papers). Ordered to lie on the Table and be printed.
- 11 MINISTERIAL STATEMENT—AUSTRALIAN BUILDING CONSTRUCTION EMPLOYEES AND BUILDERS LABOURERS FEDERATION INQUIRY—Mr Cain made a Ministerial Statement on the Report of the Commissioner appointed to inquire into the activities

of the Australian Building Construction Employees and Builders Labourers Federation.

Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cain*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put, after debate, and agreed to.

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

12 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

State Employees Retirement Benefits (School Council Employees) Bill.
Workers Compensation (Benefit Rates) Bill.
Parliamentary Superannuation Bill.

13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have concurred with the Legislative Assembly in amending the Joint Resolution of the Legislative Council and the Legislative Assembly concerning the Constitutional Convention adopted on 3 May 1972 and have filled up:

- (i) the first of the blanks therein by the insertion of “A. J. Hunt, W. A. Landeryou, Haddon Storey and Evan Walker”; and
- (ii) the second of the blanks therein by the insertion of “B. P. Dunn, J. V. C. Guest and J. H. Kennan”.

14 JOINT SELECT COMMITTEE—SALINITY—*Amended* motion made and question—

1 That a joint Select Committee be appointed to inquire into and report upon the salinity of land and water with particular reference to—

- (a) the social, environmental and economic effects of—
 - (i) dry land salinity;
 - (ii) salinity associated with irrigation; and
 - (iii) increased salinity in rivers and streams as a result of factors within Victorian control;
- (b) opportunities for co-operative efforts in salinity control involving other State Governments and the Australian Government;
- (c) methods of meeting the costs of salinity control; and
- (d) administrative and other arrangements for salinity control, including integration with other aspects of land and water management.

2 That, in respect of the terms of reference, the Committee shall give priority to an inquiry into the Barr Creek catchment and the Mineral Reserve basin and Lake Tyrrell schemes and is required to report thereon to the Houses within 6 months.

3 That, subject to paragraph 2, the Committee shall give priority to such investigations referred to it by resolution of the Legislative Council and the Legislative Assembly.

4 That the Committee consist of six members, comprising not more than four Members of the Legislative Council nor more than four Members of the Legislative Assembly.

5 That four members of the Committee constitute a quorum of the Committee but a quorum of the Committee shall not consist exclusively of Members of the Legislative Council or Members of the Legislative Assembly.

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 during the sittings of either House of Parliament except by leave of that House.
- 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, contingent upon the enactment of the Parliamentary Committees (Joint Investigatory Committees) Bill, the Committee be a Committee to which section 51A of the *Parliamentary Committees Act* 1968 applies.
- 13 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—

—(Mr Fordham)—put, after debate, and agreed to.

Ordered—That the foregoing Resolution be transmitted to the Legislative Council with a Message desiring their concurrence therein.

15 JOINT SELECT COMMITTEE—MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION
—*Amended* motion made and question proposed—

- 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 provision 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 consist of six members, comprising not more than four Members of the Legislative Council nor more than four Members of the Legislative Assembly.
- 4 That four members of the Committee constitute a quorum of the Committee but a quorum of the Committee shall not consist exclusively of Members of the Legislative Council or Members of the Legislative Assembly.
- 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 during the sittings of either House of Parliament except by leave of that House.
- 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, contingent upon the enactment of the Parliamentary Committees (Joint Investigatory Committees) Bill, the Committee be a Committee to which section 51A 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—

—(Mr Roper)—and, after debate—

Amendment proposed—That the following paragraph be inserted to follow paragraph 2: “That the Committee be required to present its Final Report to the Parliament no later than 31 December, 1983” (Mr Hann).

Question—That the paragraph proposed to be inserted be so inserted—put and agreed to.

Question—

- 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 provision 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 31 December 1983.
- 4 That the Committee consist of six members, comprising not more than four Members of the Legislative Council nor more than four Members of the Legislative Assembly.
- 5 That four members of the Committee constitute a quorum of the Committee but a quorum of the Committee shall not consist exclusively of Members of the Legislative Council or Members of the Legislative Assembly.
- 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 during the sittings of either House of Parliament except by leave of that House.
- 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, contingent upon the enactment of the Parliamentary Committees (Joint Investigatory Committees) Bill, the Committee be a Committee to which section 51A of the *Parliamentary Committees Act* 1968 applies.

13 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—

—put, after debate, and agreed to.

Ordered—That the foregoing Resolution be transmitted to the Legislation Council with a Message desiring their concurrence therein.

16 MELBOURNE AND METROPOLITAN BOARD OF WORKS (OFFICES) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.

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

17 WATER AND SEWERAGE DISTRICTS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

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

Third Party Insurance—Report of the Premiums Committee for the year 1980–81.

19 HOSPITALS SUPERANNUATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

20 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

21 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

Environment Protection (Lead in Petrol) Bill.

Baxter Technical School Land Bill.

22 ENVIRONMENT PROTECTION (PENALTIES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

23 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 24 CO-OPERATIVE HOUSING SOCIETIES AND CO-OPERATION (AMENDMENT) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 25 INDUSTRIAL AND PROVIDENT SOCIETIES (AMENDMENT) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 26 LOTTERIES GAMING AND BETTING (ADVERTISEMENTS) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 27 CONSTITUTION (COUNCIL POWERS) BILL—Order read for resuming debate on question—That this Bill now be read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted to make provision for the dissolution of the Council as well as the Assembly if a Supply Bill is not passed by the Council within one month after it is sent up to the Council” (*Mr Thompson*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Spyker*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 28 PAPERS—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:

Country Fire Authority Act 1958—Nos. 185, 191.

Public Authorities Marks Act 1958—Melbourne and Metropolitan Board of Works Act 1958—No. 187.

Public Service Act 1974—PSD Nos. 134, 139, 144.

- 29 ADDRESS-IN-REPLY TO THE GOVERNOR’S SPEECH—Order read for resuming debate on question—That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see page 17 *ante*)—and on the amendment—That the following words be added to the proposed Address: “but expresses its concern at the failure of the Government to inform the people of Victoria fully, truthfully and in advance, of its real intentions, particularly with respect to financial and industrial matters”; debate resumed.

Motion made and question—That the debate be now adjourned (*Mr King*)—put and agreed to.

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

- 30 STATUTE LAW REVISION (REPEALS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).

Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.

Ordered—That the debate be adjourned until Thursday, 15 July instant.

- 31 **PROBATE DUTY BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
- Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
- Motion made and question proposed—That the debate be adjourned until Thursday, 15 July instant (*Mr Jolly*)—and, after debate—
- Motion, by leave, withdrawn.
- Ordered—That the debate be adjourned until Wednesday, 1 September next.
- 32 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Agreeing to the Melbourne Corporation (Election of Council) Bill without amendment.
- 33 **GIFT DUTY (AMENDMENT) BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Wednesday, 1 September next.
- 34 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Returning the Hospital Benefits (Levy) Bill and suggesting amendments.
- Business having been interrupted at 10.30 p.m.—
- Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
- On the motion of Mr Roper and, after debate—Suggested amendments made.
- Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 35 **SEEDS BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
- Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday, 15 July instant.
- 36 **COMMITTEE APPOINTMENTS**—Motion made, by leave, and question—That, contingent upon the coming into operation of the *Parliamentary Committees (Joint Investigatory Committees) Act 1982*—
- (a) Mr Gavin, Mr Harrowfield, Mr McCutcheon, Mr McNamara, Mr Richardson, Mr Rowe and Mr Sheehan (*Ivanhoe*) be appointed members of the Economic and Budget Review Committee.
 - (b) Mr Ebery, Mr Evans (*Ballarat North*), Mr Gray, Mr Hill (*Warrandyte*), Mr Hockley, Mr Jasper, Mr King and Mr Whiting be appointed members of the Legal and Constitutional Committee.
 - (c) Mr Ihlein, Mr McDonald, Mr McGrath, Mr McKellar, Mr Reynolds, Mr Tanner and Dr Vaughan be appointed members of the Natural Resources and Environment Committee.
 - (d) Mr Delzoppo, Mr Evans (*Gippsland East*), Mr Miller, Mr Pope, Mr Remington, Mrs Sibree and Mr Sidiropoulos be appointed members of the Public Bodies Review Committee.
 - (e) Mr Ernst, Mr Jona, Mr Newton, Mr Saltmarsh, Mr Shell, Mr Wallace and Mr Williams be appointed members of the Social Development Committee—
- (*Mr Fordham*)—put and agreed to.

- 37 COMMITTEE APPOINTMENTS—Motion made, by leave, and question—That, contingent upon the Legislative Council concurring with the Resolutions of this House dated 1 July 1982 establishing the respective committees—
- (a) Mr Fogarty, Mr Hann, Mr Stirling and Mr Wood be appointed members of the Salinity Committee.
- (b) Mr Culpin, Mr Kirkwood, Mr Lieberman and Mr Ross-Edwards be appointed members of the Mortuary Industry and Cemeteries Administration Committee—
- (*Mr Fordham*)—put and agreed to.
- 38 BURRUMBEET (RUSSELL RESERVE) LAND BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
- Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday, 15 July instant.
- 39 PIPELINES (AMENDMENT) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.
- Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 40 MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
- Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday, 15 July instant.
- 41 MINISTERIAL STATEMENT—AUSTRALIAN BUILDING CONSTRUCTION EMPLOYEES AND BUILDERS LABOURERS FEDERATION INQUIRY—Order read for resuming debate on question—That this House takes note of the Ministerial Statement; debate resumed.
- And the House having continued to sit till after Twelve of the clock—
- FRIDAY, 2 JULY 1982
- Debate resumed on the question.
- Motion made and question—That the debate be now adjourned (*Mr Spyker*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.
- 42 ORDER OF THE HOUSE RESCINDED—Motion made, by leave, and question—That the Order of the House making the resumption of debate on the motion for the second reading of the Petroleum (Submerged Lands) Bill an Order of the Day for Tuesday, 13 July instant, be read and rescinded and that it be made an Order of the Day for this day (*Mr Fordham*)—put and agreed to.
- 43 PETROLEUM (SUBMERGED LANDS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time, and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 44 ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH—Order read for resuming debate on question—That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see page 17 *ante*)—and on the amendment—That the following words be added to the proposed Address: "but expresses its concern

at the failure of the Government to inform the people of Victoria fully, truthfully and in advance, of its real intentions, particularly with respect to financial and industrial matters"; debate resumed.

Question—That the words proposed to be added be so added—put.

The House divided.

AYES, 19

Mr Brown	Mr Lieberman	Mrs Patrick	Mr Thompson
Mr Burgin	Mr McGrath	Mr Reynolds	Mr Williams
Mr Hann	Mr McKellar	Mr Richardson	<i>Tellers</i>
Mr Jona	Mr McNamara	Mr Ross-Edwards	Mr Delzoppo
Mr Kennett	Mr Maclellan	Mr Smith	Mr Tanner

NOES, 44

Mr Cain	Mr Hill	Mr Norris	Mr Simpson
Miss Callister	(<i>Warrandyte</i>)	Mr Pope	Mr Spyker
Mr Cathie	Mr Hockley	Mrs Ray	Mr Stirling
Dr Coghill	Mr Jolly	Mr Remington	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Roper	Mr Trezise
Mr Culpin	Mr King	Mr Rowe	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gavin	Mr Mathews	Mr Shell	Mr Ihlein
Mr Gray	Mr Miller	Mr Sidiropoulos	Mr Sheehan
Mr Harrowfield	Mr Newton	Mr Simmonds	(<i>Ballarat South</i>)

And so it passed in the negative.

Question—put, and Address agreed to.

Ordered—That the said Address be presented to His Excellency the Governor by Mr Speaker and the Members of the House.

45 MESSAGES FROM THE LEGISLATIVE COUNCIL—

Agreeing to the Hospital Benefits (Levy) Bill (including the amendments made by the Assembly which were suggested by the Council) without amendment.

Acquainting the Assembly that they have concurred with the resolutions of the Assembly concerning the appointment of a Joint Select Committee upon—
Salinity.

Mortuary Industry and Cemeteries Administration.

46 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Parliamentary Committees (Joint Investigatory Committees) Bill and suggesting an amendment.

On the motion of Mr Fordham and, after debate—Suggested amendment made.

Ordered—That the Bill be returned to the Legislative Council with a message acquainting them accordingly.

[Mr Speaker left the Chair at twenty-nine minutes past Two o'clock in the morning and resumed it at forty-three minutes past Three o'clock in the morning.]

47 MESSAGES FROM THE LEGISLATIVE COUNCIL—

Agreeing to the Parliamentary Committees (Joint Investigatory Committees) Bill (including the amendment made by the Assembly which was suggested by the Council) without amendment.

Agreeing to the Petroleum (Submerged Lands) Bill without amendment.

48 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Local Government (Board of Review) Bill with amendments.

by the House.

And the said amendments were read a second time and, after debate, agreed to

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.

49 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker which time of meeting shall be notified to each Member of the House by telegram or letter (*Mr Fordham*)—put and agreed to.

50 POSTPONEMENT OF REMAINING BUSINESS—Ordered—That the consideration of the remaining business be postponed.

51 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at twenty-seven minutes past Four o'clock in the morning, adjourned until a day and hour to be fixed by Mr Speaker and notified to each Member of the House by telegram or letter, as determined by resolution of the House at this sitting.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

No. 20, 21 and 22

No. 20—Tuesday, 7 September 1982

- 1 The House met pursuant to the terms of the resolution of 2 July last, Mr Speaker having fixed this day at half-past One o'clock as the time of meeting—Mr Speaker took the Chair and read the Prayer.
- 2 **ISSUE OF AND RETURN TO WRIT**—Mr Speaker announced that on 9 June last, he had issued a Writ for the election of a Member to serve for the Electoral District of Keilor in the place of the Honourable John Joseph Ginifer, resigned, and that he had received a return to the said Writ by which it appeared that George Seitz, Esquire, had been duly elected in pursuance of the said Writ.
- 3 **MEMBER SWORN**—George Seitz, Esquire, was then introduced and took and subscribed the Affirmation required by law.
- 4 **DEATHS OF JOHN LAWRENCE CREMEAN, ESQUIRE, THE HONOURABLE SAMUEL MERRIFIELD AND THE HONOURABLE JOHN JOSEPH GINIFER**—
 - 1 Motion made and question—That this House expresses its sincere sorrow at the death of John Lawrence Cremean, Esquire, 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 Clifton Hill from 1945 to 1949 and as a Member of the House of Representatives for the Commonwealth Electoral Division of Hoddle from 1949 to 1955.
 - 2 Motion made and question—That this House expresses its sincere sorrow at the death of the Honourable Samuel Merrifield and places on record its acknowledgement of the valuable services rendered by him to the Parliament and people of Victoria as a Member of the Legislative Assembly for the Electoral District of Essendon from 1943 to 1945 and for the Electoral District of Moonee Ponds from 1945 to 1955; Member of the Legislative Council for the Electoral Province of Doutta Galla from 1958 to 1970; and Minister of Public Works from 1952 to 1955.
 - 3 Motion made and question—That this House expresses its sincere sorrow at the death of the Honourable John Joseph Ginifer, 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 Grant from 1966 to 1967, the Electoral District of Deer Park from 1967 to 1976, and the Electoral District of Keilor from 1976 to 1982, and as Minister of Consumer Affairs and Minister of Immigration and Ethnic Affairs in 1982—
 (*Mr Cain*)—motions put, after Mr Speaker and other Honourable Members had addressed the House in support of the motions and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 5 **ADJOURNMENT**—Motion made and question—That, as a further mark of respect to the memories of the late John Lawrence Cremean, Esquire, the late Honourable Samuel Merrifield and the late Honourable John Joseph Ginifer, the House do now adjourn until tomorrow (*Mr Cain*)—put and agreed to.

And then the House, at thirty-three minutes past Three o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 21—Wednesday, 8 September 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PRESENTATION OF ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—Mr Speaker reported that, as directed by this Honourable House, he had, on 6 August last, waited upon His Excellency the Governor and presented to him the Address of the Legislative Assembly, agreed to on 2 July last, in reply to the Speech of His Excellency on the Opening of Parliament.

His Excellency was pleased to make the following Reply:

MR SPEAKER AND LADIES AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY.

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.

B. S. MURRAY
Governor of Victoria

Melbourne, 6 August 1982

- 4 PETITION—The Clerk announced that the following petition had been lodged for presentation:
WOODCHIP HARVESTING—Opposing woodchip harvesting in the Otway Ranges, bearing 6591 signatures (*by Mr Ernst*).
Ordered to lie on the Table.
- 5 PAPERS—Mr Cain presented, by command of His Excellency the Governor:
Federated Ship Painters and Dockers Union—Interim Report No. 4, Volume 1, of the Royal Commission.
Ordered to lie on the Table and to be printed.
The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Albury-Wodonga (Victoria) Corporation—Report for the year 1980–81.
Dental Technicians Act 1972—
Advanced Dental Technicians Qualifications Board—Report for the year 1980–81.
Dental Technicians Licensing Committee—Report for the year 1980–81.

- Education Act 1958—Resumption of land at Beaufort—Certificate of the Minister of Education.
- Educational Institutions (Guarantees) Act 1976—Statement of Guarantees executed by the Treasurer in respect of educational institutions for the year 1981–82.
- Egg Industry Stabilization Act 1973—Report of the Poultry Farmer Licensing Committee for the year ending 28 February 1982.
- Melbourne University—Statement of accounts for the year 1980.
- Motor Car Traders Committee—Report for the year 1981.
- Ombudsman—Report for the quarter ended 31 March 1982—Ordered to be printed.
- Parliamentary Officers Act 1975—
- Statement of Appointments and Alterations of Classifications—
 - Department of the Legislative Assembly.
 - Department of the Legislative Council.
 - Statement of Persons Temporarily Employed—
 - Department of the Legislative Assembly.
 - Department of the Legislative Council.
- Police Regulation Act 1958—Determinations Nos. 371 to 376 of the Police Service Board (six papers).
- Postal Voting at City of Richmond Councillors' Elections—Order in Council authorizing maximum expenditure of the Board of Inquiry into postal voting at City of Richmond councillors' elections.
- Psychological Practices Act 1965—Report and statement of accounts of the Victorian Psychological Council for the year 1981.
- Railways Act 1958—Report of the Victorian Railways Board for the quarters ended 30 June 1981, 30 September 1981, 31 December 1981, and 31 March 1982 (four papers).
- Registration of Births Deaths and Marriages Act 1959—General Abstract of the number of live births, still births, deaths and marriages in Victoria for the years 1979, 1980 and 1981.
- State Employees Retirement Benefits Board—Report for the year 1980–81 (*in lieu of Report tabled on 4 December 1981*)—Ordered to be printed.
- Statutory Rules under the following Acts:
- Abattoir and Meat Inspection Act 1973—No. 255.
 - Building Control Act 1981—Nos. 223, 225 to 228.
 - Business Names Act 1962—No. 165.
 - Chiropodists Act 1968—No. 252.
 - Chiropractors and Osteopaths Act 1978—No. 245.
 - Companies (Acquisition of Shares) (Application of Laws) Act 1981—No. 203.
 - Companies (Application of Laws) Act 1981—Nos. 197 to 200.
 - Country Fire Authority Act 1958—No. 238.
 - Dental Technicians Act 1972—Nos. 214, 247, 248.
 - Dentists Act 1972—No. 246.
 - Education Act 1958—No. 254.
 - Education Service Act 1981—Nos. 204, 272, 273.
 - Health Act 1958—Nos. 221, 222, 233, 243, 244, 251, 267.
 - Historic Buildings Act 1981—No. 275.
 - Industrial Relations Act 1979—No. 266.
 - Industrial Safety, Health and Welfare Act 1981—Nos. 215 to 220.
 - Industrial Training Act 1975—No. 253.
 - Labour and Industry Act 1958—No. 195.

Local Government Act 1958—Nos. 192, 224, 265, 278.
 Lotteries Gaming and Betting Act 1966—No. 234.
 Marine Act 1958—Nos. 193, 230.
 Medical Practitioners Act 1970—No. 250.
 Melbourne and Metropolitan Board of Works Act 1958—No. 210.
 Melbourne Wholesale Fruit and Vegetable Market Trust Act 1977—
 Nos. 260, 274.
 Motor Car Act 1958—Nos. 229, 239.
 Mt. Hotham Alpine Resort Act 1972—No. 283.
 National Companies and Securities Commission (State Provisions) Act
 1981—No. 202.
 National Parks Act 1975—Nos. 257, 258.
 Pay-roll Tax Act 1971—No. 208.
 Pharmacists Act 1974—No. 249.
 Physiotherapists Act 1978—No. 242.
 Poisons Act 1962—No. 268.
 Police Regulation Act 1958—Nos. 194, 240, 256.
 Port of Portland Authority Act 1958—No. 212.
 Protection of Animals Act 1966—No. 276.
 Public Service Act 1974—Nos. 213, 235, 277, 279, PSD Nos. 125, 127,
 140 to 143, 145 to 161, 164 to 175, 177.
 Racing Act 1958—No. 232, 269, 270.
 Railways Act 1958—Nos. 196, 271.
 Second-hand Dealers Act 1958—No. 241.
 Securities Industry (Application of Laws) Act 1981—No. 201.
 State Bank Act 1958—No. 231.
 Supreme Court Act 1958—Nos. 209, 236, 262, 263.
 Supreme Court Act 1958, Companies Act 1961, Securities Industry
 (Victoria) Code, Companies (Victoria) Code and National Companies
 and Securities Commission (State Provisions) Act 1981—No. 264.
 Supreme Court Act 1958 and Credit Act 1981—No. 261.
 Supreme Court Act 1958 and Crown Proceedings Act 1958—No. 237.
 Swan Hill Pioneer Settlement Act 1974—No. 211.
 Transport Regulation Act 1958—No. 290.
 Wildlife Act 1975—Nos. 205, 206.
 Workers Compensation Act 1958—No. 207.

Teaching Service Act 1958:

Teaching Service—Primary Schools Division (Classification, Salaries and
 Allowances) Regulations—Regulations amended (No. 604).
 Teaching Service—Professional (Classification, Salaries and Allowances)
 Regulations—Regulations amended (No. 607).
 Teaching Service—Secondary Schools Division (Classification, Salaries
 and Allowances) Regulations—Regulations amended (No. 605).
 Teaching Service—Technical Schools Division (Classification, Salaries
 and Allowances) Regulations—Regulations amended (No. 606).

Town and Country Planning Act 1961:

Ararat—City of Ararat Planning Scheme 1953, Amendment No. 30
 (1982).
 Ballaarat—City of Ballaarat Planning Scheme, Amendment No. 67.
 Cobram—Shire of Cobram Planning Scheme 1979, Amendment No. 2,
 (1981).
 Cranbourne Planning Scheme 1960, Amendment Nos. 41, 42 (two
 papers).
 Deakin—Shire of Deakin Planning Scheme 1980.

- Flinders—Shire of Flinders Planning Scheme 1962, Amendment Nos. 137, 141, 143, 146, 152 (five papers).
- French Island Planning Scheme, Amendment No. 6.
- Geelong Regional Planning Scheme, Amendment Nos. 25 (Part 2), 33 (Part 1), 37, 44, 47 (five papers).
- Hastings—Shire of Hastings Planning Scheme, Amendment Nos. 4, 5 (two papers).
- Horsham—City of Horsham Planning Scheme, Amendment No. 71.
- Korumburra—Shire of Korumburra Planning Scheme, Amendment No. 18 (Part A) (1981).
- Knox—City of Knox Planning Scheme 1965, Amendment No. 217 (1979), 225 (1980) (two papers).
- Lillydale—Shire of Lillydale Planning Scheme 1958, Amendment Nos. 111A, 151 (two papers).
- Melbourne Metropolitan Planning Scheme, Amendment Nos. 3 (Part 1F), 69 (Part 5), 140 (Part 2B), 157 (Part 1), 171 (Part 1A), 176, 206, 212, 213 (nine papers).
- Mildura—City of Mildura Planning Scheme, Amendment Nos. 42, 43, 44, 45, 46 (1981) (five papers).
- Mornington—Shire of Mornington Planning Scheme 1959, Amendment Nos. 141 (1981), 149 (two papers).
- Newham and Woodend—Shire of Newham and Woodend Planning Scheme 1975, Amendment No. 11 (1980).
- Pakenham—Shire of Pakenham Planning Scheme—Part 1, Amendment No. 8.
- Phillip Island—Shire of Phillip Island Planning Scheme, Amendment No. 11.
- Port Fairy Planning Scheme 1959, Amendment No. 16 (1981).
- Portland—Town of Portland Planning Scheme, Amendment No. 36 (1981).
- Rosedale—Shire of Rosedale Planning Scheme, Amendment No. 24 (1981).
- Sebastopol—Borough of Sebastopol Planning Scheme, Amendment No. 24.
- Seymour Planning Scheme, Amendment No. 65.
- Shepparton—City of Shepparton Planning Scheme 1953, Amendment No. 60.
- Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme, Amendment No. 37.
- Traralgon—City of Traralgon Planning Scheme 1957, Amendment No. 30.
- Warragul Planning Scheme 1954, Amendment No. 42 (1982).
- Woorayl—Shire of Woorayl Planning Scheme, Amendment No. 54.
- Trade Unions—Report of the Government Statist for the year 1981.

6 MINISTERIAL STATEMENT—FEDERATED SHIP PAINTERS AND DOCKERS UNION ROYAL COMMISSION REPORT—Mr Cain made a Ministerial Statement relating to the Interim Report No. 4, Volume 1, of the Royal Commission into the Federated Ship Painters and Dockers Union.

Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement together with Interim Report No. 4, Volume 1 of the Royal Commission (*Mr Cain*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 7 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
- Public Account (Cash Management Account) Bill.
 - Local Government (General Amendment) Bill.
 - Town and Country Planning (Amendment) Bill.
 - Evidence (Commissions) Bill.
 - Lotteries Gaming and Betting (Advertisements) Bill.
- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 24)—ASSENT TO BILLS—
Informing the Assembly that he had, on 6 July last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Optometrists Registration (Amendment) Bill.
 - Motor Car (Breath Analysing Instruments) Bill.
 - Victorian Arts Centre (Guarantees) Bill.
 - Transport Regulation (Tow Trucks) Bill.
 - Superannuation (Amendment) Bill.
 - Local Government (City of Richmond) Bill.
 - Victorian Economic Development Corporation (Amendment) Bill.
 - Public Authorities (Sinking Funds) Bill.
 - Workers Compensation (Benefit Rates) Bill.
 - Transport Regulation (Vehicles) Bill.
 - Weights and Measures (Time for Verification) Bill.
- 9 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 25)—ASSENT TO BILLS—
Informing the Assembly that he had, on 13 July last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Bourke Street Mall Bill.
 - Local Authorities Superannuation (Amendment) Bill.
 - State Employees Retirement Benefits (School Council Employees) Bill.
 - Parliamentary Superannuation Bill.
 - Melbourne and Metropolitan Board of Works (Offices) Bill.
 - Water and Sewerage Districts (Amendment) Bill.
 - Hospitals Superannuation (Amendment) Bill.
 - Abattoir and Meat Inspection (Amendment) Bill.
 - Environment Protection (Penalties) Bill.
 - Baxter Technical School Land Bill.
 - Environment Protection (Lead in Petrol) Bill.
 - Companies (Consequential Amendments) Bill.
 - Pipelines (Amendment) Bill.
 - Melbourne Corporation (Election of Council) Bill.
 - Hospital Benefits (Levy) Bill.
 - Parliamentary Committees (Joint Investigatory Committees) Bill.
 - Evidence (Commissions) Bill.
 - Town and Country Planning (Amendment) Bill.
 - Lotteries Gaming and Betting (Advertisements) Bill.
 - Local Government (Board of Review) Bill.
 - Public Account (Cash Management Account) Bill.
 - Local Government (General Amendment) Bill.
- 10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 26)—ASSENT TO BILL—
Informing the Assembly that he had, on 20 July last, given the Royal Assent to the following Bill, presented to him by the Clerk of the Parliaments:
- Petroleum (Submerged Lands) Bill.

- 11 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 27)—ASSENT TO RESERVED BILL—Informing the Assembly that the Constitution (Governor's Salary) Bill, which was reserved for the signification of Her Majesty's pleasure thereon, received Her Majesty's assent on 30 July last, and that he has by Proclamation published in the *Victoria Government Gazette* of 1 September instant, signified Her Majesty's Assent to the same.
- 12 ORDERS OF THE DAY DISCHARGED—Motion made, by leave, and question—That the following Orders of the Day, Government Business, be read and discharged:
Probate Duty Bill—Second reading—Resumption of debate.
Gift Duty (Amendment) Bill—Second reading—Resumption of debate.
 —and that the Bills be withdrawn (*Mr Fordham*)—put, after debate, and agreed to.
- 13 DOMICILE (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 COUNCIL OF LAW REPORTING IN VICTORIA BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
 Committee reported progress; to sit again tomorrow.
- 15 STATUTE LAW REVISION (REPEALS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 STATUTE LAW REVISION (REPEALS) BILL—Motion made, by leave, and question—That the proposals contained in the Statute Law Revision (Repeals) Bill be referred to the Legal and Constitutional Committee for inquiry, consideration and report (*Mr Cain*)—put and agreed to.
 Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- 17 SEEDS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 18 MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL—SECOND READING—RESUMPTION OF DEBATE—Ordered—That the consideration of this Order of the Day be postponed until Tuesday next.
- 19 BURRUMBEET (RUSSELL RESERVE) LAND BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 20 ORDER OF THE HOUSE RESCINDED—Motion made, by leave, and question—That the Order of the House making the resumption of debate on the motion—That this House takes note of the Ministerial Statement together with Interim

Report No. 4, Volume 1, of the Federated Ship Painters and Dockers Union Royal Commission, an Order of the Day for tomorrow, be read and rescinded and that it be made an Order of the Day for this day (*Mr Fordham*)—put and agreed to.

- 21 MINISTERIAL STATEMENT—FEDERATED SHIP PAINTERS AND DOCKERS UNION ROYAL COMMISSION REPORT—Order read for resuming debate on question—That this House takes note of the Ministerial Statement together with Interim Report No. 4, Volume 1, of the Royal Commission; debate resumed.

Question—put and agreed to.

- 22 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 23 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-nine minutes past Ten o'clock, adjourned until tomorrow.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 22—Thursday, 9 September 1982

- 1 Mr Speaker took the Chair and read the Prayer.

- 2 QUESTIONS—(Pursuant to Standing Order No. 124).

- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

UNIVERSITY HIGH SCHOOL—Seeking that the University High School be permitted to continue the enrolment of a proportion of students on the grounds of academic ability, bearing 631 signatures (*by Mr Remington*).

WOODCHIP HARVESTING—Seeking that the interdepartmental task force on woodchipping in the Otways be widened to allow for a survey of the effects on flora and fauna, the community, and also to include legal representation, bearing 338 signatures (*by Mr Burgin*).

RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful or dangerous forms of packaging of goods, bearing 12 signatures (*by Mr Brown*).

Severally ordered to lie on the Table.

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

Parliamentary Officers Act 1975—

Statement of Appointments and Alterations of Classifications—

Department of the Parliamentary Library.

Department of the Reporting Staff of the Victorian Parliamentary Debates.

Statement of Persons Temporarily Employed—

Department of the Parliamentary Library.

Department of the Reporting Staff of the Victorian Parliamentary Debates.

Town and Country Planning Act 1961:

Beechworth—United Shire of Beechworth (Township of Beechworth) Planning Scheme.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Rural Areas).

- 5 EQUAL OPPORTUNITY (DISCRIMINATION AGAINST DISABLED PERSONS) BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill "*to render Unlawful certain Kinds of Discrimination on the ground of Physical Impairment, to amend the 'Equal Opportunity Act 1977', and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 6 HEALTH (AMENDMENT) BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Health Act 1958'*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 7 ROAD TRAFFIC (AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Simpson, to bring in a Bill "*to amend the 'Road Traffic Act 1958' to increase certain penalties and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 8 SALE OF LAND (AMENDMENT) BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Sale of Land Act 1962', with respect to Contracts for the Sale of Land, to amend the 'Legal Profession Practice Act 1958', the 'Property Law Act 1958', the 'Supreme Court Act 1958', and 'Transfer of Land Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 VETERINARY SURGEONS (AMENDMENT) BILL—Mr Wilkes, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Simpson, to bring in a Bill "*to amend the 'Veterinary Surgeons Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 10 DROUGHT SITUATION—Motion made and question proposed—That this House expresses grave concern at the disastrous drought situation in many parts of Victoria, and its alarm at the Government's negative response to the plight of the persons affected, and calls for immediate action to alleviate the situation by the introduction of—(a) increased carry-on loans for farmers, small business and industry; (b) a rural employment scheme; (c) a moratorium on Government charges; (d) an extension of the interest subsidy to small business and industry; (e) incentives to construct bores for irrigation; and (f) a slaughter bounty scheme for sheep (*Mr Hann*)—and, after debate—

General Business interrupted at 1.00 p.m. pursuant to Sessional Orders.

- 11 MINISTERIAL STATEMENT—VICTORIA POLICE ROLE, STRUCTURE AND REQUIREMENTS—Mr Mathews made a Ministerial Statement relating to the Victoria Police Role, Structure and Requirements.

Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Mathews*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until tomorrow.

- 12 EQUAL OPPORTUNITY (DISCRIMINATION AGAINST DISABLED PERSONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).

- Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Thursday next.
- 13 HEALTH (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
- Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday next.
- 14 ROAD TRAFFIC (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday next.
- 15 VETERINARY SURGEONS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
- Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Thursday next.
- 16 POSTPONEMENT OF ORDERS OF THE DAY AND NOTICES OF MOTION—Ordered—That Orders of the Day, Government Business, the remaining Notices of Motion, and Orders of the Day, General Business, be postponed until after the Order of the Day, General Business, for the resumption of debate on the motion relating to the Drought Situation.
- 17 DROUGHT SITUATION—Order read for resuming debate on question—That this House expresses grave concern at the disastrous drought situation in many parts of Victoria, and its alarm at the Government's negative response to the plight of the persons affected, and calls for immediate action to alleviate the situation by the introduction of—(a) increased carry-on loans for farmers, small business and industry; (b) a rural employment scheme; (c) a moratorium on Government charges; (d) an extension of the interest subsidy to small business and industry; (e) incentives to construct bores for irrigation; and (f) a slaughter bounty scheme for sheep; debate resumed.
- Motion made and question—That the debate be now adjourned (*Mr Burgin*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.
- 18 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Simpson*)—put and agreed to.
- 19 ADJOURNMENT—Resolved—That the House do now adjourn.
- And then the House, at forty-five minutes past Four o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 23, 24 and 25

No. 23—Tuesday, 14 September 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - HEALTH AND HUMAN RELATIONS COURSES—Seeking the withdrawal of all Health and Human Relations courses from the education curriculum, bearing 184 and 82 signatures respectively (*by Mr Ramsay and Mr Ihlein, respectively*).
 - HOUSING COMMISSION RENTALS—Seeking a reduction of Housing Commission rent based on 15 per cent of income with no increase of service charge, bearing 756 signatures (*by Mr Sidiropoulos*).
 Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Country Fire Authority—Report for the year 1980–81.
 - Fairfield Hospital—Report for the year 1981–82.
 - Parliamentary Officers Act 1975—
 - Statement of Appointments and Alterations of Classifications—Department of the Legislative Council and Legislative Assembly House Committee.
 - Statement of Persons Temporarily Employed—Department of the Legislative Council and Legislative Assembly House Committee.
 - Police Regulation Act 1958—Determination No. 377 of the Police Service Board.
 - Statutory Rules under the following Acts:
 - Agricultural Chemicals Act 1958—No. 293.
 - Agricultural Colleges Act 1958—No. 284.
 - Closer Settlement Act 1938—No. 285.
 - Country Roads Act 1958—No. 280.
 - Land Act 1958—No. 286.
 - Marketing of Primary Products Act 1958—No. 296.
 - Optometrists Registration Act 1958—No. 294.
 - Police Regulation Act 1958—Nos. 288, 295.
 - Post-Secondary Education Act 1978—No. 287.
 - Private Agents Act 1966—No. 291.
 - Public Service Act 1974—PSD No. 176.
 - Road Traffic Act 1958—No. 289.
 - Surveyors Act 1978—No. 281.
 - Tattersall Consultations Act 1958—No. 297.
 - Transport Regulation Act 1958—No. 292.
 - Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme, Amendment Nos. 155 (Part 3A), 159 (Part 3), 205, 217 (four papers).

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 28)—ASSENT TO BILLS—
Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
Burrumbeet (Russell Reserve) Land Bill.
Seeds Bill.
- 6 MINISTERIAL STATEMENT—HOSPITALS CAPITAL WORKS PROGRAMME—Mr Roper made a Ministerial Statement relating to the Hospitals Capital Works Programme.
Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Roper*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Gray*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until tomorrow.
- 7 SALE OF LAND (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 28 September instant.
- 8 COUNCIL OF LAW REPORTING IN VICTORIA BILL—Further considered in Committee. Committee reported progress; to sit again later this day.
- 9 MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed. Business having been interrupted at 10.30 p.m.
- 10 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at twenty-three minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 24—Wednesday, 15 September 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:
HEALTH AND HUMAN RELATIONS COURSES—Seeking the withdrawal of all Health and Human Relations courses from the education curriculum, bearing 54 signatures (*by Mr Ihlein*).
Ordered to lie on the Table.

- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Education—Report of the Minister of Education and the Minister of Educational Services for the year 1980–81—Ordered to be printed.
- Members of Parliament (Register of Interests) Act 1978—Cumulative Summary of Returns, September 1982—Ordered to be printed.
- 5 MINISTERIAL STATEMENT—RESTRUCTURING OF TRANSPORT ADMINISTRATION—Mr Crabb made a Ministerial Statement concerning the restructuring of transport administration.
- Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Crabb*)—and, after debate—
- Motion made and question—That the debate be now adjourned (*Mr Wilkes*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.
- 6 ADMINISTRATION AND PROBATE (SURVIVAL OF ACTIONS) BILL—Mr Cain obtained leave, with Mr Crabb, to bring in a Bill “to amend section 29 of the *Administration and Probate Act 1958*”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 7 DENTISTS (FEES) BILL—Mr Roper obtained leave, with Mr Crabb, to bring in a Bill “to amend the *Dentists Act 1972* with respect to Fees and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 8 HEALTH (PRIVILEGES) BILL—Mr Roper obtained leave, with Mr Crabb, to bring in a Bill “to clarify and extend privileges and immunities in relation to proceeding before Disciplinary Tribunals under Acts administered by the Minister of Health by amending those Acts, and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 9 ETHNIC AFFAIRS COMMISSION BILL—Mr Spyker obtained leave, with Mr Cain, to bring in a Bill “to establish an Ethnic Affairs Commission, to repeal the *Ministry of Immigration and Ethnic Affairs Act 1976* and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 LOCAL GOVERNMENT DEPARTMENT (DIRECTOR-GENERAL FOR LOCAL GOVERNMENT) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill “to change the title of the Secretary for Local Government and for that purpose to amend the *Local Government Department Act 1958*, the *Local Government Act 1958*, the *Public Service Act 1974*, the *State Co-ordination Council Act 1975* and the *Building Control Act 1981*”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 11 PUBLIC LANDS AND WORKS (PUBLIC PROJECTS) BILL—Mr Simpson obtained leave, with Mr Roper, to bring in a Bill “to authorize the Minister of Public Works to assist in the implementation of Public Projects, to amend the *Public Lands and Works Act 1964* and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 12 ELECTORAL COMMISSION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday, 29 September instant.

- 13 MINISTERIAL STATEMENT—INDUSTRIAL RELATIONS—Mr Cain made a Ministerial Statement relating to industrial relations.

Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cain*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Simmonds*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 14 COUNCIL OF LAW REPORTING IN VICTORIA BILL—Further considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with an amendment with which they desire the concurrence of the Legislative Council.

- 15 MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed.

Ordered—That the Bill be considered in Committee later this day.

Motion made and question proposed—That proposals contained in the Medical Practitioners (Private Hospitals) Bill be referred to the Social Development Committee for inquiry, consideration and report (*Mr Lieberman*)—and, after debate—

Amendment proposed—That the word “proposals” be omitted with the view of inserting in place thereof the expression “upon the enactment of the Bill, the provisions” (*Mr Roper*).

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

AYES, 31

Mr Austin	Mr Hann	Mrs Patrick	Mr Thompson
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Williams
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	
Mr Evans	Mr McGrath	Mrs Sibree	
(<i>Ballarat North</i>)	Mr McKellar	Mr Smith	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Tanner	Mr Dickinson
(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton	Mr Saltmarsh

NOES, 44

Mr Cain	Mr Hassett	Mr Norris	Mr Simpson
Miss Callister	Mr Hill	Mr Pope	Mr Spyker
Mr Cathie	Mr Hockley	Mr Remington	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Roper	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Rowe	Mr Trezise
Mr Culpin	Mr King	Mr Seitz	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilton
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr Mathews	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Sidiropoulos	Mrs Hill
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Shell

And so it passed in the negative.

Question—That the expression proposed to be inserted be so inserted—put.

The House divided.

AYES, 45

Mr Cain	Mr Hill	Mr Remington	Mr Stirling
Miss Callister	Mr Hockley	Mr Roper	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Trezise
Dr Coghill	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Crabb	Mr King	Mrs Setches	Mr Walsh
Mr Culpin	Mr Kirkwood	Mr Sheehan	Mr Wilton
Mr Ernst	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gavin	Mr Miller	Mr Sidiropoulos	
Mr Gray	Mr Newton	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Simpson	Mrs Hill
Mr Hassett	Mr Pope	Mr Spyker	Mr Shell

NOES, 31

Mr Austin	Mr Hann	Mrs Patrick	Mr Thompson
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Williams
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	
Mr Evans	Mr McGrath	Mrs Sibree	
(<i>Ballarat North</i>)	Mr McKellar	Mr Smith	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Tanner	Mr Dickinson
(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton	Mr Saltmarsh

And so it was resolved in the affirmative.

Question—That upon the enactment of the Bill, the provisions contained in the Medical Practitioners (Private Hospitals) Bill be referred to the Social Development Committee for inquiry, consideration and report—put.

The House divided.

AYES, 45

Mr Cain	Mr Hill	Mr Remington	Mr Stirling
Miss Callister	Mr Hockley	Mr Roper	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Trezise
Dr Coghill	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Crabb	Mr King	Mrs Setches	Mr Walsh
Mr Culpin	Mr Kirkwood	Mr Sheehan	Mr Wilton
Mr Ernst	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gavin	Mr Miller	Mr Sidiropoulos	
Mr Gray	Mr Newton	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Simpson	Mrs Hill
Mr Hassett	Mr Pope	Mr Spyker	Mr Shell

NOES, 31

Mr Austin	Mr Hann	Mrs Patrick	Mr Thompson
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Williams
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	
Mr Evans	Mr McGrath	Mrs Sibree	
(<i>Ballarat North</i>)	Mr McKellar	Mr Smith	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Tanner	Mr Dickinson
(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton	Mr Saltmarsh

And so it was resolved in the affirmative.

- Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- Bill considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to the resolution referring the proposals contained in the Statute Law Revision (Repeals) Bill to the Legal and Constitutional Committee.
- 17 MESSAGES FROM THE LEGISLATIVE COUNCIL—
 Agreeing to the following Bills without amendment:
 Co-operative Housing Societies and Co-operation (Amendment) Bill.
 Industrial and Provident Societies (Amendment) Bill.
 Agreeing to the amendment made by the Assembly in the Council of Law Reporting in Victoria Bill.
- 18 ADMINISTRATION AND PROBATE (SURVIVAL OF ACTIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
 Ordered—That the debate be adjourned until Wednesday next.
- 19 DENTISTS (FEES) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 HEALTH (PRIVILEGES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
 Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
 Ordered—That the debate be adjourned until Wednesday next.
- 21 LOCAL GOVERNMENT DEPARTMENT (DIRECTOR-GENERAL FOR LOCAL GOVERNMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
 Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until Tuesday next.
- 22 PUBLIC LANDS AND WORKS (PUBLIC PROJECTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
 Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
 Ordered—That the debate be adjourned until Wednesday next.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Sewerage Districts Act 1958’ with respect to Schemes for the Construction of Sewers pursuant to section 120A of that Act and for other purposes*”.
- 24 SEWERAGE DISTRICTS (SEWERAGE SCHEMES) BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 25 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 26 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at sixteen minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 25—Thursday, 16 September 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:
CARLTON DEVELOPMENT PROPOSAL—Seeking that the responsible Minister act on their behalf before the Planning Appeals Board hearing with respect to the proposed development by Lygon Court Development Pty Ltd, bearing 2707 signatures (*by Mr Remington*).
- Ordered to lie on the Table.
- 4 LEAVE OF ABSENCE—Motion made, by leave, and question—That leave of absence for three months, on account of illness, be granted Mr Wood, the Honourable Member for Swan Hill (*Mr Thompson*)—put and agreed to.
- 5 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 6 ETHNIC AFFAIRS COMMISSION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Spyker*).
Motion made and question—That the debate be now adjourned (*Mr Kennett*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 30 September instant.
- 7 MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL—CLERK'S CORRECTION—Mr Speaker announced that he had received a report from the Clerk that he had made the following correction in this Bill:
In clause 2, line 4, he changed the expression "27F" to "27G".
- 8 SEWERAGE DISTRICTS (SEWERAGE SCHEMES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 30 September instant.

9 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Crabb*)—put and agreed to.

10 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty-three minutes past Five o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

<h2 style="margin: 0;">VOTES AND PROCEEDINGS</h2> <h3 style="margin: 0;">Nos. 26 and 27</h3>
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No. 26—Tuesday, 21 September 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

CARIBBEAN WEDNESDAY MARKET—Seeking that, in view of the fact that the Knox City Council and the Victorian Government require an immediate closure of the Caribbean Wednesday Market, action be taken to ensure that the market remains open to provide the citizens of this State with a much needed community service, bearing 22 000 signatures (*by Mr Pope*).

Ordered to lie on the Table.

4 PAPERS—

Mr Cain presented, by command of His Excellency the Governor:

Supreme Court Judges—Report for the year 1981.

Ordered to lie on the Table.

Mr Cain presented, by command of His Excellency the Governor:

Australian Meat Industry—Report of the Royal Commission.

Ordered to lie on the Table and to be printed.

Mr Wilkes presented, by command of His Excellency the Governor:

City of Richmond—Report of the Board of Inquiry relating to certain matters within the City of Richmond, Parts 2 and 3 (two papers).

Severally ordered to lie on the Table and to be printed.

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

Planning Department—Report for period ended 30 June 1981—Ordered to be printed.

Statutory Rules under the following Acts:

Boilers and Pressure Vessels Act 1970—Nos. 303 to 305.

Extractive Industries Act 1966—No. 299.

Lifts and Cranes Act 1967—Nos. 300, 306.

Mines Act 1958—No. 298.

Public Service Act 1974—PSD Nos. 180 to 183.

Scaffolding Act 1971—Nos. 302, 307, 308.

Sunday Entertainment Act 1967—No. 309.

Town and Country Planning Act 1961:

Hastings—Shire of Hastings Planning Scheme, Amendment No. 2, Chapters 1, 2 and 3 (three papers).

Melbourne Metropolitan Planning Scheme—Amendment Nos. 71, 160 (Part 3A), 181 (Part 1), 194 (four papers).

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 29)—ASSENT TO BILLS—
Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
Co-operative Housing Societies and Co-operation (Amendment) Bill.
Industrial and Provident Societies (Amendment) Bill.
Council of Law Reporting in Victoria Bill.
- 6 SALINITY COMMITTEE—Motion made, by leave, and question—That the resolution of the House of 1 July 1982 appointing the Salinity Committee and providing that four members constitute a quorum of the Committee, be amended so far as to provide that three members shall constitute the quorum of the Committee (*Mr Fordham*)—put and agreed to.
Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- 7 MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—Motion made, by leave, and question—That the resolution of the House of 1 July 1982 appointing the Mortuary Industry and Cemeteries Administration Committee and providing that four members constitute of quorum of the Committee, be amended so far as to provide that three members shall constitute the quorum of the Committee (*Mr Fordham*)—put and agreed to.
Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 30)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Ethnic Affairs Commission Bill.
- 9 MINISTERIAL STATEMENT—AUSTRALIAN MEAT INDUSTRY ROYAL COMMISSION—Mr Cain made a Ministerial Statement concerning the Australian Meat Industry Royal Commission.
Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement together with the Report of the Royal Commission (*Mr Cain*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Cathie*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 10 MINISTERIAL STATEMENT—RICHMOND CITY COUNCIL REPORT, PARTS 2 AND 3—Mr Wilkes made a Ministerial Statement relating to Parts 2 and 3 of the Report of the Board of Inquiry relating to certain matters with the City of Richmond.
Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Wilkes*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Remington*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until tomorrow.
- 11 HEALTH (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 EQUAL OPPORTUNITY (DISCRIMINATION AGAINST DISABLED PERSONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again tomorrow.

- 13 ROAD TRAFFIC (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until assurances are given to the House that portion of the revenue gained from the increased penalties will be directed to—(a) driver education and re-education; (b) driver training and re-training; and (c) the rehabilitation of drivers convicted of drink-driving and other driving offences” (*Mr Maclellan*)—and, after debate—
Business having been interrupted at 10.30 p.m.
- 14 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at twenty-four minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 27—Wednesday, 22 September 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - PRE-SCHOOL FUNDING—Seeking that the Government maintain funding of pre-schools at the current level, bearing 8 signatures (*by Mr Lieberman*).
 - CARLTON DEVELOPMENT PROPOSAL—Seeking that the responsible Minister act on their behalf before the Planning Appeals Board hearing with respect to the proposed development by Lygon Court Development Pty Ltd, bearing 3088 signatures (*by Mr Remington*).
 - PRICE MARKING OF GOODS—Seeking that individual price marking of goods in supermarkets continues, bearing 801 signatures (*by Mrs Setches*).
 - CUMBERLAND JUNCTION-WOODS POINT ROAD—Seeking that the road from Cumberland Junction to Woods Point be improved and sealed within three years in the interests of safety, tourism and employment, bearing 212 signatures (*by Mr McNamara*).
 Severally ordered to lie on the Table.
- 4 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Dentists (Fees) Bill without amendment.
- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Domicile (Amendment) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 6 MESSAGES FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to the resolutions reducing the quorum requirement from four to three for the—
 - Salinity Committee.
 - Mortuary Industry and Cemeteries Administration Committee.

- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 31)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (1982-83, No. 1) Bill and transmitting Estimates of Revenue and Expenditure for the year 1982-83. Estimates ordered to lie on the Table and to be printed.
- 8 APPROPRIATION (1982-83, No. 1) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Crabb, to bring in a Bill "*to appropriate certain Sums out of the Consolidated Fund for the Service of the Financial Year 1982-83 and to appropriate the Supplies granted in this Session of Parliament and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time later this day.
- 9 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 32)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Works and Services Appropriation Bill and transmitting Works Programmes of the Government and major semi-government authorities including Estimates of Receipts and Payments from the Works and Services Account, 1982-83.
Works Programmes ordered to lie on the Table and to be printed.
- 10 WORKS AND SERVICES APPROPRIATION BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Crabb, to bring in a Bill "*with respect to the Appropriation of Moneys out of the Works and Services Account for certain Works and Purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time later this day.
- 11 POUNDS (AMENDMENT) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill "*to amend the 'Pounds Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 12 APPROPRIATION (1982-83, No. 1) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Thompson*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 5 October next.
- 13 WORKS AND SERVICES APPROPRIATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 5 October next.
- 14 COMPLAINT—Mr Speaker informed the House that he had received a letter from the Member for Balwyn in which the Member considered certain words used by the Minister for Property and Services to be a threat to his private interests—and, Mr Speaker being of the opinion that the complaint should be given precedence—
Motion made and question proposed—That the complaint made by the Member for Balwyn on 22 September 1982 be referred to the Privileges Committee for examination and report (*Mr Ramsay*)—and, after debate—
Motion, by leave, withdrawn.
- 15 DOMICILE (AMENDMENT) BILL—The Order of the Day for the consideration of the amendments made by the Council in this Bill was read.
And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.

- 16 LOCAL GOVERNMENT DEPARTMENT (DIRECTOR-GENERAL FOR LOCAL GOVERNMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 17 ROAD TRAFFIC (AMENDMENT) BILL—Order read for resuming debate on 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 the words “this House refuses to read this Bill a second time until assurances are given to the House that portion of the revenue gained from the increased penalties will be directed to—(a) driver education and re-education; (b) driver training and re-training; and (c) the rehabilitation of drivers convicted of drink-driving and other driving offences”; debate resumed.

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

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 18 ADMINISTRATION AND PROBATE (SURVIVAL OF ACTIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 HEALTH (PRIVILEGES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 and 6 be postponed until later this day.

- 21 MINISTERIAL STATEMENT—HOSPITALS CAPITAL WORKS PROGRAMME—Order read for resuming debate on question—That this House takes note of the Ministerial Statement; debate resumed.

Motion made and question—That the debate be now adjourned (*Dr Vaughan*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Local Government Department (Director-General for Local Government) Bill without amendment.

- 23 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until Tuesday, 5 October next (*Mr Fordham*)—put and agreed to.

- 24 POSTPONEMENT OF REMAINING BUSINESS—Ordered—That the consideration of remaining business be postponed.

25 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at fifty-four minutes past Five o'clock, adjourned until Tuesday,
5 October next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 28, 29 and 30

No. 28—Tuesday, 5 October 1982

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
- 2 DEATH OF WILLIAM FREDERICK LLEWELLYN REESE, ESQUIRE—Motion made and question—That this House expresses its sincere sorrow at the death of William Frederick Llewellyn Reese, Esquire, 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 Moorabbin from 1967–1976 and the Electoral District of Heatherton from 1976–1979 (*Mr Cain*)—put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Anti-Cancer Council—Report for the year 1981–82.
 - Community Welfare Services—Report of the Department for the year 1980–81—Ordered to be printed.
 - Environment Protection Act 1970—
 - Proposed Environment Protection (Audible Intruder Alarm) (Amendment) Regulations 1982.
 - Proposed Environment Protection (Motor Car Noise) (Amendment) Regulations 1982.
 - Proposed Environment Protection (Truck, Omnibus and Motor Cycle Noise) (Amendment) Regulations 1982.
 - Land Conservation Council—Report for the year 1981–82—Ordered to be printed.
 - Members of Parliament (Register of Interests) Act 1978—Summary of Returns, October 1982—Ordered to be printed.
 - Physiotherapists Registration Board—Report for the year 1981.
 - Public Records Office—Report of the Keeper of Public Records for the year 1981–82.
 - Statutory Rules under the following Acts:
 - Country Fire Authority Act 1958—No. 313.
 - Melbourne Corporation (Election of Council) Act 1982—No. 301.
 - Teaching Service Act 1958:
 - Teaching Service—Primary Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (No. 610).
 - Teaching Service—Secondary Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (No. 611).
 - Teaching Service—Technical Schools Division (Classification, Salaries and Allowances) Regulations—Regulations amended (Nos. 608, 609) (two papers).

Town and Country Planning Act 1961:

Bairnsdale—Town of Bairnsdale Planning Scheme, Amendment No. 38.

Camberwell—City of Camberwell Planning Scheme, Amendment No. 54.

Cranbourne—

Cranbourne Planning Scheme 1960, Amendment Nos. 38, 40 (1981)
(two papers).

Shire of Cranbourne (Western Port) Planning Scheme, Amendment
No. 19 (1981).

Croydon—City of Croydon Planning Scheme 1961, Amendment No. 104.

Echuca—City of Echuca Planning Scheme, Amendment Nos. 51, 53
(two papers).

Flinders—Shire of Flinders Planning Scheme 1962, Amendment No. 147.

Geelong Regional Planning Scheme, Amendment Nos. 38 (Part 1),
51 (two papers).

Hamilton—City of Hamilton Planning Scheme, Amendment No. 15.

Horsham—City of Horsham Planning Scheme, Amendment No. 70 (1982).

Knox—City of Knox Planning Scheme 1965, Amendment Nos. 228
(1980), 243 (Part 1) (1981), 243 (Part 2) (1981) (three papers).

Moe—City of Moe Planning Scheme 1966, Amendment Nos. 62, 67
(two papers).

Port Fairy Planning Scheme, Amendment Nos. 14, 20 (two papers).

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme, Amendment
No. 36.

Youth Parole Board—Report for the year 1980–81—Ordered to be printed.

- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to make provision with respect to the Disposal of Assets acquired by the Victorian Tobacco Growers Association and for other purposes*".
- 6 VICTORIAN TOBACCO GROWERS (DISPOSAL OF ASSETS) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time to-morrow.
- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 33)—ASSENT TO BILLS—Informing the Assembly that he had, on 28 September last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
 - Dentists (Fees) Bill.
 - Domicile (Amendment) Bill.
- 8 POUNDS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 19 October instant.
- 9 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2 be postponed until later this day.
- 10 APPROPRIATION (1982–83, No. 1) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until later this day.
- 11 PUBLIC LANDS AND WORKS (PUBLIC PROJECTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 APPROPRIATION (1982–83, No. 1) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.
- 13 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at fifteen minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 29—Wednesday, 6 October 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:
RETURNABLE DRINK CONTAINERS—Seeking legislation to make all drink containers returnable and to prohibit wasteful or dangerous forms of packing of goods, bearing 95 signatures (*by Mr McDonald*).

Ordered to lie on the Table.

- 4 PAPERS—Mr Speaker presented—
Finance, 1981–82—Statement of Receipts and Payments of the Consolidated Fund and the Trust Fund for the year ended 30 June 1982, accompanied by the Report of the Auditor-General and by the Documents specified in the Forty-Seventh Section of the Audit Act.

Severally ordered to lie on the Table and to be printed.

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

Railways Board—Report for the year 1981–82—Ordered to be printed.

Statutory Rules under the following Acts:

- Evidence Act 1958—No. 318.
- Finance Brokers Act 1969—No. 319.
- Fisheries Act 1968—No. 334.
- Fuel Prices Regulation Act 1981—No. 336.
- Instruments Act 1958—No. 320.
- Money Lenders Act 1958—No. 322.
- Poisons Act 1962—No. 316.
- Police Offences Act 1958—No. 323.
- Port of Melbourne Authority Act 1958—No. 314.
- Printers and Newspapers Act 1958—No. 324.
- Property Law Act 1958—No. 325.
- Religious Successory and Charitable Trusts Act 1958—No. 326.
- Sale of Land Act 1962—No. 327.
- Status of Children Act 1974—No. 328.
- Town and Country Planning Act 1961—No. 311.
- Wildlife Act 1975—No. 315.

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 34)—ASSENT TO BILL—
Informing the Assembly that he had, that day, given the Royal Assent to the
following Bill, presented to him by the Clerk of the Parliaments:

Local Government Department (Director-General for Local Government)
Bill.

- 6 APPROPRIATION (1982–83, No. 1) BILL AND WORKS AND SERVICES APPROPRIATION
BILL—Motion made and question proposed—That this House authorizes and
requires Mr Speaker to permit concurrent consideration and debate on the
questions that the Appropriation (1982–83, No. 1) Bill and the Works and
Services Appropriation Bill be now read a second time (*Mr Fordham*)—and,
after debate—

Motion made and question—That the question be now put (*Mr Fordham*)—put.
The House divided.

AYES, 43

Mr Cain	Mrs Hill	Mr Remington	Mrs Toner
Miss Callister	Mr Hill	Mr Roper	Mr Trezise
Mr Cathie	Mr Hockley	Mr Rowe	Dr Vaughan
Dr Coghill	Mr Jolly	Mr Seitz	Mr Walsh
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Wilkes
Mr Culpin	Mr King	Mr Sheehan	Mr Wilton
Mr Ernst	Mr Kirkwood	(<i>Ballarat South</i>)	
Mr Fogarty	Mr McCutcheon	Mr Shell	
Mr Fordham	Mr McDonald	Mr Sidiropoulos	
Mr Gavin	Mr Miller	Mr Simpson	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Spyker	Mr Ihlein
Mr Harrowfield	Mrs Ray	Mr Stirling	Mr Pope

NOES, 25

Mr Austin	Mr Hann	Mrs Patrick	Mr Templeton
Mr Brown	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Dickinson
(<i>Ballarat North</i>)	Mr McNamara	Mr Tanner	Mr Wallace

And so it was resolved in the affirmative.

Question—accordingly put.

The House divided.

AYES, 42

Miss Callister	Mr Hockley	Mr Rowe	Mrs Toner
Mr Cathie	Mr Jolly	Mr Seitz	Mr Trezise
Dr Coghill	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Crabb	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Culpin	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Ernst	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr Miller	(<i>Ballarat South</i>)	
Mr Fordham	Mr Newton	Mr Shell	
Mr Gavin	Mr Norris	Mr Simmonds	
Mr Harrowfield	Mrs Ray	Mr Simpson	<i>Tellers</i>
Mr Hassett	Mr Remington	Mr Spyker	Mr Ihlein
Mr Hill	Mr Roper	Mr Stirling	Mr Pope

NOES, 22

Mr Austin	Mr Hann	Mrs Patrick	Mr Thompson
Mr Brown	Mr Jasper	Mr Reynolds	Mr Williams
Mr Burgin	Mr Jona	Mr Ross-Edwards	
Mr Delzoppo	Mr McGrath	Mr Smith	<i>Tellers</i>
Mr Ebery	Mr McKellar	Mr Tanner	Mr Dickinson
Mr Evans	Mr McNamara	Mr Templeton	Mr Wallace
(<i>Ballarat North</i>)			

And so it was resolved in the affirmative.

- 7 RESIDENTIAL TENANCIES (AMENDMENT) BILL—Mr Spyker obtained leave, with Mr Cain, to bring in a Bill “to amend the ‘Residential Tenancies Act 1980’ and the ‘Landlord and Tenant Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Health (Amendment) Bill without amendment.
- 9 MESSAGE FROM THE LEGISLATIVE COUNCIL—Forwarding a fair print of a Bill to revise the Statute Law of Victoria and acquainting the Assembly that, during the consideration of the Bill, the Council had agreed to the following Resolution:
That the proposals contained in the Statute Law Revision Bill be referred to the Legal and Constitutional Committee for inquiry, consideration and report
—with which they desire the concurrence of the Assembly.
Ordered—That the Message be taken into consideration tomorrow.
- 10 VICTORIAN TOBACCO GROWERS (DISPOSAL OF ASSETS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)
—put and agreed to.
Ordered—That the debate be adjourned until Wednesday, 27 October instant.
- 11 APPROPRIATION (1982–83, No. 1) BILL AND WORKS AND SERVICES APPROPRIATION BILL—Order read for resuming debate on question—That these Bills be now read a second time; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—
put and agreed to.
Business having being interrupted at 10.30 p.m.
- 12 ADJOURNMENT—Question—That the House do now adjourn—proposed and Mr Speaker left the chair at thirty minutes past Ten o’clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 30—Thursday, 7 October 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
HEALTH AND HUMAN RELATIONS COURSES—Seeking the withdrawal of all Health and Human Relations courses from the education curriculum, bearing 58 signatures (*by Mrs Hill*).
LATROBE VALLEY HELICOPTER AMBULANCE SERVICE—Seeking that immediate steps be taken to ensure that the Latrobe Valley Helicopter Ambulance Service continues, bearing 1706 signatures (*by Mr Delzoppo*).
Severally ordered to lie on the Table.

- 4 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Road Traffic (Amendment) Bill without amendment.
- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Health (Privileges) Bill with an amendment.
Ordered—That the said amendment be printed and taken into consideration later this day.
- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that, having considered the Resolution of the Assembly that, upon the enactment of the Bill, the provisions contained in the Medical Practitioners (Private Hospitals) Bill be referred to the Social Development Committee for inquiry, consideration and report, they have agreed to the following Resolution:
That this House declines to refer the Medical Practitioners (Private Hospitals) Bill to the Social Development Committee in the form and manner proposed by the Resolution of the Assembly but that the Council would give favourable consideration to a Resolution in usual form to provide for reference of the proposals contained in that Bill to that Committee for inquiry, consideration and report by 1 March 1983.
Ordered—That the Message be taken into consideration later this day.
- 7 SITTING OF THE HOUSE, 11 NOVEMBER 1982—Motion made, by leave, and question —That—(a) on Thursday, 11 November next, Mr Speaker do take the Chair at 11.30 a.m.; and (b) Sessional Orders be amended for that day so as to require Government Business to take precedence at 3.00 p.m. (*Mr Fordham*)—put, after debate, and agreed to.
- 8 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 9 RESIDENTIAL TENANCIES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Spyker*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*) —put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 19 October instant.
- 10 STATUTE LAW REVISION BILL—MESSAGE OF THE LEGISLATIVE COUNCIL—The Order of the Day for the consideration of the Message of the Legislative Council was read.
Motion made and question—That this House concur with the Legislative Council and agree to the following resolution:
That the proposals contained in the Statute Law Revision Bill be referred to the Legal and Constitutional Committee for inquiry, consideration and report.
—(*Mr Cain*)—put and agreed to.
Ordered—That a message be sent to the Legislative Council acquainting them accordingly.
- 11 APPROPRIATION (1982–83, No. 1) BILL AND WORKS AND SERVICES APPROPRIATION BILL—Order read for resuming debate on question—That these Bills be now read a second time; debate resumed.
Motion made, by leave, and question—That the debate be now adjourned and that the Member for Morwell be permitted to continue her speech when the debate is resumed (*Mrs Sibree*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.

12 **POSTPONEMENT OF REMAINING BUSINESS**—Motion made and question—That the consideration of remaining business be postponed (*Mr Simmonds*)—put and agreed to.

13 **ADJOURNMENT**—Resolved, after debate—That the House do now adjourn.
And then the House, at six minutes past Six o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 31, 32 and 33

No. 31—Tuesday, 12 October 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:
 - RESTORATION OF BUS SERVICES—Seeking that the bus service between Gardiner, Darling, Carnegie and Mackinnon railway stations be immediately restored, bearing 611 signatures (*by Mr Thompson*).
 Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Australian Building Construction Employees' and Builders Labourers' Federation Royal Commission—Order in Council authorizing maximum expenditure of the Royal Commission to Inquire into the Australian Building Construction Employees' and Builders Labourers' Federation.
 - Co-operative Housing Societies—Report of the Registrar for the year 1980–81—Ordered to be printed.
 - Co-operative Societies—Report of the Registrar for the year 1980–81—Ordered to be printed.
 - Postal Voting at City of Richmond Council Elections—Order in Council authorizing maximum expenditure of the Board of Inquiry into Postal Voting at City of Richmond Council Elections.
 - State Bank of Victoria—Reports, Statements, Returns, etc., for the year 1981–82—Ordered to be printed.
 - Statutory Rules under the following Acts:
 - Abattoir and Meat Inspection Act 1973—No. 312.
 - County Court Act 1958—No. 317.
 - Magistrates' Courts Act 1971, Magistrates (Summary Proceedings) Act 1975, Landlord and Tenant Act 1958 and Acts Interpretation Act 1958—No. 321.
 - Marine Act 1958—Nos. 339 to 343.
 - Public Service Act 1974—PSD Nos. 185, 187, 188, 190.
 - Registration of Births Deaths and Marriages Act 1959—No. 333.
 - Second-hand Dealers Act 1958—No. 335.
 - Strata Titles Act 1967—No. 329.
 - Supreme Court Act 1958—Nos. 330, 331.
 - Town and Country Planning Act 1961:
 - Geelong Regional Planning Scheme, Amendment No. 32 (1981).
 - Lillydale—Shire of Lillydale Planning Scheme 1958, Amendment Nos. 103 (Part 2) (1978), 141 (two papers).
 - Melbourne Metropolitan Planning Scheme, Amendment Nos. 140 (Part 2c), 173 (Part 1A), 218 (three papers).
 - Pakenham—Shire of Pakenham Planning Scheme (Part 1), Amendment No. 9.
 - Portland—Shire of Portland (Heywood Township) Planning Scheme 1976, Amendment No. 6 (1981).
 - Woorayl—Shire of Woorayl Planning Scheme, Amendment No. 58.

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 35)—ASSENT TO BILLS—
Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Health (Amendment) Bill.
Road Traffic (Amendment) Bill.

- 6 HEALTH (PRIVILEGES) BILL—The Order of the Day for the consideration of the amendment made by the Legislative Council was read.

And the said amendment was read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendment.

- 7 MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL—The Order of the Day for the consideration of the Message of the Legislative Council was read.

Motion made and question—That—(a) the resolution of the House of 15 September last, referring the provisions of the Medical Practitioners (Private Hospitals) Bill upon enactment to the Social Development Committee be read and rescinded; and (b) the House do now agree to the following: That the proposals contained in the Medical Practitioners (Private Hospitals) Bill be referred to the Social Development Committee for inquiry, consideration and report by 1 March 1983 (*Mr Roper*)—put, after debate, and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them of the latter resolution and seeking their concurrence therein.

- 8 APPROPRIATION (1982-83, No. 1) BILL AND WORKS AND SERVICES APPROPRIATION BILL—Order read for resuming debate on question—That these Bills be now read a second time; debate resumed.

The Honourable Member for Burwood addressing the House, and not having concluded his speech at the expiration of thirty minutes—

Motion made and question—That the Honourable Member be allowed to continue his speech for a further period not exceeding twenty minutes (*Mrs Sibree*)—put.

The House divided.

AYES, 28

Mr Austin	Mr Hann	Mr Ramsay	Mr Templeton
Mr Brown	Mr Jasper	Mr Reynolds	Mr Thompson
Mr Burgin	Mr Jona	Mr Richardson	Mr Whiting
Mr Ebery	Mr Kennett	Mr Ross-Edwards	Mr Williams
Mr Evans	Mr McGrath	Mr Saltmarsh	
(<i>Ballarat North</i>)	Mr McKellar	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Smith	Mr Delzoppo
(<i>Gippsland East</i>)	Mr Maclellan	Mr Tanner	Mr Dickinson

NOES, 44

Mr Cain	Mr Hockley	Mr Pope	Mr Spyker
Miss Callister	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Cathie	Mr Jolly	Mr Remington	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Roper	Mr Trezise
Mr Culpin	Mr King	Mr Rowe	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr McCutcheon	Mrs Setches	Mr Wilton
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr Mathews	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Shell	Mr Harrowfield
Mrs Hill	Mr Newton	Mr Sidiropoulos	Mr Sheehan
Mr Hill	Mr Norris	Mr Simpson	(<i>Ivanhoe</i>)

And so it passed in the negative.

Motion made, by leave, and question—That the Standing Orders be suspended to allow the Honourable Member for Burwood to speak again on the question for a period not exceeding fifteen minutes (*Mr Fordham*)—put and agreed to.

Debate resumed on question—That these Bills be now read a second time.

Business having been interrupted at 10.30 p.m.

- 9 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at twenty-five minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 32—Wednesday, 13 October 1982

- 1 Mr Speaker took the Chair and read the Prayer.
 - 2 QUESTIONS—(Pursuant to Standing Order No. 124).
 - 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

SUNDAY HOTEL TRADING HOURS—Seeking that the House take action to prevent the extension of hotel trading hours on Sundays, bearing 103 signatures (*by Mr Delzoppo*).

Ordered to lie on the Table.
 - 4 PAPER—Mr Cain presented, by command of His Excellency the Governor:

Police Department—Report for the year 1981.

Ordered to lie on the Table and to be printed.
 - 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to the resolution referring the proposals contained in the Medical Practitioners (Private Hospitals) Bill to the Social Development Committee.
 - 6 MOTOR CAR (REGISTRATION AND DRIVERS' LICENCES) BILL—Mr Crabb obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Motor Car Act 1958' with respect to Registration and Drivers' Licences, to amend the 'Motor Car (Drivers' Licences) Act 1981' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 7 FREEDOM OF INFORMATION BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill "*to give the Members of the Public Rights of Access to Official Documents of the Government of Victoria and of its Agencies and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 8 APPROPRIATION (1982-83, No. 1) BILL AND WORKS AND SERVICES APPROPRIATION BILL—Order read for resuming debate on question—That these Bills be now read a second time; debate resumed.
- Business having been interrupted at 10.30 p.m.

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Debate resumed on question—That these Bills be now read a second time.

And the House having continued to sit till after Twelve of the clock—

THURSDAY, 14 OCTOBER 1982

Bills severally read a second time and committed.

Severally ordered—That the Bills be considered in Committee tomorrow.

- 9 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Local Government (Pecuniary Interests of Councillors) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Public Lands and Works (Private Projects) Bill without amendment.

- 11 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 12 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-four minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 33—Thursday, 14 October 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

EGG MARKETING—Seeking that the Government—(a) direct the Victorian Egg Board to market eggs from caged hens separately from those from hens not kept in cages; and (b) draw up a plan for phasing out battery cages as soon as possible, bearing 25 signatures (*by Dr Coghill*).

Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Police Regulation Act 1958—Determination Nos. 378 to 380 of the Police Service Board (three papers).
- 5 ADJOURNMENT—MOTION FOR PURPOSE OF DISCUSSION—Mr Thompson rose in his place, and said that he proposed to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, “The failure of the Premier to take immediate action in the light of the disclosures made yesterday by the Minister and by the Solicitor-General in order to ensure that proper levels of financial probity are maintained in respect of those appointed to public office”.

Mr Speaker having ascertained that twelve Members approved of the proposed discussion—

Motion made and question—That the House do now adjourn (*Mr Thompson*)—after debate, put.

The House divided.

AYES, 29

Mr Austin	Mr Hann	Mrs Patrick	Mr Thompson
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Richardson	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	Mr Williams
Mr Dickinson	Mr McGrath	Mrs Sibree	
Mr Ebery	Mr McKellar	Mr Smith	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Tanner	Mr Reynolds
(<i>Ballarat North</i>)	Mr Maclellan	Mr Templeton	Mr Saltmarsh

NOES, 44

Mr Cain	Mr Hill	Mr Remington	Mr Spyker
Miss Callister	Mr Hockley	Mr Roper	Mr Stirling
Mr Cathie	Mr Jolly	Mr Seitz	Mrs Toner
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Culpin	Mr King	Mr Sheehan	Dr Vaughan
Mr Ernst	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr Mathews	(<i>Ballarat South</i>)	Mr Wilton
Mr Gavin	Mr Miller	Mr Shell	
Mr Harrowfield	Mr Newton	Mr Sidiropoulos	<i>Tellers</i>
Mr Hassett	Mr Norris	Mr Simmonds	Mr Ihlein
Mrs Hill	Mr Pope	Mr Simpson	Mr McCutcheon

And so it was passed in the negative.

- 6 FREEDOM OF INFORMATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday, 28 October instant.
- 7 MINISTERIAL STATEMENT—EDUCATION INITIATIVES—Mr Fordham made a Ministerial Statement relating to Education Initiatives.
- Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Fordham*)—and, after debate—
- Motion made and question—That the debate be now adjourned (*Mr Crabb*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.
- 8 MOTOR CAR (REGISTRATION AND DRIVERS' LICENCES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Thursday next.
- 9 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 10 ETHNIC AFFAIRS COMMISSION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

11 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Cathie*)—put and agreed to.

12 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at twenty-five minutes past Six o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 34, 35 and 36

No. 34—Tuesday, 19 October 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 DEATH OF THE HONOURABLE ANTONIUS PETER VAN VLIET—Motion made and question—That this House expresses its sincere sorrow at the untimely death of the Honourable Antonius Peter Van Vliet, Member of the Legislative Council for the Electoral Province of Waverley (*Mr Cain*)—put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 4 PETITION—The Clerk announced that the following petition had been lodged for presentation:

NEW LILYDALE CEMETERY—Seeking that the Government ensure that no cemetery be established on the property at the corner of Victoria and Nelson Roads, Lilydale, bearing 268 signatures (*by Mr McDonald*).

Ordered to lie on the Table.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Dietitians Registration Board—Report and Statement of Accounts for the year 1981–82.
 - Historic Buildings Preservation Council—Report for the year 1981–82.
 - Industrial Training Commission—Report for the year 1980–81—Ordered to be printed.
 - Planning Appeals Board—Report for the period ended 30 June 1982.
 - Statutory Rules under the following Acts:
 - Abattoir and Meat Inspection Act 1973—Nos. 354, 357.
 - Cluster Titles Act 1974—No. 363.
 - Education Service Act 1981—No. 359.
 - Farm Produce Merchants and Commission Agents Act 1965—No. 350.
 - Government Employee Housing Authority Act 1981—No. 361.
 - Marine Act 1958—No. 338.
 - Marketing of Primary Products Act 1958—Nos. 346, 347.
 - Milk and Dairy Supervision Act 1958—No. 355.
 - Parliamentary Salaries and Superannuation Act 1968—No. 362.
 - Poisons Act 1962—No. 345.
 - Police Regulation Act 1958—No. 367.
 - Port of Melbourne Authority Act 1958—No. 360.
 - Protection of Animals Act 1966—No. 358.
 - Public Service Act 1974—No. 337; PSD Nos. 189, 191, 194, 197.
 - Racing Act 1958—No. 366.
 - Second-hand Dealers Act 1958—Nos. 364, 365.
 - Seeds Act 1971—No. 349.

Stock (Artificial Breeding) Act 1962—Nos. 351 to 353.

Stock Diseases Act 1968—No. 356.

Transfer of Land Act 1958—No. 332.

Valuation of Land Act 1960—No. 344.

Vegetation and Vine Diseases Act 1958—No. 348.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme, Amendment Nos. 94, 160 (Part 2A), 182 (Part 1), 198, 219 (five papers).

Victorian College of the Arts—Report of the Council for the year 1981; together with Statutes approved by the Governor in Council during the year 1981.

- 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 36)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Health (Privileges) Bill.

Public Lands and Works (Public Projects) Bill.

- 7 SITTING OF THE HOUSE—Motion made and question—That, on Wednesday, 20 October, Mr Speaker do take the Chair at 12.00 noon (*Mr Fordham*)—put, after debate, and agreed to.

- 8 POUNDS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 9 RESIDENTIAL TENANCIES (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill now be read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until an undertaking has been given to the House that the Government will purchase each of the prescribed premises subject to the provisions of the Bill or alternatively, will make up to the landlord in each case the difference between the rent actually paid by the tenant and a fair market rent for the premises” (*Mrs Patrick*)—and, after debate—

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

The House divided.

AYES, 46

Mr Cain	Mrs Hill	Mr Remington	Mr Stirling
Miss Callister	Mr Hockley	Mr Rowe	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Seitz	Mr Trezise
Dr Coghill	Mr Jolly	Mrs Setches	Dr Vaughan
Mr Crabb	Mr Kennedy	Mr Sheehan	Mr Walsh
Mr Culpin	Mr King	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr McCutcheon	(<i>Ballarat South</i>)	
Mr Fordham	Mr McDonald	Mr Shell	
Mr Gavin	Mr Mathews	Mr Sidiropoulos	
Mr Gray	Mr Miller	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Simpson	Mr Norris
Mr Hassett	Mr Pope	Mr Spyker	Mrs Ray

NOES, 31

Mr Austin	Mr Hann	Mrs Patrick	Mr Templeton
Mr Brown	Mr Jasper	Mr Ramsay	Mr Thompson
Mr Burgin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Williams
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	
Mr Evans	Mr McGrath	Mr Saltmarsh	
(Ballarat North)	Mr McKellar	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Smith	Mr Dickinson
(Gippsland East)	Mr Maclellan	Mrs Tanner	Mr Wallace

And so it was resolved in the affirmative.

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

The House divided.

AYES, 44

Mr Cain	Mr Hann	Mr Newton	Mr Spyker
Miss Callister	Mr Harrowfield	Mr Pope	Mr Stirling
Mr Cathie	Mr Hassett	Mr Remington	Mr Wallace
Dr Coghill	Mrs Hill	Mr Roper	Mr Walsh
Mr Crabb	Mr Hockley	Mr Ross-Edwards	Mr Wilkes
Mr Culpin	Mr Ihlein	Mr Seitz	Mr Wilton
Mr Ernst	Mr Jolly	Mrs Setches	
Mr Evans	Mr Kennedy	Mr Sheehan	
(Gippsland East)	Mr Kirkwood	(Ivanhoe)	
Mr Fogarty	Mr McCutcheon	Mr Sheehan	
Mr Fordham	Mr McDonald	(Ballarat South)	<i>Tellers</i>
Mr Gavin	Mr McNamara	Mr Shell	Mr Norris
Mr Gray	Mr Mathews	Mr Simpson	Mrs Ray

NOES, 20

Mr Austin	Mr Lieberman	Mr Richardson	Mr Thompson
Mr Brown	Mr McKellar	Mrs Sibree	Mr Williams
Mr Burgin	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mr Ebery	Mrs Patrick	Mr Tanner	Mr Delzoppo
Mr Jona	Mr Reynolds	Mr Templeton	Mr Dickinson
Mr Kennett			

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 VETERINARY SURGEONS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed.

Ordered—That the Bill be considered in Committee later this day.

Motion made, by leave, and question—That it be an instruction to the Committee that they have power to consider a new clause to extend the privileges and immunities of section 21A of the *Evidence Act 1958* to any investigation or inquiry of the Veterinary Board (*Mr Wilkes*)—put and agreed to.

Bill considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 LOCAL GOVERNMENT (PECUNIARY INTERESTS OF COUNCILLORS) BILL—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill was read.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.

- 12 VETERINARY SURGEONS (AMENDMENT) BILL—CLERK'S CORRECTIONS—Mr Speaker announced that he had received a report from the Clerk notifying that he had made the following correction in this Bill:

In clause 8, page 5, line 37, the expression "ophthalmology" has been omitted and the word "ophthalmology" has been inserted.

- 13 APPROPRIATION (1982-83, No. 1) BILL—Further considered in Committee. Committee reported progress.

Business having been interrupted at 10.30 p.m.

- 14 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at seventeen minutes past Eleven o'clock.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 35—Wednesday, 20 October 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

BUNDOORA SHOPPING CENTRE—Seeking that the Minister for Planning reconsider his earlier decision with the view to allowing the extension of the Bundoora shopping centre to proceed, bearing 965 signatures (*by Dr Coghill*).

HEIDELBERG WEST PRIMARY SCHOOL—Seeking that senior positions of Principal and Vice-Principal of the Heidelberg West Primary School be reconsidered in conjunction with the school council and the services of the incumbent senior staff be retained in the interim, bearing 93 signatures (*by Mr Sheehan, Ivanhoe*).

MORWELL AND BULGA/TARRA VALLEY NATIONAL PARKS—Seeking that the reclassification proposals by the Land Conservation Council for the Morwell and Bulga/Tarra Valley National Parks be rejected, bearing 455 signatures (*by Miss Callister*).

Severally ordered to lie on the Table.

- 4 ABORIGINAL LANDS (ABORIGINES' ADVANCEMENT LEAGUE) (WATT STREET, NORTHCOTE) BILL—Mr Cain obtained leave, with Mr Fordham, to bring in

a Bill "to make provision with respect to a Crown Grant of land at Watt Street, Northcote, in the Parish of Jika Jika"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 5 GEELONG PERFORMING ARTS CENTRE TRUST (AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Simpson, to bring in a Bill "with respect to the functions of the Geelong Performing Arts Centre Trust to amend the 'Geelong Performing Arts Centre Trust Act 1980' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 MOTOR CAR (PENALTIES) BILL—Mr Mathews obtained leave, with Mr Crabb, to bring in a Bill "to amend the Penalties fixed under the 'Motor Car Act 1958' for Offences against that Act and Regulations made under that Act"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 MINISTRY OF TRANSPORT (AMENDMENT) BILL—Mr Crabb obtained leave, with Mr Fordham, to bring in a Bill "to abolish certain offices in the Ministry of Transport, to create certain other offices, to amend the 'Ministry of Transport Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 VICTORIAN COLLEGE OF AGRICULTURE AND HORTICULTURE BILL—Mr Fordham obtained leave, with Mr Crabb, to bring in a Bill "to provide for the establishment of a post-secondary education institution to be known as the Victorian College of Agriculture and Horticulture and for the transfer to the College of the control and administration of the Agricultural Colleges carried on as State Agricultural Colleges pursuant to the 'Agricultural Colleges Act 1958', to repeal the 'Agricultural Colleges Act 1958', to amend the 'Land Act 1958' and the 'Post-Secondary Education Remuneration Tribunal Act 1980', and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 LOCAL GOVERNMENT (HOUSE BUILDERS' LIABILITY) (AMENDMENT) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill "to amend Division 1A of Part XLIX. of the 'Local Government Act 1958', to amend the 'Building Control Act 1981' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 LAND (AMENDMENT) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill "to amend the 'Land Act 1958'"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 MINISTERIAL STATEMENT—MEMBERS AND OFFICIALS PRIVATE INTERESTS—Mr Cain made a Ministerial Statement in connection with Members of Parliament and Government Officials Private Interests.
 Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cain*)—and, after debate—
 Motion made and question proposed—That the debate be now adjourned (*Mr Jolly*)—and, after debate—
 Member named and suspended—The Honourable Member for Hawthorn (*Mr Jona*) having been named by Mr Speaker for disregarding the authority of the Chair—
 Motion made and question—That the Honourable Member for Hawthorn (*Mr Jona*) be suspended from the service of the House (*Mr Fordham*)—put and agreed to.

Question—That the debate be now adjourned—put.

The House divided.

AYES, 44

Mr Cain	Mr Hassett	Mrs Ray	Mr Simpson
Miss Callister	Mrs Hill	Mr Remington	Mr Spyker
Mr Cathie	Mr Hockley	Mr Rowe	Mr Stirling
Dr Coghill	Mr Jolly	Mr Seitz	Mrs Toner
Mr Crabb	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Culpin	Mr King	Mr Sheehan	Mr Walsh
Mr Ernst	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McDonald	(<i>Ballarat South</i>)	
Mr Gavin	Mr Mathews	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr Ihlein
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Pope

NOES, 27

Mr Austin	Mr Hann	Mr Richardson	Mr Whiting
Mr Brown	Mr Kennett	Mr Ross-Edwards	Mr Williams
Mr Burgin	Mr Lieberman	Mrs Sibree	
Mr Delzoppo	Mr McGrath	Mr Smith	
Mr Dickinson	Mr McKellar	Mr Tanner	
Mr Ebery	Mr Maclellan	Mr Templeton	<i>Tellers</i>
Mr Evans	Mrs Patrick	Mr Thompson	Mr McNamara
(<i>Ballarat North</i>)	Mr Reynolds	Mr Wallace	Mr Saltmarsh

And so it was resolved in the affirmative.

Ordered—That the debate be adjourned until tomorrow.

- 12 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 37)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Public Account (Amendment) Bill.
- 13 PUBLIC ACCOUNT (AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Crabb, to bring in a Bill “to amend Section 16 of the ‘Public Account Act 1958’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 APPROPRIATION (1982–83, No. 1) BILL—Further considered in Committee. Committee reported progress.
- Business having been interrupted at 10.30 p.m.—
- Motion made and question—That the sitting be continued (*Mr Trezise*)—put and agreed to.
- Further considered in Committee.

And having continued to sit till after Twelve of the clock—

THURSDAY, 21 OCTOBER 1982

Committee reported progress; to sit again later this day.

- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Residential Tenancies (Amendment) Bill without amendment.
- 16 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

17 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at fifty-six minutes past Two o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 36—Thursday, 21 October 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Adult Education—Report of the Council of Adult Education for the year 1981–82.
 - Education Act 1958—Resumption of land at Prahran—Certificates of the Minister of Education (three papers).
- 4 EDUCATION SERVICE (AMENDMENT) BILL—Mr Fordham obtained leave, with Mr Roper, to bring in a Bill ‘to amend the *Education Service Act 1981*, the *Constitution Act 1975*, *The Constitution Act Amendment Act 1958* and the *Teaching Service Act 1958* and for other purposes’; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 5 ATTORNEY-GENERAL—CASINO INQUIRY RESPONSES—Motion made and question proposed—That this House is of the opinion that the Attorney-General—
 - (a) has misled the House in answer to questions asked in the House concerning inhibitions placed on the Casino Inquiry by the Government; and
 - (b) has not exercised proper Ministerial control or responsibility in respect of his portfolio, by failing to fully inform himself of all the correspondence and communications between the Board of Inquiry, the Department and Counsel to the Attorney-General (*Mrs Sibree*)—and, after debate—
 General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.
- 6 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until Wednesday, 3 November next (*Mr Fordham*)—put and agreed to.
- 7 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 7 inclusive be postponed until later this day.
- 8 VICTORIAN COLLEGE OF AGRICULTURE AND HORTICULTURE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*). Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
 - Motion made and question proposed—That the debate be adjourned until Wednesday, 3 November next (*Mr Fordham*)—and, after debate—
 - Motion, by leave, withdrawn.
 - Ordered—That the debate be adjourned until Tuesday, 9 November next.

- 9 ABORIGINAL LANDS (ABORIGINES' ADVANCEMENT LEAGUE) (WATT STREET, NORTHCOTE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Kennett*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday, 4 November next.
- 10 GEELONG PERFORMING ARTS CENTRE TRUST (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
- Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Thursday, 4 November next.
- 11 MOTOR CAR (PENALTIES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday, 4 November next.
- 12 MINISTRY OF TRANSPORT (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday, 3 November next.
- 13 LOCAL GOVERNMENT (HOUSE BUILDERS' LIABILITY) (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
- Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday, 4 November next.
- 14 LAND (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
- Motion made and question—That the debate be now adjourned (*Mr Smith*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday, 4 November next.
- 15 PUBLIC ACCOUNT (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
- Motion made and question—That the debate be now adjourned (*Mr Kennett*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday, 3 November next.
- 16 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
- Melbourne Underground Rail Loop Authority—Report for the year 1981–82—Ordered to be printed.
- 17 APPROPRIATION (1982–83, No. 1) BILL—Further considered in Committee.
- Committee reported progress; to sit again tomorrow.
- 18 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

19 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at twenty-one minutes past Six o'clock, adjourned until
Wednesday, 3 November next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 37 and 38

No. 37—Wednesday, 3 November 1982

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
- 2 DEATH OF ROBERT HARRIS SUGGETT, ESQUIRE—Motion made and question—That this House expresses its sincere sorrow at the death of Robert Harris Suggett, Esquire, 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 Moorabbin from 1955–1967 and the electoral district of Bentleigh from 1967–1979 (*Mr Cain*)—put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - HEALTH AND HUMAN RELATIONS COURSES—Seeking that all health and human relations courses be withdrawn from the education curriculum, bearing 170, 18 and 23 signatures respectively (*by Mr Ross-Edwards, Mr Hann and Mr Evans, Gippsland East*).
 Severally ordered to lie on the Table.
- 5 PUBLIC BODIES REVIEW COMMITTEE—Mr Miller, Chairman, brought up the Seventh Report from the Public Bodies Review Committee on Future Structures for Water Management—Volume 2; Final Report on Implementation Issues Arising from Regional and Local Structures for Urban Services; together with Appendices, Extract of the Proceedings of the Committee, a Minority Report and Minutes of Evidence.

Ordered to lie on the Table and the Report, Extract, Minority Report and Appendices to be printed.
- 6 STRATA TITLES ACT REVIEW COMMITTEE—Motion made, by leave, and question—That there be presented to this House a copy of the following Reports of the Strata Titles Act Review Committee:
 - 1 Interim report on insurance of strata title units and common property (October 1978);
 - 2 Report on compulsory acquisition of strata title property (February 1979);
 - 3 Report on resolution of certain disputes arising in relation to strata property (May 1981); and
 - 4 Final report (October 1981).
 (*Mr Cain*)—put and agreed to.
- 7 PAPER—Mr Cain presented:

Strata Titles Act Review Committee—Reports—Return to the foregoing Order.

Severally ordered to lie on the Table.

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

Education Act 1958—Resumption of land at Eltham North—Certificate of the Minister of Education.

Environment Protection Authority—Report for the year 1981–82—Ordered to be printed.

Estate Agents Board—Report for the year 1981–82.

Forests Commission—Report for the year 1981–82—Ordered to be printed.

Friendly Societies and Benefit Associations—Report of the Government Statist for the year 1981–82—Ordered to be printed.

Gas and Fuel Corporation—Report for the year 1981–82—Ordered to be printed.

La Trobe University—Report of the Council for the year 1981; together with Statutes approved by the Governor in Council during 1981.

Legal Aid Commission—Report for the year 1981–82.

Pharmacy Board—Report and statement of accounts for the year 1981.

Statutory Rules under the following Acts:

County Court Act 1958—No. 372.

Health Act 1958—No. 373.

Public Service Act 1974—PSD No. 198.

Racing Act 1958—No. 371.

Taxation—Analysis of Operations—

Gift Duty for the year 1981–82.

Land Tax for the Assessment year 1981.

Probate Duty for the year 1981–82.

Town and Country Planning Act 1961—

Bass—Shire of Bass Planning Scheme, Amendment No. 4.

Croydon—City of Croydon Planning Scheme 1961, Amendment No. 97.

Geelong Regional Planning Scheme, Amendment Nos. 20 (Part 2) (1981) and 52 (two papers).

Melbourne Metropolitan Planning Scheme, Amendment Nos. 143 (Part 2B), 156 (Part 2), 157 (Part 2A), 184 (Part 1), and 221 (five papers),

Mornington—Shire of Mornington Planning Scheme 1959, Amendment Nos. 144 and 147 (two papers).

Otway—Ocean Road (Shire of Otway) Planning Scheme, Amendment No. 22.

Pakenham—Shire of Pakenham Planning Scheme (Part 1), Amendment No. 12.

Phillip Island Planning Scheme, Amendment Nos. 13 and 14 (two papers).

Port Fairy Planning Scheme 1959, Amendment No. 17 (1981).

Portland—Town of Portland Planning Scheme, Amendment No. 39.

South Gippsland—Shire of South Gippsland Planning Scheme, Amendment No. 52 (1981).

Werribee—Shire of Werribee Planning Scheme, Amendment No. 76.

Upper Yarra Valley and Dandenong Ranges Authority—Report for the year ended 30 September 1980.

Victoria Grants Commission—Report for the year ended 31 August 1982—Ordered to be printed.

Victorian Brown Coal Council—Report for the year 1981–82.

Zoological Board—Report for the years 1980–81 and 1981–82 (two papers).

- 9 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 38)—ASSENT TO BILLS—
Informing the Assembly that he had, on 26 October last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
Residential Tenancies (Amendment) Bill.
Local Government (Pecuniary Interests of Councillors) Bill.
- 10 PIPELINES (FEES) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Crabb, to bring in a Bill “to amend the ‘Pipelines Act 1967’ with respect to Pipeline Operation Fees and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 ORDER OF THE DAY DISCHARGED—Motion made, by leave, and question—That the following Order of the Day, General Business, be read and discharged:
Local Government (House Builders’ Liability Further Amendment) Bill—Second reading.
—and that the Bill be withdrawn (*Mrs Patrick*)—put and agreed to.
- 12 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 39, 40)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
Ministry of Transport (Amendment) Bill.
Aboriginal Lands (Aborigines’ Advancement League) (Watt Street, Northcote) Bill.
- 13 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 14 APPROPRIATION (1982–83, No. 1) BILL—Further considered in Committee. Committee reported progress; to sit again later this day.
- 15 EDUCATION SERVICE (AMENDMENT) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Pounds (Amendment) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 17 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Mildura Irrigation and Water Trusts Act 1958’ and for other purposes*”.
- 18 MILDURA IRRIGATION AND WATER TRUSTS (AMENDMENT) BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to revoke the Permanent Reservations of certain Lands and for purposes connected therewith*”.
- 20 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

21 APPROPRIATION (1982-83, No. 1) BILL—Further considered in Committee.

Committee reported progress.

Business having being interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Simmonds*)—put and agreed to.

Further considered in Committee.

And having continued to sit till after Twelve of the clock—

THURSDAY, 4 NOVEMBER 1982

Committee reported progress; to sit again later this day.

22 APPROPRIATION (1982-83, No. 1) BILL—DECLARATION OF BILL AS URGENT LIMITATION OF DEBATE—Mr Fordham declared that the Appropriation (1982-83, No. 1) Bill was an urgent Bill and moved—That the Bill be considered an urgent Bill.

Mr Speaker having ascertained that twenty Members approved of the proposed motion being put—

Question—That the Bill be considered an urgent Bill—put.

The House divided.

AYES, 41

Mr Cain	Mr Jolly	Mrs Ray	Mrs Toner
Mr Cathie	Mr Kennedy	Mr Remington	Mr Trezise
Dr Coghill	Mr King	Mr Roper	Dr Vaughan
Mr Crabb	Mr Kirkwood	Mr Rowe	Mr Walsh
Mr Culpin	Mr McCutcheon	Mr Seitz	Mr Wilkes
Mr Fordham	Mr McDonald	Mr Shell	Mr Wilton
Mr Harrowfield	Mr Mathews	Mr Sidiropoulos	<i>Tellers</i>
Mr Hassett	Mr Miller	Mr Simmonds	Mr Sheehan
Mrs Hill	Mr Newton	Mr Simpson	(<i>Ivanhoe</i>)
Mr Hill	Mr Norris	Mr Spyker	Mr Sheehan
Mr Hockley	Mr Pope	Mr Stirling	(<i>Ballarat South</i>)

NOES, 26

Mr Austin	Mr Lieberman	Mr Reynolds	Mr Thompson
Mr Brown	Mr McGrath	Mr Richardson	Mr Whiting
Mr Burgin	Mr McKellar	Mr Ross-Edwards	Mr Williams
Mr Ebery	Mr McNamara	Mr Saltmarsh	
Mr Hann	Mr Maclellan	Mrs Sibree	<i>Tellers</i>
Mr Jona	Mr Patrick	Mr Smith	Mr Delzoppo
Mr Kennett	Mr Ramsay	Mr Templeton	Mr Tanner

And so it was resolved in the affirmative.

Motion made and question—That the time allotted for the remaining stages of the Bill be until 2.45 a.m. this day.

(*Mr Fordham*)—after debate, put.

The House divided.

AYES, 42

Mr Cain	Mr Jolly	Mr Remington	Dr Vaughan
Mr Cathie	Mr Kennedy	Mr Roper	Mr Walsh
Dr Coghill	Mr King	Mr Rowe	Mr Wilkes
Mr Crabb	Mr Kirkwood	Mr Seitz	Mr Wilton
Mr Culpin	Mr McCutcheon	Mr Shell	
Mr Fogarty	Mr McDonald	Mr Sidiropoulos	
Mr Fordham	Mr Mathews	Mr Simmonds	
Mr Harrowfield	Mr Miller	Mr Simpson	<i>Tellers</i>
Mr Hassett	Mr Newton	Mr Spyker	Mr Sheehan
Mrs Hill	Mr Norris	Mr Stirling	(<i>Ivanhoe</i>)
Mr Hill	Mr Pope	Mrs Toner	Mr Sheehan
Mr Hockley	Mrs Ray	Mr Trezise	(<i>Ballarat South</i>)

NOES, 26

Mr Austin	Mr Lieberman	Mr Reynolds	Mr Thompson
Mr Brown	Mr McGrath	Mr Richardson	Mr Whiting
Mr Burgin	Mr McKellar	Mr Ross-Edwards	Mr Williams
Mr Ebery	Mr McNamara	Mr Saltmarsh	
Mr Hann	Mr Maclellan	Mrs Sibree	<i>Tellers</i>
Mr Jona	Mrs Patrick	Mr Smith	Mr Delzoppo
Mr Kennett	Mr Ramsay	Mr Templeton	Mr Tanner

And so it was resolved in the affirmative.

Further considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 23 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

Ethnic Affairs Commission Bill.

Education Service (Amendment) Bill.

- 24 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 25 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at seven minutes past Three o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 38—Thursday, 4 November 1982

- Mr Speaker took the Chair and read the Prayer.
- QUESTIONS—(Pursuant to Standing Order No. 124).
- PAPERS—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:

Abattoir and Meat Inspection Act 1973—No. 383.

Country Fire Authority Act 1958—No. 385.

Country Roads Act 1958—No. 387.

Health Act 1958—Nos. 368, 380.

Magistrates' Courts Act 1971, Magistrates (Summary Proceedings) Act 1975, Landlord and Tenant Act 1958 and Acts Interpretation Act 1958—No. 374.

Motor Boating Act 1961—No. 375.

National Parks Act 1975—No. 378.

Penalties and Sentences Act 1981—No. 370.

Planning Appeals Board Act 1980—No. 384.

Port of Geelong Authority Act 1958—No. 386.

Port of Portland Authority Act 1958—No. 376.
 Public Service Act 1974—No. 369; PSD Nos. 196, 199 to 203.
 Road Traffic Act 1958—No. 381.
 Soil Conservation and Land Utilization Act 1958—No. 379.
 Supreme Court Act 1958—No. 377.
 Weights and Measures Act 1958—No. 382.

- 4 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 41, 42)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Land (Amendment) Bill.
 Victorian College of Agriculture and Horticulture Bill.
- 5 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—Mr Cain obtained leave, with Mr Jolly, to bring in a Bill “to amend the ‘Lotteries Gaming and Betting Act 1966’ with respect to pre-race Betting on the Stawell Easter Gift and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 STATE BANK (AMENDMENT) BILL—Mr Jolly obtained leave, with Mr Crabb, to bring in a Bill “to amend the ‘State Bank Act 1958’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 VICTORIAN TOURISM COMMISSION BILL—Mr Trezise obtained leave, with Mr Wilkes, to bring in a Bill “to establish a Victorian Tourism Commission, to repeal the ‘Victorian Government Travel Authority Act 1977’, to amend the ‘Economic Development Act 1981’, the ‘Motor Boating Act 1961’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 WERRIBEE SOUTH WATER SUPPLY (VALIDATION) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill “relating to the Werribee South Water Supply Scheme and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 PIPELINES (FEES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
- Motion made and question—That the debate be now adjourned (*Mr Smith*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday next.
- 10 WORKS AND SERVICES APPROPRIATION BILL—Considered in Committee. Committee reported progress; to sit again later this day.
- 11 SERVICES OF THE HONOURABLE LINDSAY HAMILTON SIMPSON THOMPSON, C.M.G., M.P.—Motion made, by leave, and question—That this House places on record its appreciation of the distinguished services rendered to the Parliament and the people of Victoria by the Honourable Lindsay Hamilton Simpson Thompson, C.M.G., M.P., as Member of the Legislative Council for the Electoral Province of Higinbotham from 1955 to 1967 and for the Electoral Province of Monash from 1967 to 1970, as Member of the Legislative Assembly for the Electoral District of Malvern from 1970 to 1982 and as Premier from 5 June 1981 to 8 April 1982, in addition to his other important offices as Minister of the Crown and as Leader of the Opposition during the period 1958 to 1982 (*Mr Cain*)—put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion, and agreed to unanimously with acclamation.
- 12 WORKS AND SERVICES APPROPRIATION BILL—Further considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

13 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

14 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at fifty-six minutes past Nine o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

<h2 style="margin: 0;">VOTES AND PROCEEDINGS</h2> <p style="margin: 0;">Nos. 39, 40 and 41</p>
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No. 39—Tuesday, 9 November 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 RESIGNATION OF SEAT—Mr Speaker announced that, on 5 November instant, he had received the following letter:

Legislative Assembly,
Parliament House,
Melbourne, Victoria 3002.
4 November 1982.

Dear Mr Speaker

I desire to inform you that I wish to retire from the Legislative Assembly as the Member for Malvern from Friday, 5 November 1982.

May I take the opportunity of thanking you for the courtesies you have extended to me during your occupation of the important post of Speaker of the Legislative Assembly.

Yours sincerely,
L. H. S. THOMPSON

The Honourable C. T. Edmunds, M.P.,
Speaker,
Legislative Assembly,
Parliament House,
Melbourne, Victoria, 3002.

- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - RETURNABLE DRINK CONTAINERS—Seeking legislation requiring all drink containers to be returnable and to prohibit wasteful or dangerous forms of packaging of goods, bearing 8500 signatures (*by Mrs Ray*).
 - PRICE MARKING OF GOODS—Seeking that individual price marking of goods in supermarkets continue, bearing 15 signatures (*by Mr Wilton*).
 - UNPASTEURISED MILK—Seeking the right to purchase unpasteurised dairy milk products, bearing 402 signatures (*by Mr Smith*).

Severally ordered to lie on the Table.
- 5 PAPER—The following Paper, pursuant to a direction of an Act of Parliament, was laid upon the Table by the Clerk:
 - Totalizator Agency Board—Report and Statement of Accounts for the year ended 31 July 1982.
- 6 DEPARTMENTAL FINANCIAL STATEMENTS—Motion made, by leave, and question—That there be presented to this House a copy of the Departmental Financial Statements for the year ended 30 June 1982 (*Mr Jolly*)—put and agreed to.
- 7 PAPER—Mr Jolly presented:
 - Departmental Financial Statements—Return to the foregoing Order.

Ordered to lie on the Table and be printed.

- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 43)—ASSENT TO BILLS—
Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
Education Service (Amendment) Bill.
Ethnic Affairs Commission Bill.
- 9 ENERGY CONSUMPTION LEVY BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill “to discourage the excessive Usage of Natural Gas by imposing a Levy on the Consumption of Natural Gas by large Users thereof, to provide for the Assessment and Collection of the Levy, to amend the ‘Evidence (Commissions) Act 1982’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 LAND TAX (AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Land Tax Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 November instant.
- 12 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 13 VICTORIAN TOURISM COMMISSION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Trezise*).
Motion made and question—That the debate be now adjourned (*Mr Smith*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 23 November instant.
- 14 WERRIBEE SOUTH WATER SUPPLY (VALIDATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 November instant.
- 15 MILDURA IRRIGATION AND WATER TRUSTS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 November instant.
- 16 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 November instant.
- 17 PUBLIC ACCOUNT (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to repeal the ‘Closer Settlement Act 1938’, to make certain consequential Repeals and Amendments and for Purposes connected therewith*”.
- 19 CLOSER SETTLEMENT (WINDING-UP) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 20 MINISTRY OF TRANSPORT (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith, after debate. Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 STATE BANK (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*). Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to. Ordered, after debate—That the debate be adjourned until Tuesday, 23 November instant.
- 22 MOTOR CAR (REGISTRATION AND DRIVERS’ LICENCES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time. Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 MELBOURNE UNIVERSITY—VACANCY IN MEMBERSHIP OF COUNCIL—Motion made, by leave, and question—That Theo Sidiropoulos, Esquire, be recommended to the Governor in Council for appointment to the Council of Melbourne University (*Mr Fordham*)—put and agreed to.
- 24 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Environment Protection Act 1970’ and for other purposes*”.
- 25 ENVIRONMENT PROTECTION (AIR POLLUTION CONTROL) BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Public Account (Amendment) Bill without amendment.
- 27 ABORIGINAL LANDS (ABORIGINES’ ADVANCEMENT LEAGUE) (WATT STREET, NORTHCOTE) BILL—Order read for resuming debate on question—That this Bill be now read a second time. Mr Speaker ruled the Bill to be a Private Bill. Motion made and question—That this Bill be treated as a Public Bill and that fees be dispensed with (*Mr Cain*)—put and agreed to. Debate resumed on question—That this Bill be now read a second time. Business having been interrupted at 10.30 p.m.— Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

28 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

29 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-three minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 40—Wednesday, 10 November 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PAPER—The following Paper, pursuant to a direction of an Act of Parliament, was laid upon the Table by the Clerk:
Optometrists Registration Board—Report for the year 1980–81.
- 4 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 44)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Victorian Tourism Commission Bill.
- 5 FARM PRODUCE MERCHANTS AND COMMISSION AGENTS (AMENDMENT) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill “*to amend the ‘Farm Produce Merchants and Commission Agents Act 1965’*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 FILM VICTORIA (RECONSTITUTION) BILL—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill “*to amend the ‘Film Victoria Act 1981’ with respect to the Constitution, Functions and Powers of Film Victoria, to amend the ‘Ministry for the Arts Act 1972’ and the ‘Public Service Act 1974’ and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 SALE OF LAND (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again tomorrow.
- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 45)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Trustee (Authorized Investments) Bill.

- 9 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—Mr Cain, pursuant to Standing Order No. 169, obtained leave, with Mr Jolly, to bring in a Bill “to make further provisions with respect to Authorized Trustee Investments and housing loans by trustees and building societies and to amend the ‘Building Societies Act 1976’, the ‘Public Account Act 1958’ and the ‘Trustee Act 1958’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 46)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Judges Salaries Bill.
- 11 JUDGES SALARIES BILL—Mr Cain, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Constitution Act 1975’ and the ‘County Court Act 1958’ with respect to the Salaries of Judges of the Supreme Court and the County Court”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 47)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the State Electricity Commission (Financial Arrangements) Bill.
- 13 STATE ELECTRICITY COMMISSION (FINANCIAL ARRANGEMENTS) BILL—Mr Jolly, pursuant to motion moved on his behalf by Mr Fordham and pursuant to Standing Order No. 169, obtained leave, with Mr Cain, to bring in a Bill “to amend the ‘State Electricity Commission Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 15 LAND TAX (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 16 CLOSER SETTLEMENT (WINDING-UP) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 17 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.
- 18 MOTOR CAR (PENALTIES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 GEELONG PERFORMING ARTS CENTRE TRUST (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 LAND (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 EQUAL OPPORTUNITY (DISCRIMINATION AGAINST DISABLED PERSONS) BILL—Further considered in Committee.
Committee reported progress; to sit again tomorrow.
- 22 POUNDS (AMENDMENT) BILL—The Order of the Day for the consideration of the amendments made by the Legislative Council in this Bill was read.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 23 VICTORIAN TOBACCO GROWERS (DISPOSAL OF ASSETS) BILL—Order read for resuming debate on question—That this Bill be now read a second time.
Mr Deputy Speaker announced that Mr Speaker had ruled Bill a Private Bill.
Motion made and question—That this Bill be dealt with as a Public Bill (*Mr Fordham*)—put and agreed to.
Debate resumed on question—That this Bill be now read a second time.
Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 24 SEWERAGE DISTRICTS (SEWERAGE SCHEMES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 25 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 13 and 14, be postponed until later this day.
- 26 FREEDOM OF INFORMATION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Miller*)—put and agreed to.
Business having been interrupted at 10.30 p.m.
- 27 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at sixteen minutes past Eleven o'clock.

No. 41—Thursday, 11 November 1982

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following Petitions had been lodged for presentation:

AIRLIE MATERNITY HOSPITAL—Seeking that the recommendation of the Health Commission to the Minister of Health be rescinded and that Airlie Maternity Hospital be allowed to remain open to serve the community of Heidelberg and districts, bearing 1509 signatures (*by Mr Ramsay*).

ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well-being and not supportive of family life and at variance with God's law and purposes, bearing 22 signatures (*by Mr Pope*).

LATROBE VALLEY HELICOPTER AMBULANCE SERVICE—Seeking that the Government take urgent steps to ensure that the Latrobe Valley ambulance helicopter service continues, bearing 1923 signatures (*by Miss Callister*).

WOODCHIP HARVESTING—Opposing woodchip harvesting in the Otway Ranges, bearing 51 signatures (*by Mr Ernst*).

RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging, bearing 78 signatures (*by Mr Ernst*).

WHITTINGTON SWIMMING CENTRE—Seeking that adequate funding be granted to the Shire of Bellarine to allow the community swimming centre to be constructed at Whittington as soon as possible, bearing 626 signatures (*by Mr Ernst*).

Severally ordered to lie on the Table.

- 4 FERNTREE GULLY CEMETERY—Motion made, by leave, and question—That there be presented to this House a copy of the Report from the Board of Inquiry into the Ferntree Gully Cemetery Trust to the Secretary, Health Commission of Victoria (*Mr Roper*)—put and agreed to.

- 5 PAPER—Mr Roper presented:

Ferntree Gully Cemetery Report—Return to the foregoing Order.

Ordered to lie on the Table and to be printed.

- 6 CENSURE OF MINISTER FOR COMMUNITY WELFARE SERVICES—Motion made and question proposed—That this House condemns the failure of the Minister for Community Welfare Services to exercise proper care and to maintain responsible Ministerial control of her Department over the Department's statutory responsibilities, thereby causing grave community alarm about the directions of important new programmes for correctional services (*Mr Saltmarsh*)—and, after debate—

General Business interrupted at 3.00 p.m. pursuant to Sessional Orders and Order of the House dated 7 October 1982.

- 7 ENVIRONMENT PROTECTION (AIR POLLUTION CONTROL) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).

Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until Thursday next.

- 8 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 9 FARM PRODUCE MERCHANTS AND COMMISSION AGENTS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 25 November instant.
- 10 JUDGES SALARIES BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 11 STATE ELECTRICITY COMMISSION (FINANCIAL ARRANGEMENTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 25 November instant.
- 12 PIPELINES (FEES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 48)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Farm Produce Merchants and Commission Agents (Amendment) Bill.
- 14 EQUAL OPPORTUNITY (DISCRIMINATION AGAINST DISABLED PERSONS) BILL—Further considered in Committee.
Committee reported progress; to sit again tomorrow.
- 15 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 16 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at fifty-nine minutes past Five o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 42, 43 and 44

No. 42—Tuesday, 16 November 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

HEALTH AND HUMAN RELATIONS COURSES—Seeking that all health and human relations courses be withdrawn from the education curriculum, bearing 1136 signatures (*by Mr Kennedy*).

Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Crimes Compensation Tribunal—Report for the year 1981–82.

Statutory Rules under the following Acts:

 - Building Control Act 1981—No. 408.
 - Chiropodists Act 1968—No. 394.
 - Country Fire Authority Act 1958—No. 409.
 - Dental Technicians Act 1972—No. 406.
 - Health Act 1958—Nos. 389 to 391, 396, 397, 399, 407.
 - Public Service Act 1974—PSD Nos. 204, 206, 208.
 - Racing Act 1958—No. 393.
 - Small Claims Tribunals Act 1973—No. 395.
 - Supreme Court Act 1958—No. 392.
 - Vegetation and Vine Diseases Act 1958—No. 401.
- 5 COUNTRY FIRE AUTHORITY AND THE METROPOLITAN FIRE BRIGADES BOARD INTEGRATION REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the preliminary report of the Victorian Public Service Board's Management Consultancy and Organization Studies Division on its investigation of—(a) the appropriate methods of integrating the non-operational aspects of the Country Fire Authority and the Metropolitan Fire Brigades Board into a Victorian Fire Services Board; and (b) appropriate means for and levels of funding the operational expenditures of a Fire Services Board (*Mr Mathews*)—put and agreed to.
- 6 PAPER—Mr Mathews presented:

Country Fire Authority and the Metropolitan Fire Brigades Board Integration Report—Return to the foregoing Order.

Ordered to lie on the Table.
- 7 MINISTERIAL STATEMENT—COUNTRY FIRE AUTHORITY AND THE METROPOLITAN FIRE BRIGADES BOARD INTEGRATION—Mr Mathews made a Ministerial Statement relating to the integration of the Country Fire Authority and the Metropolitan Fire Brigades Board and the Report thereon.

Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement and the Report (*Mr Mathews*)—and, after debate—
 Motion made and question proposed—That the debate be now adjourned (*Mr Wilkes*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

8 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Appropriation (1982-83, No. 1) Bill without amendment.

9 ENERGY CONSUMPTION LEVY BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).

Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 30 November instant.

10 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).

Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 30 November instant.

11 FILM VICTORIA (RECONSTITUTION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).

Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 30 November instant.

12 LOCAL GOVERNMENT (HOUSE BUILDERS' LIABILITY) (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill now be read a second time; debate resumed.

Amendment proposed—That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted, after consultation with the industry and consumer groups, to provide for—(a) renovations, additions, alterations and repairs exceeding in value the sum of four thousand dollars, including the construction of swimming pools to be included in the guarantee system; (b) a Residential Disputes Tribunal with an independent qualified legal practitioner as Chairman to act as arbitrator for all building disputes; and (c) prosecutions of builders who enter into arrangements to avoid the provisions of the Act" (*Mrs Patrick*)—and, after debate—

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

The House divided.

AYES, 46

Mr Cain	Mr Hann	Mr Miller	Mr Spyker
Miss Callister	Mr Harrowfield	Mr Newton	Mr Stirling
Mr Cathie	Mr Hassett	Mrs Ray	Mrs Toner
Dr Coghill	Mrs Hill	Mr Remington	Dr Vaughan
Mr Crabb	Mr Jasper	Mr Roper	Mr Wallace
Mr Culpin	Mr Jolly	Mr Ross-Edwards	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Rowe	Mr Whiting
Mr Evans	Mr King	Mr Seitz	Mr Wilkes
(<i>Gippsland East</i>)	Mr Kirkwood	Mrs Setches	Mr Wilton
Mr Fogarty	Mr McCutcheon	Mr Sidiropoulos	<i>Tellers</i>
Mr Fordham	Mr McDonald	Mr Simmonds	Mr Ihlein
Mr Gavin	Mr Mathews	Mr Simpson	Mr Pope

NOES, 19

Mr Austin	Mr Jona	Mrs Patrick	Mr Williams
Mr Brown	Mr Kennett	Mr Richardson	
Mr Burgin	Mr Lieberman	Mrs Sibree	
Mr Delzoppo	Mr McKellar	Mr Tanner	
Mr Ebery	Mr Maclellan	Mr Templeton	
Mr Evans			<i>Tellers</i>
(Ballarat North)			Mr Reynolds
			Mr Saltmarsh

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 APPROPRIATION (1982–83, No. 1) BILL—Mr Speaker announced that he had, that day, presented to His Excellency the Governor, the Appropriation (1982–83, No. 1) Bill, to which His Excellency was pleased to give the Royal Assent.
- 14 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 49)—ASSENT TO BILLS—Informing the Assembly that he had, on that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Public Account (Amendment) Bill.
 - Pounds (Amendment) Bill.
 - Victorian Tobacco Growers (Disposal of Assets) Bill.
 - Sewerage Districts (Sewerage Schemes) Bill.
- 15 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
- Ministry of Transport (Amendment) Bill.
 - Motor Car (Penalties) Bill.
 - Geelong Performing Arts Centre Trust (Amendment) Bill.
- 16 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 50, 51)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending an appropriation for the purposes of the following Bills:
- Film Victoria (Reconstitution) Bill.
 - Energy Consumption Levy Bill.
- 17 VICTORIAN COLLEGE OF AGRICULTURE AND HORTICULTURE BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 SALE OF LAND (AMENDMENT) BILL—Further considered in Committee. Committee reported progress. Business having been interrupted at 10.30 p.m.
- 19 ADJOURNMENT—Question—That the House do now adjourn—proposed, and Mr Speaker left the chair at thirty-one minutes past Ten o'clock.

No. 43—Wednesday, 17 November 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Nurses Act 1958—Report and Statement of accounts of the Victorian Nursing Council for the year 1981–82.
 - Ombudsman—Report for the year 1981–82—Ordered to be printed.
- 4 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 - Pipelines (Fees) Bill.
 - Aboriginal Lands (Aborigines' Advancement League) (Watt Street, Northcote) Bill.
- 5 ABATTOIR AND MEAT INSPECTION (FURTHER AMENDMENT) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill *"to amend the 'Abattoir and Meat Inspection Act 1973', to provide for an Additional Member to be appointed to the Victorian Abattoir and Meat Inspection Authority, to make further provision for recovery of Fees for Inspection Services, and for other purposes"*; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 DIRECTOR OF PUBLIC PROSECUTIONS BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill *"to provide for the Appointment of a Director of Public Prosecutions, to repeal the 'Courts Administration Act 1975', to amend the 'Crimes Act 1958' and other Acts and for other purposes"*; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 HOSPITALS AND CHARITIES (AMENDMENT) BILL—Mr Roper obtained leave, with Mr Jolly, to bring in a Bill *"to amend the 'Hospitals and Charities Act 1958' with respect to the Payments to be made by or in respect of Patients in Public Hospitals, to make fresh provision with respect to the Allocation of Beds in Public Hospitals, to amend the 'Cancer Act 1958' and for other purposes"*; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 LABOUR AND INDUSTRY (SHOPS) BILL—Mr Jolly, after debate, obtained leave, with Mr Fordham to bring in a Bill *"to amend the 'Labour and Industry Act 1958' with respect to Shops and for other purposes"*; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 PUBLIC ACCOUNT (TRUST FUNDS) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill *"to provide for the transfer of moneys in certain Trust Funds in the Public Account to the Consolidated Fund, to make consequential Amendments to certain Acts and for other purposes"*; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 SUPERANNUATION (RAILWAY SERVICE EMPLOYÉS) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill *"to amend the 'Superannuation Act 1975' with respect to certain Railway Services Employés"*; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 WATER (PENALTIES AND BORROWING POWERS) BILL—Mr Simpson obtained leave, with Mr Roper, to bring in a Bill *"to amend the 'Water Act 1958' with respect to the borrowing powers of the State Rivers and Water Supply Commission and*

with respect to penalties and to amend certain other Enactments with respect to penalties and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

12 FISHERIES (FEES) BILL—Mr Cathie obtained leave, with Mr Simpson, to bring in a Bill "*to amend the 'Fisheries Act 1968' with respect to certain fees*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

13 SESSIONAL ORDERS—Motion made and question—That paragraph 2 of the Sessional Orders of the Legislative Assembly adopted on 26 May 1982 be amended as follows:

Insert "(a)" after "2" (where first occurring).

Omit "when the provisions of Standing Order No. 59 apply" and insert "pursuant to Standing Order No. 59".

Add the following sub-paragraph at the end of the paragraph:

"(b) on the Thursdays on which Standing Order No. 59 applies, business shall be called on in the following order:

- 1 Grievances
- 2 Government Business
- 3 General Business".

—(Mr Fordham)—put, after debate, and agreed to.

14 ELECTORAL COMMISSION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

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

15 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 52)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Public Account (State Development Account) Bill.

16 PUBLIC ACCOUNT (STATE DEVELOPMENT ACCOUNT) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Cathie, to bring in a Bill "*to amend the 'Public Account Act 1958' and the 'Audit Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

17 SALE OF LAND (AMENDMENT) BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to the following Resolution:

That this House calls upon the Governments of the Commonwealth and all States, the leaders of all political parties and leaders of employee and employer organizations to work together in the national interest and the interests of all Australians in the urgent development of policies and measures to alleviate and resolve all aspects of the problem of unemployment—

and invite the endorsement of the Legislative Assembly thereof.

Ordered—That the Message be taken into consideration forthwith.

- Motion made and question—That this House endorses the resolution of the Legislative Council (*Mr Cain*)—put, after debate, and agreed to.
- Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.
- 19 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 20 ORDER OF THE DAY DISCHARGED—Motion made, by leave, and question—That the following Order of the Day, Government Business, be read and discharged:
Equal Opportunity (Discrimination Against Disabled Persons) Bill—To be further considered in Committee.
 —and that the Bill be withdrawn (*Mr Roper*)—put and agreed to.
- 21 CLOSER SETTLEMENT (WINDING-UP) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 22 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 23 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at seventeen minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
 Clerk of the Legislative Assembly

C. T. EDMUNDS
 Speaker

No. 44—Thursday, 18 November 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:
 SUNDAY HOTEL TRADING HOURS—Opposing proposals to extend hotel bar trading hours on Sundays, bearing 179 signatures (*by Mr McGrath*).
 Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Country Roads Board—Report for the year 1981–82—Ordered to be printed.
 Hospitals Superannuation Fund—Report of the Actuary at the expiration of the three years ended 30 June 1982.
 Statutory Rules under the following Acts:
 Industrial Training Act 1975—Nos. 402 to 404.
 Penalties and Sentences Act 1981—No. 398.
 Victorian Solar Energy Council—Report for the year 1981–82.

- 5 CORPORATE AFFAIRS OFFICE REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the Corporate Affairs Office for the year 1980–81 (*Mr Cain*)—put and agreed to.
- 6 PAPER—Mr Cain presented:
Corporate Affairs Office Report—Return to the foregoing Order.
Ordered to lie on the Table.
- 7 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Works and Services Appropriation Bill without amendment.
- 8 EQUAL OPPORTUNITY (DISCRIMINATION AGAINST DISABLED PERSONS) BILL (No. 2)—Mr Roper, by leave, obtained leave, with Mr Fordham, to bring in a Bill “to render Unlawful certain Kinds of Discrimination on the ground of Impairment, to amend the ‘Equal Opportunity Act 1977’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 10 ABATTOIR AND MEAT INSPECTION (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 2 December next.
- 11 DIRECTOR OF PUBLIC PROSECUTIONS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 2 December next.
- 12 HOSPITALS AND CHARITIES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 30 November instant.
- 13 LABOUR AND INDUSTRY (SHOPS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 2 December next.
- 14 SUPERANNUATION (RAILWAY SERVICE EMPLOYÉES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—that the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 30 November instant.
- 15 WATER (PENALTIES AND BORROWING POWERS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 30 November instant.
- 16 FISHERIES (FEES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).

- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Tuesday, 30 November instant.
- 17 PUBLIC ACCOUNT (STATE DEVELOPMENT ACCOUNT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Tuesday, 30 November instant.
- 18 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 9 and 10, be postponed until later this day.
- 19 ENVIRONMENT PROTECTION (AIR POLLUTION CONTROL) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 20 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 12, be postponed until later this day.
- 21 FREEDOM OF INFORMATION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
- Committee reported progress; to sit again tomorrow.
- 22 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until Tuesday, 30 November instant (*Mr Roper*)—put and agreed to.
- 23 POSTPONEMENT OF REMAINING BUSINESS—Ordered—That the consideration of remaining business be postponed.
- 24 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at two minutes past Six o'clock, adjourned until Tuesday, 30 November instant.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 45, 46 and 47

No. 45—Tuesday, 30 November 1982

1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS—(Pursuant to Standing Order No. 124).

3 PETITIONS—The Clerk announced that the following Petitions had been lodged for presentation:

ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well-being and not supportive of family life and at variance with God's law and purposes, bearing 22 signatures and 26 signatures respectively (*by Mr Maclellan and Mr Sheehan (Ivanhoe)*).

SHOPPING HOURS IN TOURIST AREAS—Seeking that Caulfield be included with St Kilda under section 80D of the *Labour and Industry Act 1958* to give it the same rights and privileges with respect to special trading hours, bearing 1976 signatures (*by Mr Tanner*).

Severally ordered to lie on the Table.

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

Adult Parole Board—Report for the year 1980-81—Ordered to be printed.

Child Development and Family Services Council—Report for the year 1981-82.

Correctional Services Council—Report for the year 1981-82.

Economic Development—Report of the Ministry for the year 1981-82.

Equal Opportunity Board—Report for the year 1981-82—Ordered to be printed.

Health Advisory Council—Report for the year 1981-82.

National Parks Act 1975—

Consent of the Minister for Conservation to the granting of an Extractive Industry Lease to William Morgan Davies, Thomas James Liley, Donald Robert Lester and George Marsh Roberts in the Wilsons Promontory National Park.

Consent of the Minister for Conservation to the granting of an Extractive Industry Lease to John Patrick O'Connor in the Wilsons Promontory National Park.

Consent of the Minister for Conservation to the granting of an Extractive Industry Lease to Ian William and Kenneth George Heywood in the Wilsons Promontory National Park.

Rural Finance Commission—Report for the year 1981-82—Ordered to be printed.

Science Museum of Victoria Council—Reports for the years 1980–81 and 1981–82 (two papers).

State Rivers and Water Supply Commission—Report for the year 1981–82 (two volumes)—Ordered to be printed.

Statutory Rules under the following Acts:

Architects Act 1958—No. 417.

Cemeteries Act 1958—No. 414.

Country Fire Authority Act 1958—No. 420.

Court Security Act 1980—No. 416.

Forests Act 1958—No. 415.

Health Act 1958—Nos. 410 to 413.

Liquefied Gases Act 1968—No. 419.

Poisons Act 1962—No. 388.

Public Service Act 1974—PSD Nos. 205, 207, 210, 211.

Superannuation Act 1958—No. 400.

Valuation of Land Act 1960—No. 418.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme, Amendment Nos. 3 (Part 1H), 104 (Part 1A), 138 (Part 2B), and 157 (Part 2B) (four papers).

Young Farmers' Finance Council—Report for the year 1981–82.

- 5 COURT LISTS—Motion made, by leave, and question—That there be presented to this House a return showing the number of cases awaiting hearing, in both civil and criminal jurisdictions of the Supreme Court and the County Court at Melbourne on 30 September 1980, 30 September 1981, 31 March 1982 and 31 August 1982, respectively (*Mr Cain*)—put and agreed to.

- 6 PAPER—Mr Cain presented:

Court Lists—Return to the foregoing Order.

Ordered to lie on the Table.

- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 53)—ASSENT TO BILLS—Informing the Assembly that he had, on 23 November instant, given Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Geelong Performing Arts Centre Trust (Amendment) Bill.

Aboriginal Lands (Aborigines' Advancement League) (Watt Street, Northcote) Bill.

Pipelines (Fees) Bill.

Closer Settlement (Winding-up) Bill.

Ministry of Transport (Amendment) Bill.

Works and Services Appropriation Bill.

Electoral Commission Bill.

Motor Car (Penalties) Bill.

Environment Protection (Air Pollution Control) Bill.

- 8 FINANCIAL INSTITUTIONS DUTY BILL—Mr Jolly, pursuant to Standing Order No. 169(b), obtained leave, with Mr Crabb, to bring in a Bill "*to impose a Duty upon Financial Institutions and other persons in respect of certain Receipts, to provide for the Assessment and Collection of the Duty, to amend the 'Stamps Act 1958' and the 'Evidence (Commissions) Act 1982' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 9 PAY-ROLL TAX (FURTHER AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Crabb, to bring in a Bill “to further amend the ‘Pay-roll Tax Act 1971’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 EASTERN RAILWAY CONSTRUCTION (REPEAL) BILL—Mr Crabb, by leave, obtained leave, with Mr Jolly, to bring in a Bill “to repeal the ‘Eastern Railway Construction Act 1971’ and to facilitate the disposal of land acquired for the purposes thereof”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 11 WILDLIFE (FEES) BILL—Mr Cathie, by leave, obtained leave, with Mrs Toner, to bring in a Bill “to amend the ‘Wildlife Act 1975’ to increase certain fees”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 12 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 54, 55, 56 AND 57)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
 Superannuation (Railway Service Employés) Bill.
 Director of Public Prosecutions Bill.
 Abattoir and Meat Inspection (Further Amendment) Bill.
 Water (Penalties and Borrowing Powers) Bill.
- 13 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 14 JUDGES SALARIES BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read the third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 WERRIBEE SOUTH WATER SUPPLY (VALIDATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 FILM VICTORIA (RECONSTITUTION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 HOSPITALS AND CHARITIES (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 Land (Amendment) Bill.
 Victorian College of Agriculture and Horticulture Bill.

- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Liquor Control Act 1968’ with respect to Booth Licences and for other purposes*”.
- 20 LIQUOR CONTROL (BOOTH LICENCES) (AMENDMENT) BILL—On the motion of Mr Trezise, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 21 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 58)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Queen Victoria Medical Centre (Guarantees) Bill.
- 22 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) BILL—Mr Roper, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “*to authorize the Treasurer of Victoria to give certain Guarantees for and in connection with the construction of a Medical Centre at Clayton to be known as the Queen Victoria Medical Centre*”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to make further provision with respect to Flood Plain Management, to amend the ‘Local Government Act 1958’, the ‘Water Act 1958’, the ‘Dandenong Valley Authority Act 1963’, the ‘Drainage of Land Act 1975’ and the ‘Building Control Act 1981’ and for other purposes*”.
- 24 FLOOD PLAIN MANAGEMENT BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 25 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 59)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Educational Grants (Continuation) Bill.
- 26 EDUCATIONAL GRANTS (CONTINUATION) BILL—Mr Fordham, pursuant to Standing Order No. 169, obtained leave, with Mr Roper, to bring in a Bill “*to amend the ‘Educational Grants Act 1973’*”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 27 SUPERANNUATION (RAILWAY SERVICE EMPLOYÉS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 28 FINANCIAL INSTITUTIONS DUTY BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday next.
- 29 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 to 9 inclusive, be postponed until later this day.
- 30 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Werribee South Water Supply (Validation) Bill without amendment.
- 31 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Motor Car (Registration and Drivers’ Licences) Bill with amendments.

- Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 32 STATE BANK (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Debate resumed on question—That this Bill be now read a second time.
Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 33 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Local Government (House Builders' Liability) (Amendment) Bill.
Superannuation (Railway Service Employés) Bill.
- 34 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to make provision for and in relation to the Removal of Human Tissue for Transplantation, for Post-mortem Examinations, for the Definition of Death, for the Registration of Schools of Anatomy, to repeal certain Acts and enactments and for other purposes*".
- 35 HUMAN TISSUE BILL—On the motion of Mr Roper, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 36 LIQUOR CONTROL (BOOTH LICENCES) (AMENDMENT) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 37 EASTERN RAILWAY CONSTRUCTION (REPEAL) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday next.
- 38 WILDLIFE (FEES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday next.
- 39 EDUCATIONAL GRANTS (CONTINUATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.
- 40 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).

Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday next.

41 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Roper*)—put and agreed to.

42 ADJOURNMENT—Motion made and question proposed—That the House do now adjourn (*Mr Roper*)—and, after debate—

And the House having continued to sit till after Twelve of the clock—

WEDNESDAY, 1 DECEMBER 1982

Question—put and agreed to.

And then the House, at twenty-seven minutes past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 46—Wednesday, 1 December 1982

1 Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS—(Pursuant to Standing Order No. 124).

3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

BEAUFORT HOUSE, BALLARAT—Seeking that the Department of Education state the future of Beaufort House, Ballarat, bearing 145 signatures (*by Mr Evans, Ballarat North*).

Ordered to lie on the Table.

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

Egg Marketing Board—Report for the year 1981–82—Ordered to be printed.

Employment and Training—Report of the Ministry for the year 1981–82.

5 NORTH DEBORAH MINING AND INDUSTRIAL LIMITED AND LEFROY MINERALS LIMITED—REPORTS OF INSPECTOR—Motion made, by leave, and question—That there be presented to this House a copy of the reports of the inspector appointed to investigate the affairs of North Deborah Mining and Industrial Limited and Lefroy Minerals Limited (*Mr Cain*)—put and agreed to.

6 PAPER—Mr Cain presented:

North Deborah Mining and Industrial Limited and Lefroy Minerals Limited—Reports of Inspector—Return to the foregoing Order.

Severally ordered to lie on the Table and to be printed.

- 7 MINISTERIAL STATEMENT—NORTH DEBORAH MINING AND INDUSTRIAL LIMITED AND LEFROY MINERALS LIMITED—REPORTS OF INSPECTOR—Mr Cain made a Ministerial Statement in connection with the Reports of the Inspector appointed to investigate the affairs of North Deborah Mining and Industrial Limited and Lefroy Minerals Limited.

Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement and Reports (*Mr Cain*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 8 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 60, 61)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Public Account (Trust Funds) Bill.

Financial Institutions Duty Bill.

- 9 ADMINISTRATIVE LAW (AMENDMENT) BILL—Mr Cain, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Administrative Law Act 1978’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 CONSTRUCTION INDUSTRY (ELECTRICAL AND METAL TRADES) LONG SERVICE LEAVE BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “to empower the Building Industry Long Service Leave Board to do all acts and things necessary in contemplation of the extension of the operation of the ‘Building Industry Long Service Leave Act 1975’ to and in relation to the provision of long service leave for Persons employed in Electrical and Metal Trades Work in the Construction Industry and to empower the payment of moneys out of the Building Industry Long Service Leave Fund for that purpose, and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 11 COUNTRY ROADS (LANDS) BILL—Mr Crabb, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Country Roads Act 1958’ with respect to Lands, and to authorize the Country Roads Board to take and use Certain Lands being Recreational Lands under the ‘Cultural and Recreational Lands Act 1963’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 INTERPRETATION BILL—Mr Cain, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Roper, to bring in a Bill “to make fresh provision with respect to the Construction and Operation of, and the Shortening of the Language used in, Acts of Parliament and Subordinate Instruments, to repeal the ‘Acts Interpretation Act 1958’, to amend the ‘Supreme Court Act 1958’, the ‘Amendments Incorporation Act 1958’, the ‘Subordinate Legislation Act 1962’, the ‘Constitution Act 1975’, the ‘Penalties and Sentences Act 1981’ and the ‘Petroleum (Submerged Lands) Act 1982’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 LOCAL GOVERNMENT (INVESTMENTS) BILL—Mr Wilkes, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Roper, to bring in a Bill “to provide for the establishment of an Investment Service for Local Government, to amend the ‘Municipal Association Act 1907’ and the ‘Local Government Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 14 LOCAL GOVERNMENT ACTS (MISCELLANEOUS AMENDMENTS) BILL—Mr Wilkes, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Roper, to bring in a Bill “to make miscellaneous amendments to certain Acts administered by the Minister for Local Government and for that Superannuation Act 1958”, the ‘Valuation of Land Act 1960’ and the ‘Building Control Act 1981’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 15 MELBOURNE COLLEGE OF ADVANCED EDUCATION BILL—Mr Fordham obtained leave, with Mr Roper, to bring in a Bill “to amalgamate the State College of Victoria—Institute of Early Childhood Development and the State College of Victoria at Melbourne, to establish the Melbourne College of Advanced Education and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 16 METROPOLITAN FIRE BRIGADES SUPERANNUATION (ELIGIBILITY) BILL—Mr Mathews obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Metropolitan Fire Brigades Superannuation Act 1976’ with respect to the Rights of Fire Board officers over 57 years of age to join the Metropolitan Fire Brigades Superannuation Scheme and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 17 MINERALS AND ENERGY FEES BILL—Mr Mathews obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Mines Act 1958’, the ‘Petroleum Act 1958’, the ‘Explosives Act 1960’, the ‘Extractive Industries Act 1966’, the ‘Inflammable Liquids Act 1966’ and the ‘Liquefied Gases Act 1968’ with respect to certain fees and charges and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 18 MOTOR CAR (GENERAL AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Roper, to bring in a Bill “to amend generally the ‘Motor Car Act 1958’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 MOTOR CAR (LEARNER DRIVERS) BILL—Mr Crabb, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Motor Car Act 1958’ to extend and improve training of Learner Drivers, to make provisions for Learner’s Endorsements, to abolish Motor Cycle Learner’s Permits, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 RAILWAYS (AMENDMENT) BILL—Mr Crabb, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Railways Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 21 ST NICHOLAS HOSPITAL (SALE OF LAND) BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill “to provide for the surrender to the Crown of certain land the greater part of which is used for the purposes of the St Nicholas Hospital, which land is no longer required for the purposes of a Hospital, and to enable the sale thereof”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 FLOOD PLAIN MANAGEMENT BILL—Motion and question proposed—That this Bill be now read a second time (*Mr Simpson*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday next.

- 23 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 24 HUMAN TISSUE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 25 CONSTRUCTION INDUSTRY (ELECTRICAL AND METAL TRADES) LONG SERVICE LEAVE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 26 MOTOR CAR (REGISTRATION AND DRIVERS' LICENCES) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 27 LOCAL GOVERNMENT ACTS (MISCELLANEOUS AMENDMENTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 28 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.
- 29 STATE ELECTRICITY COMMISSION (FINANCIAL ARRANGEMENTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 30 ENERGY CONSUMPTION LEVY BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again later this day.
- 31 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 32 EQUAL OPPORTUNITY (DISCRIMINATION AGAINST DISABLED PERSONS) BILL (No. 2)—
Read a second time, after debate, and committed; considered in Committee.
Committee reported progress; to sit again later this day.

- 33 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 34 PAY-ROLL TAX (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
- Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday next.
- 35 LAND TAX (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill now be read a second time; debate resumed.
- Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted to ensure a proper regard for ability to pay, to remove inequities and to avoid the adverse impact on small business and residential tenancies at a time of economic difficulty” (*Mr Ramsay*)—and, after debate—
- Business having been interrupted at 10.30 p.m.
- Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
- Debate resumed on question and amendment.
- Question—That the words proposed to be omitted stand part of the question—put.
- The House divided.

AYES, 45

Mr Cain	Mr Hassett	Mr Newton	Mr Simpson
Miss Callister	Mrs Hill	Mr Norris	Mr Spyker
Mr Cathie	Mr Hill	Mrs Ray	Mr Stirling
Dr Coghill	Mr Hockley	Mr Roper	Mrs Toner
Mr Crabb	Mr Jolly	Mr Rowe	Mr Trezise
Mr Culpin	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Ernst	Mr King	Mrs Setches	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilton
Mr Gavin	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Mathews	(<i>Ballarat South</i>)	Mr Ihlein
Mr Harrowfield	Mr Miller	Mr Shell	Mr Pope

NOES, 27

Mr Austin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Brown	Mr Jasper	Mr Reynolds	Mr Williams
Mr Burgin	Mr Jona	Mr Richardson	
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mrs Sibree	
Mr Ebery	Mr McGrath	Mr Smith	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Templeton	Mr Saltmarsh
(<i>Gippsland East</i>)	Mr Maclellan	Mr Wallace	Mr Tanner

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 36 EQUAL OPPORTUNITY (DISCRIMINATION AGAINST DISABLED PERSONS) BILL (No. 2)—
Further considered in Committee.
And having continued to sit till after Twelve of the clock—
THURSDAY, 2 DECEMBER 1982
Bill reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their
concurrence desired therein.
- 37 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of
Orders of the Day, Government Business, Nos. 11 and 12, be postponed until
later this day.
- 38 PUBLIC ACCOUNT (TRUST FUNDS) BILL—Motion made and question proposed—
That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—
put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 39 RAILWAYS (AMENDMENT) BILL—Motion made and question proposed—That this
Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—
put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 40 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the
consideration of remaining business be postponed (*Mr Fordham*)—put and
agreed to.
- 41 ADJOURNMENT—Resolved—That the House do now adjourn.
- And then the House, at four minutes past Two o'clock in the morning, adjourned
until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 47—Thursday, 2 December 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following Petitions had been lodged
for presentation:
 - POKER MACHINES—Seeking that the Government will not legalize the operation
of poker machines in Victoria, bearing 40 signatures (*by Mr Maclellan*).
 - SHOPPING HOURS IN TOURIST AREAS—Seeking that Caulfield be included with
St Kilda under section 80D of the *Labour and Industry Act 1958* to give
it the same rights and privileges with respect to special trading hours,
bearing 3235 signatures (*by Mr Tanner*).

LATROBE VALLEY HELICOPTER AMBULANCE SERVICE—Seeking that the Government take immediate steps to ensure that the Latrobe Valley helicopter ambulance service is retained, bearing 1106 signatures (*by Miss Callister*).

Severally ordered to lie on the Table.

- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Consumer Affairs—Report of the Director for the year 1981–82—Ordered to be printed.
 - Geelong Waterworks and Sewerage Trust—Statement of accounts for the year 1981–82.
 - Government Employee Housing Authority—Report for the year 1981–82.
 - Land Conservation Act 1970—Final recommendations of the Land Conservation Council in respect of the future use of public land in the South Gippsland area, District 2.
- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 62)—ASSENT TO BILL—Informing the Assembly that he had, on 1 December instant, given the Royal Assent to the following Bill, presented to him by the Clerk of the Parliaments:
 - Liquor Control (Booth Licences) (Amendment) Bill.
- 6 PUBLIC CHARGES AND WAGES FREEZE—Motion made and question proposed—That this House notes with concern the damaging impact of increasing taxes, charges, salaries and wages on the Victorian economy and on employment opportunities, and calls upon the Government to freeze all taxes, charges, salaries and wages for which it is responsible (*Mr Ramsay*)—and, after debate—
 - General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.
- 7 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Film Victoria (Reconstitution) Bill without amendment.
- 8 ST NICHOLAS HOSPITAL (SALE OF LAND) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
 - Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
 - Ordered—That the debate be adjourned until Thursday next.
- 9 MELBOURNE COLLEGE OF ADVANCED EDUCATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 - Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
 - Ordered, after debate—That the debate be adjourned until Thursday next.
- 10 METROPOLITAN FIRE BRIGADES SUPERANNUATION (ELIGIBILITY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
 - Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
 - Ordered, after debate—That the debate be adjourned until Thursday next.
- 11 MINERALS AND ENERGY FEES BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
 - Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 - Ordered—That the debate be adjourned until Thursday next.
- 12 MOTOR CAR (GENERAL AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)
—put and agreed to.

Ordered—That the debate be adjourned until Thursday next.

- 13 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.

- 14 COUNTRY ROADS (LANDS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)
—put and agreed to.

Ordered—That the debate be adjourned until Thursday next.

- 15 LOCAL GOVERNMENT (INVESTMENTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)
—put and agreed to.

Ordered—That the debate be adjourned until Thursday next.

- 16 ADMINISTRATIVE LAW (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).

Motion made and question—That the debate be now adjourned (*Mr Maclellan*)
—put and agreed to.

Ordered—That the debate be adjourned until Thursday next.

- 17 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 10, be postponed until later this day.

- 18 ENERGY CONSUMPTION LEVY BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 PUBLIC ACCOUNT (STATE DEVELOPMENT ACCOUNT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

State Electricity Commission (Financial Arrangements) Bill.
Judges Salaries Bill.

- 21 WATER (PENALTIES AND BORROWING POWERS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 22 FARM PRODUCE MERCHANTS AND COMMISSION AGENTS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 MOTOR CAR (LEARNER DRIVERS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday next.
- 24 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 63, 64, 65, 66)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
 Motor Car (Learner Drivers) Bill.
 St Nicholas Hospital (Sale of Land) Bill.
 Local Government Acts (Miscellaneous Amendments) Bill.
 Construction Industry (Electrical and Metal Trades) Long Service Leave Bill.
- 25 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 26 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
 And then the House, at twelve minutes past Six o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
 Clerk of the Legislative Assembly

C. T. EDMUNDS
 Speaker

VOTES AND PROCEEDINGS

Nos. 48, 49 and 50

No. 48—Tuesday, 7 December 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **ISSUE OF AND RETURN TO WRIT**—Mr Speaker announced that on 8 November last, he had issued a Writ for the election of a Member to serve for the Electoral District of Malvern in the place of the Honourable Lindsay Hamilton Simpson Thompson, C.M.G., resigned and that he had received a return to the said Writ by which it appeared that Geoffrey Graeme Leigh, Esquire, had been duly elected in pursuance of the said Writ.
- 3 **MEMBER SWORN**—Geoffrey Graeme Leigh, Esquire, was then introduced and took and subscribed the Oath required by law.
- 4 **QUESTIONS**—(Pursuant to Standing Order No. 124).
- 5 **LEGAL AND CONSTITUTIONAL COMMITTEE**—Mr Whiting, Chairman, brought up a Report from the Legal and Constitutional Committee upon the Statute Law Revision (Repeals) Bill; together with Minutes of Evidence.
Ordered to lie on the Table and the Report to be printed.
- 6 **PAPERS**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Equal Opportunity Act 1977—Report of the Commissioner for Equal Opportunity for the year 1981–82—Ordered to be printed.
 - Insurance Commissioner—Report for the year 1981–82.
 - Law Reform Commissioner—Report for the year 1981–82—Ordered to be printed.
 - Small Business Development Corporation—Report for the year 1981–82.
 - State Electricity Commission—Report for the year 1981–82—Ordered to be printed.
 - Statutory Rules under the following Acts:
 - Dentists Act 1972—No. 428.
 - Environment Protection Act 1970—Nos. 424, 425.
 - Melbourne and Metropolitan Board of Works Act 1958—No. 421.
 - Pharmacists Act 1974—No. 427.
 - Post-Secondary Education Act 1978—No. 426.
 - Public Service Act 1974—Nos. 422, 423.
 - Weights and Measures Act 1958—No. 429.
 - Swan Hill Pioneer Settlement Authority—Report for the year 1980–81.
 - Transport Regulation Board—Report for the year 1981–82—Ordered to be printed.
 - Victorian Council of the Arts—Report for the year 1981–82.
 - Victorian Fishing Industry Council—Report for the year 1981–82.
- 7 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 67)**—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
 - Land (Amendment) Bill.
 - Werribee South Water Supply (Validation) Bill.
 - Superannuation (Railway Service Employés) Bill.
 - Film Victoria (Reconstitution) Bill.
 - State Electricity Commission (Financial Arrangements) Bill.

- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 68)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Melbourne College of Advanced Education Bill.
- 9 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 69)—Mr Speaker announced the presentation of a Message from His Excellency the Governor transmitting to the Assembly for their consideration an amendment which he desires to be made in the Judges Salaries Bill, which was as follows:—
 Clause 5, proposed sub-section (3), omit “Chief Justice and the puisne judges” and insert “Chief Judge and the other judges”.
- And the said amendment was read a second time and, after debate, agreed to by the House.
- Ordered—That His Excellency’s Message be transmitted to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendment, and requesting their concurrence therein.
- 10 INTERPRETATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 1 February next.
- 11 FISHERIES (FEES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 ABATTOIR AND MEAT INSPECTION (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 WILDLIFE (FEES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 MESSAGES FROM THE LEGISLATIVE COUNCIL—
 Agreeing to the amendment recommended by His Excellency the Governor in the Judges Salaries Bill.
 Agreeing to the following Bills without amendment:
 Lotteries Gaming and Betting (Amendment) Bill.
 Public Account (State Development Account) Bill.
- 15 EDUCATIONAL GRANTS (CONTINUATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Hospitals and Charities (Amendment) Bill with an amendment.
 Ordered—That the said amendment be printed and taken into consideration tomorrow.
- 17 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Wheat Marketing Act 1979’ and for other purposes.*”
- 18 WHEAT MARKETING (AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 19 QUEEN VICTORIA MEDICAL CENTRE (GUARANTEES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 VICTORIAN TOURISM COMMISSION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
 Business having being interrupted at 10.30 p.m.—
 Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
 Debate resumed on question—That this Bill be now read a second time.
 Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 Land Tax (Amendment) Bill.
 State Bank (Amendment) Bill.
- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Melbourne and Metropolitan Board of Works Act 1958’, the ‘Town and Country Planning Act 1961’ and the ‘Water Resources Act 1975’ with respect to the Administration of the Board, the Penalties payable for Offences against the said Act and for other purposes.*”
- 23 MELBOURNE AND METROPOLITAN BOARD OF WORKS (ADMINISTRATION) BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 24 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Water (Penalties and Borrowing Powers) Bill and suggesting an amendment.
 Ordered—That the suggested amendment be printed and taken into consideration tomorrow.
- 25 LABOUR AND INDUSTRY (SHOPS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
 And the House having continued to sit till after Twelve of the clock—
 WEDNESDAY, 8 DECEMBER 1982
 Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Abattoir and Meat Inspection (Further Amendment) Bill without amendment.
- 27 MINISTERIAL STATEMENT—COMMUNITY WELFARE PRIORITIES—Mrs Toner made a Ministerial Statement concerning community welfare priorities.
 Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mrs Toner*)—and, after debate—
 Motion made and question—That the debate be now adjourned (*Mr Jasper*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 28 PUBLIC BODIES REVIEW COMMITTEE—Motion made, by leave, and question—That the State Rivers and Water Supply Commission and each constituted water, sewerage, drainage and river improvement trust or authority (except the Melbourne and Metropolitan Board of Works), Local Governing Bodies constituted under the *Water Act* 1958, the Ballarat Water Commissioners and Sewerage Authority, the Dandenong Valley Authority, the First Mildura Irrigation Trust, the Geelong Waterworks and Sewerage Trust, the Latrobe Valley Water and Sewerage Board, the Mildura Urban Water Trust, the West Moorabool Water Board and the personnel of the State Rivers and Water Supply Commission, be referred to the Public Bodies Review Committee for review (*Mr Fordham*)—put and agreed to.
 Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- 29 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 30 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
 And then the House, at fifteen minutes past Two o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 49—Wednesday, 8 December 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- STEEL-JAWED LEG-HOLD TRAPS—Seeking that legislation be enacted to ban the sale and use of the steel-jawed leg-hold trap, bearing 255 signatures (*by Mrs Setches*).
- ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well-being and not supportive of family life and at variance with God's law and purposes, bearing 60 signatures and 328 signatures respectively (*by Mr McKellar and Mrs Setches*).

Severally ordered to lie on the Table.

- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Consumer Affairs—Report of the Council of Consumer Affairs for the year 1981–82—Ordered to be printed.
 - Decentralized Industry Housing Authority—Report for the year 1981–82.
 - Egg Industry Stabilization Act 1973—Report of the Poultry Farmer Licensing Review Committee for the year ended 28 February 1982.
 - Hospitals Superannuation Fund—Report of the Actuary on his triennial investigation of the Lump Sum Scheme as at 30 June 1981.
- 5 GRIEVANCE DEBATE LIMITATION—Motion made and question—That so much of Standing Order No. 59 as permits four hours debate upon “Grievances” be suspended for tomorrow and the debate on the question that Grievances be noted be concluded at 1.00 p.m. (*Mr Fordham*)—put, after debate, and agreed to.
- 6 LIMITATION OF ACTIONS (PERSONAL INJURY CLAIMS) BILL—Mr Fordham obtained leave, with Mr Wilkes, to bring in a Bill “to make Provision for Extending the Period within which Actions for Damages in respect of Personal Injuries may be brought, to amend the ‘Limitation of Actions Act 1958’, the ‘Administration and Probate Act 1958’ and the ‘Wrongs Act 1958’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 CONSTITUTION (QUALIFICATION OF ELECTORS) BILL—Mr Fordham obtained leave, with Mr Wilkes, to bring in a Bill “to amend section 48 of the ‘Constitution Act 1975’, sections 181, 183 and 187 of ‘The Constitution Act Amendment Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 8 CEMETERIES (AMENDMENT) (COMMENCEMENT) BILL—Mr Roper obtained leave, with Mr Simpson, to bring in a Bill “to amend the ‘Cemeteries (Amendment) Act 1980’ with respect to the Commencement of that Act and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 9 HEALTH (RADIATION SAFETY) BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill “to regulate the keeping and use of radio-active substances and ionizing and non-ionizing radiation apparatus, to provide for protection against the harmful effects of radiation, to establish a Radiation Advisory Committee, a Radiographers Registration Board, to amend the ‘Health Act 1958’, the ‘Nuclear Activities (Prohibitions) Act 1982’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 WORKERS COMPENSATION (AMENDMENT) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Workers Compensation Act 1958’”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 11 INDUSTRIAL RELATIONS (AMENDMENT) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Industrial Relations Act 1979’”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 12 MINES (AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Wilkes, to bring in a Bill “to amend the ‘Mines Act 1958’, the ‘Crown Land (Reserves) Act 1978’, the ‘Extractive Industries Act 1966’, the ‘Explosives Act 1960’, the ‘Forests Act 1958’, the ‘Groundwater Act 1969’, the ‘Inflammable Liquids Act 1966’, the ‘Liquefied Gases Act 1968’, the ‘Mining Development Act 1958’,

the 'National Parks Act 1975', the 'Petroleum Act 1958' and the 'Town and Country Planning Act 1961' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 13 WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) BILL—Mr Simpson obtained leave, with Mr Fordham, to bring in a Bill "*to provide for the Restructuring of Victoria's Urban Water and Sewerage Authorities, to empower the Creation of Water Boards capable of supplying both Water and Sewerage Services, to enable the Transfer to Municipalities of the Functions of certain Water and Sewerage Authorities, to make consequential Amendments to various Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 14 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Labour and Industry (Shops) Bill without amendment.

- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the resolution adopted by the Assembly on 8 December 1982 nominating certain bodies for review by the Public Bodies Review Committee.

- 16 WHEAT MARKETING (AMENDMENT) BILL—Read a second time, after debate and, by leave, read the third time forthwith.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.

- 17 INTERPRETATION BILL—Motion made, by leave, and question—That the proposals contained in the Interpretation Bill be referred to the Legal and Constitutional Committee for inquiry, consideration and report (*Mr Fordham*)—put and agreed to.
 Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.

- 18 PAY-ROLL TAX (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments and with an amended title, which title is as follows:
"A Bill to further amend the 'Pay-roll Tax Act 1971' and for other purposes."
 Bill, as amended, considered, and amendments agreed to; read the third time, after debate.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to approve and provide for carrying out an Agreement entered into between the Prime Minister of the Commonwealth of Australia and the Premiers of the States of New South Wales, Victoria and South Australia respecting the River Murray and other Waters, to repeal the 'River Murray Waters Act 1915' and for other purposes*".

- 20 RIVER MURRAY WATERS BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the resolution of the Assembly referring the proposals contained in the Interpretation Bill to the Legal and Constitutional Committee for inquiry, consideration and report.

- 22 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 Statute Law Revision (Repeals) Bill.
 Trustee (Authorized Investments) Bill.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Groundwater Act 1969' with respect to Mineral Water*".
- 24 GROUNDWATER (AMENDMENT) BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 25 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 70)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the River Entrance Docks Railway Construction (Amendment) Bill.
- 26 RIVER ENTRANCE DOCKS RAILWAY CONSTRUCTION (AMENDMENT) BILL—Mr Crabb, pursuant to motion moved on his behalf by Mr Fordham and pursuant to Standing Order No. 169, obtained leave, with Mr Simpson, to bring in a Bill "*to amend the 'River Entrance Docks Railway Construction Act 1970' to vary the Route of the Line of Railway to be constructed to connect Melbourne with the Docks at the Mouth of the Yarra River, and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 27 PUBLIC ACCOUNT (TRUST FUNDS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
 Amendment proposed—That all the words after "That" be omitted with the view of inserting in place thereof the words "the House refuses to read this Bill a second time until the provisions contained in the Bill have been referred to and reported upon by the Economic and Budget Review Committee (*Mr Evans, Gippsland East*)—and, after debate—
 Question—That the words proposed to be omitted stand part of the question—put and agreed to.
 Bill read a second time and committed; considered in Committee and reported with amendments and with an amended title, which title is as follows:
"A Bill to provide for the transfer of moneys in certain Trust Funds in the Public Account to the Consolidated Fund, to repeal certain Acts, to make consequential Amendments to certain other Acts and for other purposes."
 Bill, as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 28 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to reconstitute the State Electricity Commission, to amend the 'State Electricity Commission Act 1958', the 'Electric Light and Power Act 1958' and for other purposes*".
- 29 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—On the motion of Mr Mathews, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 30 WATER (PENALTIES AND BORROWING POWERS) BILL—Order read for the consideration of the amendment suggested by the Legislative Council.
 On the motion of Mr Simpson and, after debate—Suggested amendment made.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly,

- 31 RIVER ENTRANCE DOCKS RAILWAY CONSTRUCTION (AMENDMENT) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 32 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 and 6 be postponed until later this day.
- 33 EASTERN RAILWAY CONSTRUCTION (REPEAL) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 34 RAILWAYS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 35 MELBOURNE AND METROPOLITAN BOARD OF WORKS (ADMINISTRATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 36 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Water (Penalties and Borrowing Powers) Bill (including the amendment made by the Assembly which was suggested by the Council) without amendment.
- 37 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Equal Opportunity (Discrimination against Disabled Persons) Bill (No. 2) with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 38 CONSTITUTION (QUALIFICATION OF ELECTORS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 39 WORKERS COMPENSATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.
- 40 INDUSTRIAL RELATIONS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Kennett*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.

41 CEMETERIES (AMENDMENT) (COMMENCEMENT) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

42 SALINITY COMMITTEE—Motion made, by leave, and question—

1 That the Joint Select Committee on Salinity inquire into and report by 31 December 1983 upon the undermentioned matters together with any other matters the Committee considers to be relevant thereto:

(a) The quantity of water available for use in Northern Victoria and the quantities that are expected to be available following the completion of Dartmouth Reservoir, including water—

- (i) already allocated; and
- (ii) available to be allocated.

(b) The control of such water and the uses to which it should be allocated so as to best serve conjunctive economic, social and environmental objectives, including—

- (i) salinity control;
- (ii) urban water supply;
- (iii) rural water supply for domestic and stock use;
- (iv) industrial water supply;
- (v) irrigation;
- (vi) recreation, both active and passive;
- (vii) conservation of native flora and fauna and migratory fauna;
- (viii) dilution of drainage water or effluents from any of the aforesaid uses, with a view to re-use in Victoria or to the maintenance of satisfactory water quality in the River Murray;
- (ix) generation of hydro-electric energy; and
- (x) flood mitigation.

(c) With regard to the allocation of water for irrigation, the volume of water which should be allocated to—

- (i) existing constituted irrigation districts;
- (ii) lands which might be included in irrigation districts; and
- (iii) lands irrigated by private diversion.

(d) In respect of the Goulburn–Murray Irrigation District the desirability of amending the *Water Act* 1958 in respect of matters affecting the apportionment of water rights including—

- (i) the adoption of an alternative water right formula of the type contained in Schedule 3B to the Act;
- (ii) the recognition of holdings created by subdivision since 1 July 1959, and any future subdivisions, for the purpose of applying the abovementioned water right formula; and
- (iii) the transfer of water rights between holdings, the cancellation and reallocation of unused water rights and the attachment of conditions to any future allocations.

2 That all documents, evidence and other matter received by or produced by the former Public Works Committee in relation to the similar reference received by that Committee pursuant to the provisions of the *Public Works Committee Act* 1958 be referred to the Joint Select Committee on Salinity.

—(Mr Fordham)—put, after debate, and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.

- 43 MINISTERIAL STATEMENT—COMMUNITY HOUSING—Mr Cathie made a Ministerial Statement relating to Community Housing.
 Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cathie*)—and, after debate—
 Motion made and question—That the debate be now adjourned (*Mr Wallace*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 44 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Cathie*)—put and agreed to.
- 45 ADJOURNMENT—Resolved—That the House do now adjourn.
- And then the House at twenty-three minutes past Six o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 50—Thursday, 9 December 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 SALINITY COMMITTEE—Mr Fogarty, Chairman, brought up a Progress Report from the Salinity Committee on the Barr Creek Catchment, Mineral Reserve Basin and Lake Tyrrell Schemes.
 Ordered to lie on the Table and to be printed.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Explosives Act 1960—Report of the Chief Inspector of Explosives for the year 1981.
 - Inflammable Liquids Act 1966—Report of the Chief Inspector of Inflammable Liquids for the year 1981.
 - Liquefied Gases Act 1968—Report of the Chief Inspector of Liquefied Gases for the year 1981.
 - Melbourne and Metropolitan Board of Works—Statement of Accounts for the year 1981–82.
 - Minerals and Energy Department—Report for the year 1981.
 - Post-Secondary Education Commission—Report for the year 1981–82—Ordered to be printed.
 - Town and Country Planning Act 1961:
 - Bairnsdale—Town of Bairnsdale Planning Scheme, Amendment No. 40.
 - Ballarat—
 - City of Ballaarat Planning Scheme, Amendment No. 6.
 - Shire of Ballarat Planning Scheme, Amendment No. 13.

Bass—

Shire of Bass Planning Scheme

Shire of Bass Planning Scheme, Amendment Nos. 6, 9 (two papers).

Cobram—Shire of Cobram Planning Scheme 1979, Amendment No. 4.

Flinders—Shire of Flinders Planning Scheme 1962—Amendment Nos. 153, 155 (two papers).

Frankston—City of Frankston Planning Scheme, Amendment No. 33.

Geelong Regional Planning Scheme, Amendment Nos. 21 (Part 2B), 24 Part 2), 54, 60 (four papers).

Hastings—Shire of Hastings Planning Scheme, Amendment Nos. 9, 12 (two papers).

Horsham—City of Horsham Planning Scheme, Amendment No. 61 (1982).

Kilmore—Shire of Kilmore Planning Scheme 1973, Amendment No. 51 (1981).

Lillydale—Shire of Lillydale Planning Scheme, Amendment Nos. 128 (1980), 143 (two papers).

Melbourne Metropolitan Planning Scheme, Amendment Nos. 185 (Part 1), 220 (two papers).

Moe—City of Moe Planning Scheme 1966, Amendment Nos. 65, 66 (1982) (two papers).

South Gippsland—Shire of South Gippsland Planning Scheme, Amendment No. 48 (1981).

Traralgon—City of Traralgon Planning Scheme 1957—Amendment Nos. 28 (1981), 33 (two papers).

Yea—Shire of Yea Planning Scheme 1979, Amendment No. 4.

West Moorabool Water Board—Report and Statement of Account for the year 1981–82.

- 5 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the resolution adopted by the Assembly on 8 December 1982 referring certain matters to the Joint Select Committee on Salinity for inquiry and report.
- 7 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 - Railways (Amendment) Bill
 - Cemeteries (Amendment) (Commencement) Bill
- 8 STATE DEVELOPMENT COMMITTEE—REPORT ON LAND TRANSPORT TO WEBB DOCK—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the State Development Committee on Land Transport to Webb Dock (*Mr Cain*)—put and agreed to.
- 9 PAPER—Mr Cain presented:
 - State Development Committee—Report on Land Transport to Webb Dock—Return to the foregoing Order.

Ordered to lie on the Table and to be printed.
- 10 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.

- 11 RIVER MURRAY WATERS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday next.
- 12 GROUNDWATER (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
 Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday next.
- 13 POSTPONEMENT OF ORDERS OF THE DAY—Ordered, after debate—That the consideration of Orders of the Day, Government Business, Nos. 4 to 7 inclusive, be postponed until later this day.
- 14 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 Farm Produce Merchants and Commission Agents (Amendment) Bill
 Eastern Railway Construction (Repeal) Bill
- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Veterinary Surgeons (Amendment) Bill with amendments.
 Ordered—That the said amendments be printed and taken into consideration later this day.
- 16 CONSTITUTION (QUALIFICATION OF ELECTORS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 9, be postponed until later this day.
- 18 EQUAL OPPORTUNITY (DISCRIMINATION AGAINST DISABLED PERSONS) BILL (No. 2)—Order read for the consideration of the amendments made by the Legislative Council.
 And the said amendments were read a second time and, after debate, agreed to by the House.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 19 CONSTRUCTION INDUSTRY (ELECTRICAL AND METAL TRADES) LONG SERVICE LEAVE BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 HOSPITALS AND CHARITIES (AMENDMENT) BILL—Order read for the consideration of the amendment made by the Legislative Council.
 And the said amendment was read a second time and, after debate, disagreed with by the House and further amendments made.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 21 MELBOURNE AND METROPOLITAN BOARD OF WORKS (ADMINISTRATION) BILL—(FROM COUNCIL)—SECOND READING—RESUMPTION OF DEBATE—Ordered—That consideration of this order be postponed until later this day.
- 22 VETERINARY SURGEONS (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 23 LOCAL GOVERNMENT ACTS (MISCELLANEOUS AMENDMENTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 24 MELBOURNE AND METROPOLITAN BOARD OF WORKS (ADMINISTRATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 25 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Fisheries (Fees) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Wildlife (Fees) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 27 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Energy Consumption (Levy) Bill and suggesting amendments.
Ordered—That the suggested amendments be printed and taken into consideration later this day.
- 28 DIRECTOR OF PUBLIC PROSECUTIONS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 29 MESSAGES FROM THE LEGISLATIVE COUNCIL—
Acquainting the Assembly that the Council do not insist on their amendment with which the Assembly have disagreed, and have agreed to the amendments made by the Assembly in the Hospitals and Charities (Amendment) Bill.
Agreeing to the following Bills without amendment:
Educational Grants (Continuation) Bill
Victorian Tourism Commission Bill
Constitution (Qualification of Electors) Bill
Construction Industry (Electrical and Metal Trades) Long Service Leave Bill

- 30 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Queen Victoria Medical Centre (Guarantees) Bill and suggesting amendments.
On the motion of Mr Roper and, after debate—Suggested amendments made.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 31 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 15, be postponed until later this day.
- 32 ST NICHOLAS HOSPITAL (SALE OF LAND) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 33 MELBOURNE COLLEGE OF ADVANCED EDUCATION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted in line with the undertakings given by the Minister to the amalgamating colleges and other interested bodies in prior discussions and correspondence relating to the federated nature of the amalgamation” (*Mr Jona*)—and, after debate—
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Debate resumed on question and amendment.
Question—That the words proposed to be omitted stand part of the question—put.
The House divided.

AYES, 43

Mr Cain	Mrs Hill	Mr Pope	Mr Stirling
Miss Callister	Mr Hill	Mrs Ray	Mrs Toner
Mr Cathie	Mr Hockley	Mr Roper	Mr Trezise
Dr Coghill	Mr Jolly	Mr Rowe	Dr Vaughan
Mr Crabb	Mr Kennedy	Mr Seitz	Mr Walsh
Mr Culpin	Mr King	Mrs Setches	Mr Wilkes
Mr Ernst	Mr Kirkwood	Mr Sheehan	
Mr Fogarty	Mr McCutcheon	(<i>Ballarat South</i>)	
Mr Fordham	Mr McDonald	Mr Sidiropoulos	
Mr Gavin	Mr Mathews	Mr Simmonds	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Simpson	Mr Hasset
Mr Harrowfield	Mr Norris	Mr Spyker	Mr Ihlein

NOES, 21

Mr Brown	Mr McGrath	Mr Reynolds	Mr Williams
Mr Hann	Mr McKellar	Mr Ross-Edwards	
Mr Jasper	Mr McNamara	Mr Saltmarsh	
Mr Jona	Mr Maclellan	Mrs Sibree	<i>Tellers</i>
Mr Kennett	Mrs Patrick	Mr Tanner	Mr Delzoppo
Mr Lieberman	Mr Ramsay	Mr Templeton	Mr Leigh

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee—

And having continued to sit till after Twelve of the clock—

FRIDAY, 10 DECEMBER 1982

Bill reported with amendments; as amended, considered and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 34 METROPOLITAN FIRE BRIGADES SUPERANNUATION (ELIGIBILITY) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 35 MINERALS AND ENERGY (FEES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 36 ENERGY CONSUMPTION LEVY BILL—Order read for the consideration of the amendments suggested by the Legislative Council.

On the motion of Mr Mathews—Suggested amendments made.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 37 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 20 to 24 inclusive, be postponed until later this day.

- 38 COUNTRY ROADS (LANDS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 39 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Crabb*)—put and agreed to.

- 40 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at sixteen minutes past One o'clock in the morning, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

VOTES AND PROCEEDINGS

Nos. 51 and 52

No. 51—Tuesday, 14 December 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - AIR AMBULANCE SERVICES—Praying that the Government take urgent steps to ensure that the Latrobe Valley and Mornington Peninsula Air Ambulance Services continue, bearing 2891, 215 and 587 signatures, respectively (*by Miss Callister, Mr Delzoppo and Mr Brown*).
 - PROHIBITING SUNDAY FOOTBALL AT V.F.L. PARK—Praying that the Government will not allow the use of V.F.L. Park for Sunday football, bearing 200 signatures (*by Mr Saltmarsh*).

Severally ordered to lie on the Table.
- 4 PAPERS—Mr Speaker presented:
 - Auditor-General—Supplementary Report for the year 1981–82.

Ordered to lie on the Table and to be printed.

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

 - Harness Racing Board—Report for the year ended 31 July 1982.
 - Health Commission—Report for the year 1981–82—Ordered to be printed.
 - Hospitals Superannuation Board—Report for the year 1981–82—Ordered to be printed.
 - Housing Commission—Report for the year 1981–82—Ordered to be printed.
 - Immigration and Ethnic Affairs—Report of the Ministry for the year 1981–82,
 - Library Council, National Museum and Science Museum Building Trustees—Reports for the year 1980–81 and 1981–82 (two papers).
 - Melbourne and Metropolitan Tramways Board—Report for the year 1981–82.
 - Melbourne University—Report of the Council for the year 1981, together with Statutes approved by His Excellency the Governor during 1981.
 - Melbourne Wholesale Fruit and Vegetable Market Trust—Report for the year 1981–82.
 - National Museum of Victoria Council—Report for the year 1981–82.
 - National Parks Service—Report for the year 1981–82—Ordered to be printed.
 - Soil Conservation Authority—Report for the year 1981–82—Ordered to be printed.
 - State Classification of Publications Board—Report for the year 1981–82—Ordered to be printed.
 - State Library and National Museum Building Committee—Report for the year 1981–82.

Statutory Rules under the following Acts:

- Companies (Application of Laws) Act 1981—No. 435.
- Country Fire Authority Act 1958—Nos. 432, 441.
- Environment Protection Act 1970—Nos. 437 to 439.
- Industrial Relations Act 1979—No. 446.
- Magistrates' Courts Act 1971, the Magistrates (Summary Proceedings) Act 1975, the Landlord and Tenant Act 1958 and the Acts Interpretation Act 1958—No. 442.
- Marine Act 1958—Nos. 431 and 447.
- Melbourne and Metropolitan Board of Works Act 1958—Nos. 430, 434.
- Motor Boating Act 1961—No. 444.
- Optometrists Registration Act 1958—No. 436.
- Penalties and Sentences Act 1981—No. 398.
- Police Regulation Act 1958—No. 445.
- Public Service Act 1974—PSD Nos. 214 to 218, 222, 223.
- Racing Act 1958—No. 440.
- Rural Finance and Settlement Commission Act 1961—No. 433.
- Weights and Measures Act 1958—No. 429.
- Zoological Parks and Gardens Act 1967—No. 443.
- Urban Land Authority—Report for the year 1981–82.
- Victorian Economic Development Corporation—Report for the year 1981–82.
- Victorian Government Travel Authority—Report for the year 1981–82.
- Victorian Public Offices Corporation—Report for the year 1981–82.

- 5 SENTENCING ALTERNATIVES COMMITTEE REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the second report of the Sentencing Alternatives Committee (*Mr Cain*)—put and agreed to.
- 6 PAPER—Mr Cain presented:
 - Sentencing Alternatives Committee Report—Return to the foregoing Order.
 - Ordered to lie on the Table.
- 7 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the report of the National Companies and Securities Commission for the year 1981–82 (*Mr Cain*)—put and agreed to.
- 8 PAPER—Mr Cain presented:
 - National Companies and Securities Commission Report, 1981–82—Return to the foregoing Order.
 - Ordered to lie on the Table.
- 9 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 71)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
 - Motor Car (Registration and Drivers' Licences) Bill.
 - Local Government (House Builders' Liability) (Amendment) Bill.
 - Victorian College of Agriculture and Horticulture Bill.
 - Judges Salaries Bill.
 - Lotteries Gaming and Betting (Amendment) Bill.

Public Account (State Development Account) Bill.
 Trustee (Authorized Investments) Bill.
 Abattoir and Meat Inspection (Further Amendment) Bill.

- 10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 72)—Mr Speaker announced the presentation of a Message from His Excellency the Governor transmitting to the Assembly for their consideration an amendment which he desires to be made in the Land Tax (Amendment) Bill.

Ordered—That the said amendment be printed and taken into consideration later this day.

- 11 WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*). Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 1 February next.

- 12 POSTPONEMENT OF ORDER OF THE DAY—Ordered, after debate—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 13 HEALTH (RADIATION SAFETY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).

Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 1 February next.

- 14 LAND TAX (AMENDMENT) BILL—Order read for the consideration of the amendment recommended by His Excellency the Governor.

And the said amendment was read a second time and, after debate, agreed to by the House.

Ordered—That His Excellency's Message be transmitted to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendment, and requesting their concurrence therein.

- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the St. Nicholas Hospital (Sale of Land) Bill without amendment.

- 16 LIMITATION OF ACTIONS (PERSONAL INJURY CLAIMS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 1 February next.

- 17 FINANCIAL INSTITUTIONS DUTY BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read the Bill a second time until the proposals contained therein have been investigated and reported upon by the Economic and Budget Review Committee, in particular as to whether the proposed duty is equitable in its impact and that major distortions are not generated in the financial markets of the State" (*Mr Ramsay*)—and, after debate—

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

AYES, 43

Mr Cain	Mr Hassett	Mr Pope	Mrs Toner
Miss Callister	Mrs Hill	Mrs Ray	Mr Trezise
Mr Cathie	Mr Hill	Mr Roper	Dr Vaughan
Dr Coghill	Mr Hockley	Mr Rowe	Mr Walsh
Mr Crabb	Mr Ihlein	Mr Seitz	Mr Wilkes
Mr Culpin	Mr King	Mrs Setches	
Mr Ernst	Mr Kirkwood	Mr Shell	
Mr Fogarty	Mr McCutcheon	Mr Sidiropoulos	
Mr Fordham	Mr McDonald	Mr Simmonds	<i>Tellers</i>
Mr Gavin	Mr Mathews	Mr Simpson	Mr Kennedy
Mr Gray	Mr Miller	Mr Spyker	Mr Sheehan
Mr Harrowfield	Mr Norris	Mr Stirling	(<i>Ivanhoe</i>)

NOES, 30

Mr Austin	Mr Evans	Mr McKellar	Mrs Sibree
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Smith
Mr Burgin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Delzoppo	Mr Jasper	Mrs Patrick	Mr Wallace
Mr Dickinson	Mr Jona	Mr Ramsay	Mr Whiting
Mr Ebery	Mr Kennett	Mr Reynolds	Mr Williams
Mr Evans	Mr Lieberman	Mr Richardson	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McGrath	Mr Ross-Edwards	Mr Leigh
			Mr Tanner

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Further considered in Committee.

And having continued to sit till after Twelve of the clock—

WEDNESDAY, 15 DECEMBER 1982

Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

On the motion of Mr Crabb and, after debate, the following amendments were made in the Bill:

1. Clause 26, page 29, line 24, after “kept” insert “in Victoria or a prescribed State”.
2. Clause 28, page 31, line 21, after “kept” insert “in Victoria”.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Sale of Land (Amendment) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Energy Consumption Levy Bill (including amendments made by the Assembly suggested by the Council) with an amendment.

Ordered—That the said amendment be printed and taken into consideration tomorrow.

- 20 MESSAGES FROM THE LEGISLATIVE COUNCIL—

Agreeing to the Country Roads (Lands) Bill without amendment.

Agreeing to the amendment recommended by His Excellency the Governor in the Land Tax (Amendment) Bill.

- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Egg Industry Stabilization Act 1973’ to restrict the transfer of licences to individual persons and prevent the accumulation of hen quotas in single holdings and for other purposes.*”
- 22 EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 23 MESSAGES FROM THE LEGISLATIVE COUNCIL—
 Agreeing to the following Bills without amendment:
 Public Account (Trust Funds) Bill.
 Local Government Acts (Miscellaneous Amendments) Bill.
 Agreeing to the Queen Victoria Medical Centre (Guarantees) Bill (including the amendments made by the Assembly which were suggested by the Council) without amendment.
- 24 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Director of Public Prosecutions Bill with an amendment.
 Ordered—That the said amendment be printed and taken into consideration tomorrow.
- 25 WORKERS COMPENSATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 26 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 27 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at five minutes past Four o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 52—Wednesday, 15 December 1982

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following Petitions had been lodged for presentation:
 HEALTH AND HUMAN RELATIONS COURSES—Seeking that all health and human relations courses be withdrawn from the education curriculum, bearing 96 signatures (*by Mr Wallace*).

ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well-being and not supportive of family life and at variance with God's law and purposes, bearing 23 signatures (*by Mrs Ray*).

Severally ordered to lie on the Table.

- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Lands and Survey—Report of the Department of Crown Lands and Survey for the year 1981–82.
 - Railways Act 1958—Reports of the Victorian Railways Board for the quarters ended 30 June and 30 September, 1982 (two papers).
- 5 FOOD BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill “to consolidate and amend the Law relating to the Preparation and Sale of Food, to make Provision for securing the Wholesomeness and Purity of and fixing Standards for Food, to prevent false or misleading packaging and labelling of Food and false or misleading advertising in connexion with Food, to amend the ‘Health Act 1958’, the ‘Magistrates (Summary Proceedings) Act 1975’ and the ‘Health Commission Act 1977’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 6 MOTOR ACCIDENTS (AMENDMENT) BILL—Mr Jolly, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Wilkes, to bring in a Bill “to amend the ‘Motor Accidents Act 1973’ to extend the provisions of the Act to motor accidents occurring outside Victoria involving motor cars registered in Victoria and driven by residents of Victoria; to provide for the entering into of agreements between the Motor Accidents Board and other similar authorities in the Commonwealth of Australia and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 7 MINES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).

Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until Tuesday, 15 February next.
- 8 EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).

Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until later this day.
- 9 FOOD BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).

Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.

Motion made and question proposed—That the debate be adjourned until Tuesday, 1 February next (*Mr Roper*)—and, after debate—

Motion, by leave, withdrawn.

Ordered—That the debate be adjourned until Tuesday, 1 March next.
- 10 MOTOR ACCIDENTS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).

Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until Tuesday, 1 February next.

- 11 FREEDOM OF INFORMATION BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Workers Compensation (Amendment) Bill without amendment.

- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Pay-roll Tax (Further Amendment) Bill and suggesting amendments.

Ordered—That the suggested amendments be printed and taken into consideration later this day.

- 14 WILDLIFE (FEES) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.

- 15 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 73, 74)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Water and Sewerage Authorities (Restructuring) Bill
Mines (Amendment) Bill

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

Geelong Performing Arts Centre Trust—Report for the year 1981–82.

National Gallery of Victoria—Reports of the Council of Trustees for the years 1980–81 and 1981–82 (two papers).

National Museum of Victoria Council—Statement of accounts for the year 1980–81.

Railway Construction and Property Board—Report for the year 1981–82—Ordered to be printed.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme, Amendment No. 222.

- 17 FISHERIES (FEES) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.

- 18 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until later this day.

- 19 ENERGY CONSUMPTION LEVY BILL—Order read for the consideration of the amendment made by the Legislative Council.
And the said amendment was read a second time and, after debate, agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendment.
- 20 PAY-ROLL TAX (FURTHER AMENDMENT) BILL—Order read for the consideration of the amendments suggested by the Legislative Council.
On the motion of Mr Roper and, after debate—Suggested amendments made.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 21 HUMAN TISSUE BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with amendments with which they desire the concurrence of the Legislative Council.
- 22 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 23 SALE OF LAND (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time.
On the motion of Mr Cain—Amendments Nos. 1 and 2 agreed to.
On the motion of Mr Cain—Amendment No. 3 disagreed with.
On the motion of Mr Cain—Amendment No. 4 agreed to.
On the motion of Mr Cain and, after debate—Amendment No. 5 disagreed with.
Motion made and question proposed—That Amendment Nos. 6 to 18 inclusive be agreed to (*Mr Cain*)—and, after debate—
Motion, by leave, withdrawn.
On the motion of Mr Cain—Amendments Nos. 6 to 13 inclusive agreed to.
On the motion of Mr Cain and, after debate—Amendment No. 14 agreed to.
On the motion of Mr Cain—Amendment No. 15 to 18 inclusive agreed to.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 24 DIRECTOR OF PUBLIC PROSECUTIONS BILL—Order read for the consideration of the amendment made by the Legislative Council.
And the said amendment was read a second time and, after debate, agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendment.

- 25 EGG INDUSTRY STABILIZATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Wrongs Act 1958' and for other purposes*".
- 27 WRONGS (DEPENDANTS) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 28 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
West Gate Bridge Authority—Final Report and statement of accounts for the year 1981–82.
- 29 MILDURA IRRIGATION AND WATER TRUSTS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 30 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Historic Buildings (Amendment) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 31 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the River Entrance Docks Railway Construction (Amendment) Bill without amendment.
- 32 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 33 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Metropolitan Fire Brigades Superannuation (Eligibility) Bill without amendment.
- 34 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Pay-roll Tax (Further Amendment) Bill (including the amendments made by the Assembly which were suggested by the Council) without amendment.
- 35 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 13 to 15 inclusive, be postponed until later this day.
- 36 MOTOR CAR (GENERAL AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 37 RIVER MURRAY WATERS BILL—Order read for resuming debate on question—
That this Bill be now read a second time; debate resumed.
Business having being interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put
and agreed to.
Debate resumed on question—That this Bill be now read a second time.
Bill read a second time and, by leave, read a third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message
acquainting them that the Legislative Assembly have agreed to the Bill
without amendment.
- 38 WRONGS (DEPENDANTS) BILL—Read a second time, after debate, and, by leave,
read the third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message
acquainting them that the Legislative Assembly have agreed to the Bill without
amendment.
- 39 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Melbourne College of
Advanced Education Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration
later this day.
- 40 GROUNDWATER (AMENDMENT) BILL—Order read for resuming debate on question
—That this Bill be now read a second time; debate resumed; Bill read a second
time and, by leave, read the third time forthwith.
Ordered—That the Bill be returned to the Legislative Council with a Message
acquainting them that the Legislative Assembly have agreed to the Bill without
amendment.
- 41 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Motor Car (General
Amendment) Bill without amendment.
- 42 MELBOURNE COLLEGE OF ADVANCED EDUCATION BILL—Order read for the
consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time.
Motion made and question proposed—That the amendments be agreed to (*Mr
Fordham*)—
And the House having continued to sit until after Twelve of the clock—
THURSDAY, 16 DECEMBER 1982
Question—put, after debate, and agreed to.
Ordered—That the Bill be returned to the Legislative Council with a Message
acquainting them that the Legislative Assembly have agreed to the said
amendments.
- 43 FLOOD PLAIN MANAGEMENT BILL—Order read for resuming debate on question—
That this Bill now be read a second time; debate resumed.
Amendment proposed—That all the words after “That” be omitted with the view
of inserting in place thereof the words “this House refuses to read this Bill a
second time until the impact that the imposition of a one per cent probability
flood level will have on development in Victoria is assessed by the Natural
Resources and Environment Committee and a report thereon presented to the
House” (*Mr Hann*)—and, after debate—
Question—That the words proposed to be omitted stand part of the question—put.
The House divided.

AYES, 59

Mr Brown	Mr Hassett	Mr Pope	Mr Sidropoulos
Mr Burgin	Mr Hill	Mr Ramsay	Mr Simmonds
Mr Cain	Mr Hockley	Mrs Ray	Mr Simpson
Miss Callister	Mr Jona	Mr Remington	Mr Spyker
Dr Coghill	Mr Kennett	Mr Reynolds	Mr Stirling
Mr Crabb	Mr King	Mr Richardson	Mr Tanner
Mr Culpin	Mr Kirkwood	Mr Roper	Mr Templeton
Mr Delzoppo	Mr Leigh	Mr Rowe	Mrs Toner
Mr Dickinson	Mr Lieberman	Mr Seitz	Dr Vaughan
Mr Ebery	Mr McDonald	Mrs Setches	Mr Walsh
Mr Ernst	Mr McKellar	Mr Sheehan	Mr Williams
Mr Fogarty	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Fordham	Mr Miller	Mr Sheehan	
Mr Gavin	Mr Newton	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Norris	Mr Shell	Mr Ihlein
Mr Harrowfield	Mrs Patrick	Mrs Sibree	Mr McCutcheon

NOES, 7

Mr Evans	Mr Hann	Mr Ross-Edwards	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McGrath	Mr Whiting	Mr McNamara
			Mr Wallace

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read the third time forthwith.

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

- 44 HISTORIC BUILDINGS (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time.

On the motion of Mr Cain, and after debate—Amendments Nos. 1 to 7 inclusive agreed to.

Motion made and question—That amendment No. 8 be disagreed with (*Mr Cain*)—after debate, put.

The House divided.

AYES, 42

Mr Cain	Mr Hill	Mrs Ray	Mr Sidropoulos
Miss Callister	Mr Hockley	Mr Remington	Mr Simmonds
Dr Coghill	Mr Ihlein	Mr Roper	Mr Simpson
Mr Crabb	Mr Kennedy	Mr Rowe	Mr Spyker
Mr Culpin	Mr King	Mr Seitz	Mr Stirling
Mr Ernst	Mr Kirkwood	Mrs Setches	Mrs Toner
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Dr Vaughan
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	Mr Walsh
Mr Gavin	Mr Mathews	Mr Sheehan	
Mr Gray	Mr Miller	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Shell	Mr Norris
Mr Hassett			Mr Pope

NOES, 25

Mr Austin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Brown	Mr Jona	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Leigh	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Richardson	
Mr Ebery	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Delzoppo
(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner	Mr Wallace

And so it was resolved in the affirmative—Amendment No. 8 disagreed with.

On the motion of Mr Cain, and after debate—Amendments Nos. 9 to 35 inclusive agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 45 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Financial Institutions Duty Bill and suggesting amendments.

On the motion of Mr Crabb and, after debate—Suggested amendments made.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

[Mr Speaker left the Chair at six minutes past Three o'clock in the morning and resumed it at forty-six minutes past Three o'clock in the morning.]

- 46 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Administration and Probate (Survival of Actions) Bill without amendment.

- 47 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Freedom of Information Bill with amendments.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.

- 48 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker which time of meeting shall be notified to each Member of the House by telegram or letter (*Mr Cain*)—put, after debate, and agreed to.

- 49 POSTPONEMENT OF REMAINING BUSINESS—Ordered—That the consideration of the remaining business be postponed.

- 50 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at sixteen minutes past Four o'clock in the morning, adjourned until a day and hour to be fixed by Mr Speaker and notified to each Member of the House by telegram or letter, as determined by resolution of the House at this sitting.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 53, 54, 55 and 56

No. 53—Tuesday, 15 March 1983

- 1 The House met pursuant to the terms of the resolution of 16 December last, Mr Speaker having fixed this day at half-past One o'clock as the time of meeting—Mr Speaker took the Chair and read the Prayer.
- 2 DEATH OF KEVIN FRANCIS KING, ESQUIRE—Motion made and question—That this House expresses its sincere sorrow at the death of Kevin Francis King, Esquire, 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 Springvale from 1979 to 1983 (*Mr Cain*)—put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 ADJOURNMENT—Motion made and question—That, as a further mark of respect to the memory of the late Kevin Francis King, Esquire, the House do now adjourn until Eight o'clock this day (*Mr Cain*)—put and agreed to.

And then the House, at forty-nine minutes past Two o'clock, adjourned until Eight o'clock this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 54—Tuesday, 15 March 1983

(EIGHT O'CLOCK)

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well-being and not supportive of family life and at variance with God's law and purposes, bearing 11, 77, 61, 17, 24, 23, 23, 20 and 24 signatures respectively (*by Mr Maclellan, Mr Hann, Mr Hockley, Mrs Patrick, Mr McGrath, Mr Whiting, Mr Norris, Mr Burgin and Mr Ihlein*).

HEALTH AND HUMAN RELATIONS COURSES—Seeking that all health and human relations courses be withdrawn from the education curriculum, bearing 376 and 14 signatures respectively (by Mr Hann and Mr McGrath).

SCHOOL DENTAL SERVICES—Seeking that the House take action to revoke changes to the school dental services, bearing 722 signatures (by Mr Lieberman).

Severally ordered to lie on the Table.

- 4 SOCIAL DEVELOPMENT COMMITTEE—Mr Ernst, Chairman, brought up an Interim Report from the Social Development Committee on the Medical Practitioners (Private Hospitals) Bill.

Ordered to lie on the Table and to be printed.

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

Building Industry Long Service Leave Board—Report for the year 1981–82.

Casinos—Order in Council authorizing maximum expenditure for the Board of Inquiry into Casinos.

Chiropractors and Osteopaths Registration Board—Report for the year 1981.

Education Act 1958—Resumption of land at Hampton Park and Lakes Entrance—Certificates of the Minister of Education (two papers).

Educational Administration—Report of the Institute of Educational Administration for the year 1981–82.

Government Buildings Advisory Council—Report for the year 1981–82.

Greyhound Racing Control Board—Report for the year ended 31 July 1982.

Hairdressers Registration Board—Report for the year 1982.

Land Conservation Act 1970—

Final Recommendations of the Land Conservation Council for the Gippsland Lakes Hinterland Area.

Final Recommendations of the Land Conservation Council for the Special Investigation of the Melbourne Area—Hill End.

Latrobe Valley Water and Sewerage Board—Report and statement of accounts for the year 1981–82.

Legal Profession Practice Act 1958—Rules of the Council of Legal Education (Amendment No. 2) 1982.

Members of Parliament (Registrar of Interests) Act 1978—Summary of Returns, March 1983—Ordered to be printed.

Metropolitan Fire Brigades Superannuation Board—Report for the year 1981–82.

National Parks Advisory Council—Report for the year 1981–82.

Police Regulation Act 1958—Determination Nos. 381 to 383 inclusive of the Police Service Board (three papers).

Port of Melbourne Authority—Statement of accounts for the year 1981–82.

Port of Portland Authority—Statement of accounts for the year 1981–82.

Richmond Council Elections—Order in Council authorizing maximum expenditure for the Board of Inquiry into Voting at the City of Richmond Councillors Elections.

Statutory Rules under the following Acts:

Business Franchise (Tobacco) Act 1974—No. 488/1982.

Companies (Application of Laws) Act 1981—Nos. 459, 460/1982.

Country Fire Authority Act 1958—No. 491/1982,

Country Roads Act 1958—No. 448/1982.
 Education Act 1958—No. 467/1982.
 Education Service Act 1981—Nos. 495/1982, 11/1983.
 Energy Consumption Levy Act 1982—No. 492/1982.
 Environment Protection Act 1970—No. 470/1982.
 Financial Institutions Duty Act 1982—Nos. 14, 28/1983.
 Fisheries Act 1968—No. 23/1983.
 Forests Act 1958—No. 22/1983.
 Health Act 1958—Nos. 1, 2, 4/1983.
 Historic Shipwrecks Act 1981—No. 451/1982.
 Industrial Training Act 1975—Nos. 20, 21/1983.
 Land Tax Act 1958—No. 485/1982.
 Legal Profession Practice Act 1958—Nos. 461, 481/1982, 10/1983.
 Local Government Act 1958—Nos. 449, 450, 493/1982.
 Lotteries Gaming and Betting Act 1966—No. 454/1982.
 Marine Act 1958—Nos. 471 to 475/1982, 7/1983.
 Melbourne and Metropolitan Board of Works Act 1958—Nos. 434 (*In lieu of Statutory Rule tabled 14 December 1982*), 463, 494/1982, 12, 31/1983.
 Melbourne Wholesale Fruit and Vegetable Market Trust Act 1977—5/1983.
 Metropolitan Fire Brigades Act 1958—No. 490/1982.
 Mines Act 1958—No. 457/1982.
 Motor Boating Act 1961—Nos. 455, 464, 468/1982, 3/1983.
 Motor Car Act 1958—No. 9/1983.
 Motor Car Act 1958—Recreation Vehicles Act 1973—No. 8/1983.
 Nurses Act 1958—Nos. 477 to 479/1982.
 Pay-roll Tax Act 1971—No. 487/1982.
 Physiotherapists Act 1978—No. 484/1982.
 Police Regulation Act 1958—Nos. 466/1982, 15, 29/1983.
 Port of Portland Authority Act 1958—No. 462/1982.
 Protection of Animals Act 1966—No. 465/1982.
 Public Service Act 1974—Nos. 476/1982, 19/1983; PSD Nos. 213, 219 to 221, 224 to 237, 239 to 242, 244, 245/1982, 2, 3/1983.
 Racing Act 1958—Nos. 486/1982, 25, 27/1983.
 Railways Act 1958—No. 30/1983.
 Second-hand Dealers Act 1958—Nos. 453/1982, 26/1983.
 Stamps Act 1958—No. 489/1982.
 State Bank Act 1958—Nos. 482/1982, 17/1983.
 State Electricity Commission Act 1958—No. 18/1983.
 Stock Medicines Act 1958—No. 24/1983.
 Supreme Court Act 1958—Nos. 377 (*In lieu of Statutory Rule tabled 4 November 1982*), 480/1982.
 Surveyors Act 1978—No. 16/1983.
 Tattersall Consultations Act 1958—No. 6/1983.
 Town and Country Planning Act 1961—No. 469//1982.
 Vegetation and Vine Diseases Act 1958—No. 13/1983.
 Water Act 1958—No. 456/1982.
 Wildlife Act 1975—No. 458/1982.
 Workers Compensation Act 1958—Nos. 452, 483/1982.

Third Party Insurance—Report of the Premiums Committee for the year 1981–82.

Town and Country Planning Act 1961:

Ballarat—City of Ballarat Planning Scheme, Amendment No. 68.
 Bulla—Shire of Bulla Planning Scheme 1959, Amendment Nos. 85 (Part 1), 86 (1981) (two papers).
 Cobram—Shire of Cobram Planning Scheme 1979, Amendment No. 3 (1982).
 Croydon—City of Croydon Planning Scheme 1961, Amendment Nos. 112, 115 (two papers).

- Flinders—Shire of Flinders Planning Scheme 1962, Amendment Nos. 144 (1981), 149 (1982) (two papers).
- Geelong Regional Planning Scheme (two papers).
- Geelong Regional Planning Scheme, Amendment Nos. 30 (1982), 42 (Part A), 46 (1982), 55, 57, 59, 64 (seven papers).
- Gisborne Shire Planning Scheme, Amendment No. 3.
- Hastings—Shire of Hastings Planning Scheme, Amendment No. 10.
- Horsham—City of Horsham Planning Scheme 1973, Amendment Nos. 68 (1981), 69 (1982), 72 (1982) (three papers).
- Knox—City of Knox Planning Scheme 1965, Amendment Nos. 230 (1980), 250 (1982) (two papers).
- Korumburra—Shire of Korumburra Planning Scheme, Amendment Nos. 18 (Part B), 19 (1982).
- Lake Bellfield Planning Scheme 1968, Amendment No. 12.
- Lillydale—Shire of Lillydale Planning Scheme 1958, Amendment Nos. 138, 153, 154, 155 (four papers).
- Lorne Planning Scheme, Amendment Nos. 3, 6 (two papers).
- Melbourne Metropolitan Planning Scheme, Amendment Nos. 115 (Part 1c), 120 (Part 3b), 130, 157 (Part 3a), 170 (Part 2a), 173 (Part 2), 182 (Part 2), 183 (Part 1), 186 (Part 1), 223, 238, 240, 241, 242 (fourteen papers).
- Mildura—City of Mildura Planning Scheme, Amendment Nos. 47, 51, 53, 55 (1982) (four papers).
- Mornington—Shire of Mornington Planning Scheme 1959, Amendment Nos. 129A, 148, (1982) (two papers).
- Myrtleford—Shire of Myrtleford (Myrtleford Township) Planning Scheme, Amendment No. 8.
- Newham and Woodend—Shire of Newham and Woodend Planning Scheme, Amendment Nos. 5 and 12A (two papers).
- Pakenham—Shire of Pakenham Planning Scheme (Part 1), Amendment Nos. 2 and 11 (two papers).
- Port Fairy Planning Scheme 1959, Amendment No. 22 (1982).
- Rosedale—Shire of Rosedale Planning Scheme 1976, Amendment Nos. 21, 26, 27 (1981) (three papers).
- Sebastopol—Borough of Sebastopol Planning Scheme, Amendment Nos. 26, 28 (two papers).
- Seymour Planning Scheme, Amendment Nos. 60, 71, 73 (three papers).
- Shepparton—City of Shepparton Planning Scheme 1953, Amendment Nos. 37, 66 (1982), 71 (three papers).
- Sherbrooke—
 Shire of Sherbrooke Planning Scheme 1965, Amendment Nos. 144 (1981), 147 (1982) (two papers).
 Shire of Sherbrooke Planning Scheme 1979 (Urban Areas).
 Shire of Sherbrooke Planning Scheme 1979 (Urban Areas), Amendment Nos. 4, 9 (1982) (two papers).
 Shire of Sherbrooke Planning Scheme 1979 (Rural Areas), Amendment Nos. 1 (1981), 9, 10 (1982) (three papers).
- Waratah Bay Planning Scheme, Amendment No. 13 (Shire of South Gippsland).
- Warragul Planning Scheme 1954, Amendment No. 45 (1982).
- Werribee—Shire of Werribee Planning Scheme 1963, Amendment No. 75 (1982).
- Victorian Arts Centre Trust—Report for the year 1981–82.
- Victorian Dairy Industry Authority—Report for the year 1980–81.
- Victorian Institute of Secondary Education—Report for the year 1981.

- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Minerals and Energy Fees Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 7 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the Financial Institutions Duty Bill (including amendments made by the Assembly which were suggested by the Council) without amendment.
Agreeing to the amendments made by the Assembly in the Human Tissue Bill.
Not insisting on their amendments with which the Assembly have disagreed in the Sale of Land (Amendment) Bill.
- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 75)—ASSENT TO BILLS—Informing the Assembly that he had, on 21 December last, given the Royal Assent to the following Bills presented to him by the Clerk of the Parliaments:
- Labour and Industry (Shops) Bill.
 - Wheat Marketing (Amendment) Bill.
 - Water (Penalties and Borrowing Powers) Bill.
 - Cemeteries (Amendment) (Commencement) Bill.
 - Eastern Railway Construction (Repeal) Bill.
 - Farm Produce Merchants and Commission Agents (Amendment) Bill.
 - Melbourne and Metropolitan Board of Works (Administration) Bill.
 - Construction Industry (Electrical and Metal Trades) Long Service Leave Bill.
 - Constitution (Qualification of Electors) Bill.
 - Railways (Amendment) Bill.
 - Hospitals and Charities (Amendment) Bill.
 - Veterinary Surgeons (Amendment) Bill.
 - Educational Grants (Continuation) Bill.
 - Local Government Acts (Miscellaneous Amendments) Bill.
 - River Entrance Docks Railway Construction (Amendment) Bill.
 - Groundwater (Amendment) Bill.
 - Victorian Tourism Commission Bill.
 - Country Roads (Lands) Bill.
 - Queen Victoria Medical Centre (Guarantees) Bill.
 - Pay-roll Tax (Further Amendment) Bill.
 - Mildura Irrigation and Water Trusts (Amendment) Bill.
 - Metropolitan Fire Brigades Superannuation (Eligibility) Bill.
 - Workers Compensation (Amendment) Bill.
 - St. Nicholas Hospital (Sale of Land) Bill.
 - Land Tax (Amendment) Bill.
 - Equal Opportunity (Discrimination against Disabled Persons) Bill (No. 2).
 - Flood Plain Management Bill.
 - Fisheries (Fees) Bill.
 - Energy Consumption Levy Bill.
 - Administration and Probate (Survival of Actions) Bill.
 - Director of Public Prosecutions Bill.
 - Melbourne College of Advanced Education Bill.
 - Financial Institutions Duty Bill.
- 9 MESSAGE FROM THE LIEUTENANT-GOVERNOR AS DEPUTY FOR HIS EXCELLENCY THE GOVERNOR (NO. 76)—ASSENT TO BILLS—Informing the Assembly that he had, on 5 January last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Wildlife (Fees) Bill.
 - Motor Car (General Amendment) Bill.
 - State Electricity Commission (Amendment) Bill.
 - Egg Industry Stabilization (Amendment) Bill.

Revocation and Excision of Crown Reservations Bill.
 Wrongs (Dependants) Bill.
 State Bank (Amendment) Bill.
 Sale of Land (Amendment) Bill.
 Freedom of Information Bill.
 Human Tissue Bill.
 Public Account (Trust Funds) Bill.
 River Murray Waters Bill.
 Statute Law Revision (Repeals) Bill.

- 10 CORRECTION OF BILLS—Motion made, by leave, and question—That the Clerk of the Parliaments be empowered to correct the short titles in Bills which may hereafter pass both Houses during the current Session, by omitting “1982” where occurring and inserting “1983” (*Mr Fordham*)—put, after debate, and agreed to.
- 11 CONSTITUTIONAL CONVENTION—Motion made, by leave, and question—That the Joint Resolution of the Legislative Council and the Legislative Assembly concerning the Constitutional Convention adopted on 3 May 1972 be amended as follows:
 In paragraph 1 (c), omit “L. H. S. Thompson, C.M.G.” and insert “J. G. Kennett”.
 In paragraph 3, omit “L. H. S. Thompson, C.M.G.” and insert “J. G. Kennett”.
 —(*Mr Fordham*)—put and agreed to.
 Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- 12 MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL—Motion made, by leave, and question—That the Joint Resolution of the Legislative Council and the Legislative Assembly referring the proposals contained in the Medical Practitioners (Private Hospitals) Bill to the Social Development Committee be amended as follows:
 Omit “1 March 1983” and insert “13 May 1983”.
 —(*Mr Roper*)—put, after debate, and agreed to.
 Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- 13 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (NOS. 77, 78)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
 Health (Radiation Safety) Bill.
 Food Bill.
- 14 POSTPONEMENT OF ORDERS OF THE DAY—Ordered, after debate—That the consideration of Orders of the Day, Government Business, Nos. 1 and 2 be postponed until later this day.
- 15 MOTOR CAR (LEARNER DRIVERS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

17 AJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House at fifty-nine minutes past Ten o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 55—Wednesday, 16 March 1983

- 1 Mr Speaker took the chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 MINISTERIAL STATEMENT—ASH WEDNESDAY BUSHFIRES—Mr Cain made a Ministerial Statement relating to the Ash Wednesday Bushfires.
Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cain*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - ADMINISTRATOR FOR CITY OF BENDIGO—Seeking that an administrator be appointed to—(a) assess the financial situation of the City of Bendigo and report to the citizens of Bendigo on completion of such assessment; and (b) take over the operations of the City of Bendigo, bearing 1767 signatures (*by Mr Kennedy*).
 - SHOP TRADING HOURS—Seeking that the Victorian Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the Act be enforced, bearing 69 signatures (*by Mr Evans, Gippsland East*).
 - ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well being and not supportive of family life and at variance with God's law and purpose, bearing 24, 24 and 90 signatures respectively (*by Mr Templeton, Mr Ebery and Mr Norris*).
 - GIPPSLAND LAKES TRAWLING—Seeking that the House legislate to prevent trawlers from netting the Gippsland lakes system, bearing 6700 signatures (*by Mr Wallace*).
 Severally ordered to lie on the table.
- 5 MESSAGES FROM THE LEGISLATIVE COUNCIL—
 - Acquainting the Assembly that they have concurred in amending the Joint Resolution of the Legislative Council and the Legislative Assembly concerning the Constitutional Convention adopted on 3 May 1972.
 - Acquainting the Assembly that they have concurred in amending the Joint Resolution referring the Medical Practitioners (Private Hospitals) Bill to the Social Development Committee for inquiry, consideration and report.

- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend Part IIA. of the ‘Constitution Act 1975’ with respect to Municipal Council Elections, to amend the ‘Melbourne Corporation (Election of Council) Act 1982’ and for other purposes.*”
- 7 CONSTITUTION (LOCAL GOVERNMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 8 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Local Government Act 1958’ with respect to Municipal Council Elections, to amend the ‘Melbourne Corporation (Election of Council) Act 1982’ and for other purposes.*”
- 9 LOCAL GOVERNMENT (MUNICIPAL COUNCIL ELECTIONS) BILL—On the motion of Mr Wilkes, the Bill transmitted the by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 79)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Companies (Administration) (Amendment) Bill.
- 11 COMPANIES (ADMINISTRATION) (AMENDMENT) BILL—Mr Cain, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “*to amend the ‘Companies (Administration) Act 1981’ and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 VACANCIES IN MEMBERSHIP OF THE COUNCIL OF LA TROBE UNIVERSITY—Mr Speaker announced that he had received the following communication:

The Hon. C. T. Edmunds, M.P.,
 Speaker of the Legislative Assembly,
 Parliament House
 Melbourne, 3002

17 February 1983

Dear Mr Speaker,

Section 7 of the *La Trobe University Act 1964* provides that three members of the Council shall be members of the Parliament of Victoria who have been recommended for appointment by a joint sitting of members of the Legislative Council and the Legislative Assembly and conducted in accordance with rules adopted for the purpose by the members present at the sitting.

The three members of Council currently appointed pursuant to this provision are Carl William Kirkwood Esq., M.P., Milton Stanley Whiting, Esq., M.P., and Donald Neville Saltmarsh Esq., M.P. The term of office which they have served expired on 18 December 1982.

I should be grateful if you could arrange for a joint sitting of the members of the Legislative Council and the Legislative Assembly to recommend three members for appointment to the Council of the La Trobe University for a four year term of office.

I have addressed a similar letter to the President of the Legislative Council.

Yours truly
 ROBERT C. FORDHAM, M.P.,
 Minister of Education

Motion made and question—That this House meets the Legislative Council for the purpose of sitting and voting together to choose three Members of the Parliament of Victoria to be recommended for appointment to the Council of La Trobe University,

and proposes that the place and time of such meeting be Legislative Assembly Chamber on Wednesday next at Six o'clock (*Mr Fordham*)—put and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.

- 13 ABORIGINAL LAND CLAIMS BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill “to make provision with respect to Crown Grants of Land to Aborigines, to establish an Aboriginal Land Claims Tribunal and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 14 JURIES (AMENDMENT) BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Juries Act 1967’, to entitle the Ombudsman to be excused as of Right from serving as a Juror, to render Officers of the Ombudsman ineligible to serve as Jurors and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 15 SCOUT ASSOCIATION BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill “to provide for the change of name of the Boy Scouts Association (incorporated by Royal Charter) Victorian Branch (Australia) and of the governing body of that Association, to amend the ‘Boy Scouts Association Act 1932’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 16 CHIROPODISTS (AMENDMENT) BILL—Mr Roper obtained leave, with Mr Mathews, to bring in a Bill “to amend the ‘Chiropodists Act 1968’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 17 HEALTH (CONSULTATIVE COUNCIL) BILL—Mr Roper obtained leave, with Mr Mathews, to bring in a Bill “to amend the ‘Health Act 1958’ to re-constitute the Consultative Council on Maternal and Perinatal Mortality and Morbidity as the Consultative Council on Obstetric and Paediatric Mortality and Morbidity and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 18 MOTOR BOATING (AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Motor Boating Act 1961’ to make provision for the registration of certain motorized sailing vessels and of air cushion vehicles operating over water, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- Business having been interrupted at 10.30 p.m.
- Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
- 19 PRISONERS (INTERSTATE TRANSFER) BILL—Mrs Toner obtained leave, with Mr Cain, to bring in a Bill “relating to the Transfer interstate of Prisoners and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 20 COMMUNITY WELFARE SERVICES (AMENDMENT) BILL—Mrs Toner obtained leave, with Mr Cain, to bring in a Bill “to amend the ‘Community Welfare Services Act 1970’, the ‘Children’s Court Act 1973’ and the ‘Community Welfare Services Act 1978’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 21 LAND SETTLEMENT (AMENDMENT) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill “to amend the ‘Land Settlement Act 1959’, to increase the amount which may be issued and applied for the purposes of that Act and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 22 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 23 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at twenty-one minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 56—Thursday, 17 March 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - FIREARM REGISTRATION—Seeking that the House reject firearm registration legislation until representatives of shooting organizations have been consulted, bearing 54 and 11 signatures respectively (*by Mr McDonald and Mr Evans, Gippsland East*).
 - LATROBE VALLEY AMBULANCE HELICOPTER SERVICE—Seeking that the Latrobe Valley Ambulance Helicopter Service continues, bearing 74 and 263 signatures respectively (*by Miss Callister and Mr Delzoppo*).
 - ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well being and not supportive of family life and at variance with God's law and purpose, bearing 37 signatures (*by Mr McDonald*).
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the Act be enforced, bearing 30 signatures (*by Mr McDonald*).
 - MARINE PARK—Seeking that the House reject the recommendations of the Land Conservation Council in relation to creating a marine park over much of Corner and Shallow Inlets, bearing 2508 signatures (*by Mr Wallace*).

Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Exhibition Trustees—Report for the year 1981–82.
 - Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme, Amendment No. 247.
- 5 UNEMPLOYMENT AND JOB CREATION POLICIES—Motion made and question proposed—That this House expresses its grave concern at the continued increase in the levels of unemployment in Victoria and calls on the Victorian Government to urgently implement policies which recognize—(a) that economic growth and job creation can best be achieved through effective encouragement and stimulus of the private

sector which is Victoria's main area of employment; (b) the need to encourage employment in the private sector; (c) the need for innovative measures to seize every opportunity to create new jobs as well as to preserve existing jobs; and (d) that deregulation of shop trading hours caters for the substantial changes that have occurred in the social and economic environment and addresses needs and the creation of genuine jobs (*Mr Kennett*).

Amendment proposed—That all the words after "Government" be omitted with the view of inserting in place thereof "to work together with the Commonwealth Government and to maintain its own efforts to assist economic growth and job creation by stimulating both the public and private sectors" (*Mr Jolly*)—and, after debate—

General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.

- 6 ABORIGINAL LAND CLAIMS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 24 May next.
- 7 JURIES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 31 March instant.
- 8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 9 inclusive, be postponed until later this day.
- 9 COMPANIES (ADMINISTRATION) (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 31 March instant.
- 10 CHIROPODISTS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 31 March instant.
- 11 HEALTH (CONSULTATIVE COUNCIL) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mrs Sibree*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 31 March instant.
- 12 MOTOR BOATING (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 31 March instant.
- 13 PRISONERS (INTERSTATE TRANSFER) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).

- Motion made and question—That the debate be now adjourned (*Mr Saltmarsh*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday, 31 March instant.
- 14 LAND SETTLEMENT (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
- Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 29 March instant.
- 15 LOCAL GOVERNMENT (INVESTMENTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 ADMINISTRATIVE LAW (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 MINERALS AND ENERGY FEES BILL—Order read for the consideration of the amendments made by the Legislative Council.
- And the said amendments were read a second time and, after debate, agreed to by the House.
- Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 18 HEALTH (RADIATION SAFETY) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
- Motion made and question—That the debate be now adjourned (*Mr Whiting*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.
- 19 COMMUNITY WELFARE SERVICES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
- Motion made and question—That the debate be now adjourned (*Mr Saltmarsh*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Tuesday, 29 March instant.
- 20 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 21 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at fifty-eight minutes past Five o'clock, adjourned until Tuesday next.

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

No. 57, 58 and 59

No. 57—Tuesday, 22 March 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **ISSUE OF AND RETURN TO WRIT**—Mr Speaker announced that, on 16 February last, he had issued a Writ for the election of a member to serve for the Electoral District of Springvale in the place of Kevin Francis King, Esquire, deceased; and that he had received a return to the said Writ by which it appeared that Edward Joseph Micallef, Esquire, had been duly elected in pursuance of the said Writ.
- 3 **MEMBER SWORN**—Edward Joseph Micallef, Esquire, was then introduced and took and subscribed the Affirmation required by law.
- 4 **QUESTIONS**—(Pursuant to Standing Order No. 124).
- 5 **PETITIONS**—The Clerk announced that the following petitions had been lodged for presentation:
 - SHOP TRADING HOURS IN TOURIST AREAS**—Seeking that Caulfield be included with St. Kilda under section 80D of the *Labour and Industry Act* 1958 to give it the same rights and privileges with respect to special trading hours, bearing 1895 signatures (*by Mr Tanner*).
 - ANTI DISCRIMINATION LEGISLATION**—Seeking that the House reject anti-discrimination legislation that is contrary to the well being of the family and not supportive of family life and at variance with God's law and purposes, bearing 16 signatures (*by Mrs Hill*).
 - SHOP TRADING HOURS**—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the Act be enforced, bearing 308 signatures (*by Mrs Hill*).
 - HEALTH AND HUMAN RELATION COURSES**—Seeking that all health and human relation courses be withdrawn from the education curriculum, bearing 10 signatures (*by Mr Brown*).

Severally ordered to lie on the Table.
- 6 **PAPERS**—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 1980–81—Ordered to be printed.
 - Metropolitan Fire Brigades Board**—Report for the year 1981–82.
 - Statutory Rules under the following Acts:**
 - Alcoholics and Drug-dependent Persons Act 1968—No. 405/1982
 - Audit Act 1958—No. 42/1983.
 - Building Control Act 1981—No. 40/1983.
 - Hospital Benefits (Levy) Act 1982—No. 259/1982.

Industrial Training Act 1975—No. 45/1983.
 Marine Act 1958—Nos. 33, 39/1983.
 Melbourne and Metropolitan Board of Works Act 1958—Nos. 31, 32/1983.
 Melbourne Wholesale Fruit and Vegetable Market Trust Act 1977—No. 38/1983.
 Motor Car Act 1958—Nos. 36, 41, 43/1983.
 Port of Geelong Authority Act 1958—No. 310/1982.
 Public Service Act 1974—No. 37/1983; PSD Nos. 124, 162, 163, 178, 179, 184, 186, 192, 193, 195, 209, 238, 243/1982; 1, 4/1983.
 Racing Act 1958—No. 49/1983.
 Superannuation Act 1975—No. 35/1983.
 Vegetation and Vine Diseases Act 1958—No. 282/1982.
 Weights and Measures Act 1958—No. 34/1983.
 Wildlife Act 1975—Nos. 46, 50/1983.

Town and Country Planning Act 1961:

Alberton—Shire of Alberton (Coastal) Planning Scheme, Amendment No. 21 (Part 1).
 Bulla—Shire of Bulla Planning Scheme 1959, Amendment Nos. 88 (1981), 90 (two papers).
 Cranbourne—
 Cranbourne Planning Scheme 1960, Amendment No. 44.
 Shire of Cranbourne (Western Port) Planning Scheme, Amendment No. 21 (1982).
 Echuca—City of Echuca Planning Scheme, Amendment No. 52 (1982).
 Geelong Regional Planning Scheme, Amendment Nos. 25 (Part 3), 38 (Part 2) (1982) (two papers).
 Maldon Planning Scheme, Amendment No. 5.
 Morwell—Shire of Morwell Planning Scheme 1977, Amendment No. 16 (1981).
 Port Fairy Planning Scheme 1959; Amendment No. 23 (1982).
 Shepparton—City of Shepparton Planning Scheme 1953, Amendment No. 64 (Part 1), (Part 2) (1982), 72 (1982) (three papers).

- 7 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (NOS. 80, 81 AND 82)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Motor Accidents (Amendment) Bill.
 Land Settlement (Amendment) Bill.
 Aboriginal Land Claims Bill.

- 8 SCOUT ASSOCIATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mrs Sibree*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday, 31 March instant.
- 9 HEALTH (RADIATION SAFETY) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed.
 Ordered—That the Bill be considered in Committee later this day.
- 10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 83)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Health (Radiation Safety) Bill.
- 11 HEALTH (RADIATION SAFETY) BILL—Considered in Committee.
 Committee reported progress; to sit again later this day.

- 12 **MOTOR ACCIDENTS (AMENDMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed.
Ordered—That the Bill be considered in Committee later this day.
- 13 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 84)**—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Motor Accidents (Amendment) Bill.
- 14 **MOTOR ACCIDENTS (AMENDMENT) BILL**—Considered in Committee and reported with amendments and with an amended title, which title is as follows:
“*A Bill to amend the ‘Motor Accidents Act 1973’ to extend the provisions of the Act to motor accidents occurring outside Victoria involving motor cars registered in Victoria, to provide for the entering into of agreements between the Motor Accidents Board and other similar authorities in the Commonwealth of Australia, and for other purposes.*”
Bill, as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 **WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed.
Ordered—That the Bill be considered in Committee later this day.
Motion made, by leave, and question—That the Clerk be empowered to correct the words “*Water and Sewerage Authorities (Restructuring) Act 1982*” wherever occurring in the Bill to “*Water and Sewerage Authorities (Restructuring) Act 1983*” (*Mr Simpson*)—put and agreed to.
Bill considered in Committee.
Committee reported progress; to sit again tomorrow.
- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Acquainting the Assembly that they have agreed to meet with the Assembly for the purpose of sitting and voting together to recommend three Members of the Parliament of Victoria for appointment to the Council of the La Trobe University and, as proposed by the Assembly, concur with the place and time of such meeting.
- 17 **MESSAGES FROM THE LEGISLATIVE COUNCIL**—Agreeing to the following Bills without amendment:
Local Government (Investments) Bill.
Administrative Law (Amendment) Bill.
- 18 **POSTPONEMENT OF ORDER OF THE DAY**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 10 inclusive, be postponed until after Nos. 11 and 12.
- 19 **CONSTITUTION (LOCAL GOVERNMENT) BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.
- 20 **LOCAL GOVERNMENT (MUNICIPAL COUNCIL ELECTIONS) BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.
Business having been interrupted at 10.30 p.m.

- 21 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at nine minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 58—Wednesday, 23 March 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the Act be enforced, bearing 427 and 25 signatures respectively (by Mr Newton and Mr Delzoppo).
 - SHOP TRADING HOURS IN TOURIST AREAS—Seeking that Caulfield be included with St Kilda under section 80D of the *Labour and Industry Act 1958* to give it the same rights and privileges to extended shop trading hours, bearing 1358 signatures (by Mr Tanner).

Severally ordered to lie on the Table.
- 4 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to prohibit in Victoria certain activities associated with the nuclear fuel cycle, to amend the 'State Electricity Commission Act 1958', the 'Electric Light and Power Act 1958', and the 'Mines Act 1958' and for other purposes*".
- 5 NUCLEAR ACTIVITIES (PROHIBITIONS) BILL—On the motion of Mr Mathews, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 6 NATURAL RESOURCES AND ENVIRONMENT COMMITTEE—Motion made, by leave, and question—That Mr Reynolds be discharged from attendance on the Natural Resources and Environment Committee and Mr Burgin be appointed in his stead (Mr Fordham)—put and agreed to.
- 7 DECENTRALIZED INDUSTRY INCENTIVE PAYMENTS (AMENDMENT) BILL—Mr Cathie obtained leave, with Mr Jolly, to bring in a Bill "*to amend the 'Decentralized Industry Incentive Payments Act 1972'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 BUSINESS FRANCHISE ACTS (AMENDMENT) BILL—Mr Jolly obtained leave, with Mr Crabb, to bring in a Bill "*to amend the 'Business Franchise (Tobacco) Act 1974' and the 'Business Franchise (Petroleum Products) Act 1979' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 FIREARMS (AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Roper, to bring in a Bill "*to amend the 'Firearms Act 1958'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 CONSTITUTION (LOCAL GOVERNMENT) BILL AND LOCAL GOVERNMENT (MUNICIPAL COUNCIL ELECTIONS) BILL—Motion made and question proposed—That this House authorises Mr. Speaker to permit the second reading and subsequent stages of the Constitution (Local Government) Bill and the Local Government (Municipal Council Elections) Bill to be moved and debated concurrently (*Mr Wilkes*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put.

The House divided.

AYES, 27

Mr Austin	Mr Jona	Mr Ramsay	Mr Whiting
Mr Brown	Mr Kennett	Mr Reynolds	Mr Williams
Mr Burgin	Mr Leigh	Mr Richardson	
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	
Mr Evans (<i>Gippsland East</i>)	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Hann	Mr McKellar	Mr Tanner	Mr Delzoppo
Mr Jasper	Mr MacLellan	Mr Templeton	Mr Dickinson
	Mrs Patrick	Mr Wallace	

NOES, 44

Mr Cain	Mrs Hill	Mr Norris	Mr Stirling
Mr Cathie	Mr Hill	Mr Pope	Mrs Toner
Dr Coghill	Mr Hockley	Mrs Ray	Mr Trezise
Mr Crabb	Mr Jolly	Mr Remington	Dr Vaughan
Mr Culpin	Mr Kennedy	Mr Roper	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Rowe	Mr Wilkes
Mr Fogarty	Mr McCutcheon	Mr Seitz	
Mr Fordham	Mr McDonald	Mr Shell	<i>Tellers</i>
Mr Gavin	Mr Mathews	Mr Sidiropoulos	Mr Ihlein
Mr Gray	Mr Micallef	Mr Simmonds	Mr Sheehan
Mr Harrowfield	Mr Miller	Mr Simpson	(<i>Ballarat South</i>)
Mr Hassett	Mr Newton	Mr Spyker	

And so it was passed in the negative.

Original question—put, after debate, and agreed to.

- 11 HEALTH (RADIATION SAFETY) BILL—Further considered in Committee and reported with amendments and with an amended title, which title is as follows:

"A Bill to regulate the keeping and use of radio-active substances and ionizing and non-ionizing radiation apparatus, to provide for protection against the harmful effects of radiation, to establish a Radiation Advisory Committee, a Radiographers and Radiation Technologists Registration Board, to amend the 'Health Act 1958' the 'Nuclear Activities (Prohibitions) Act 1983' and for other purposes".

Bill, as amended, considered, and amendments agreed to; read the third time, after debate.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 and 3 inclusive, be postponed until after No. 4.

- 13 LIMITATION OF ACTIONS (PERSONAL INJURY CLAIMS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) BILL—Further considered in Committee.
Committee reported progress; to sit again later this day.
- 15 VACANCIES IN MEMBERSHIP OF LA TROBE UNIVERSITY COUNCIL—Mr Speaker reported that the House had, that day, met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to choose three members of the Parliament of Victoria to be recommended for appointment to the Council of the La Trobe University and that Carl Kirkwood, Esquire, M.P., Donald Neville Saltmarsh, Esquire, M.P., and Milton Stanley Whiting, Esquire, M.P. were recommended for appointment to the Council of the La Trobe University.
- 16 MINISTERIAL STATEMENT—VICTORIAN DAIRY INDUSTRY AUTHORITY—Mr Wilkes made a Ministerial Statement concerning the Victorian Dairy Industry Authority.
Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Wilkes*)—and, after debate—
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Debate resumed on question—That this House takes note of the Ministerial Statement.
Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put, after debate, and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 17 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 18 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at thirty-two minutes past Eleven o'clock adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 59—Thursday, 24 March 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:
SHOP TRADING HOURS IN TOURIST AREAS—Seeking that Caulfield be included with St Kilda in section 80D of the *Labour and Industry Act 1958* to give it the same rights and privileges with respect to extended shopping hours, bearing 1186 signatures (*by Mr Tanner*).
Ordered to lie on the Table.

- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Environment Protection Act 1970—Proposed Environment Protection (Motor Car Noise) (Amendment) Regulations 1983.
 Nurses Act 1958—Statement of accounts of the Victorian Nursing Council for the year 1981–82.
 Optometrists Registration Board—Report for the year 1981–82.
- 5 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 6 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1 be postponed until later this day.
- 7 DECENTRALIZED INDUSTRY INCENTIVE PAYMENTS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 5 April next.
- 8 BUSINESS FRANCHISE ACTS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
 Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday, 7 April next.
- 9 FIREARMS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
 Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday, 21 April next.
- 10 NUCLEAR ACTIVITIES (PROHIBITIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday next.
- 11 WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) BILL—Further considered in Committee.
 Committee reported progress; to sit again tomorrow.
- 12 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 13 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
 And then the House, at eight minutes past Six o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
 Clerk of the Legislative Assembly

C. T. EDMUNDS
 Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

<h2 style="margin: 0;">VOTES AND PROCEEDINGS</h2> <p style="margin: 0;">Nos. 60, 61 and 62</p>
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No. 60—Tuesday, 29 March 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 RESIGNATION OF SEATS—Mr Speaker announced that he had, this day, received the following letters:

29 March, 1983

Dear Mr Speaker,

I desire to resign as Member for the Electoral District of Warrnambool and I would be obliged if you would accept this letter as my formal resignation as from this date.

Yours sincerely,
I. W. SMITH

29 March, 1983.

Dear Mr. Speaker,

It is with regret that I indicate that I desire to resign as Member for the Electoral District of Swan Hill and would be obliged if you would accept this letter as my formal resignation.

I take this step with extreme reluctance and acting on medical advice.

May I take this opportunity of saying that I have regarded it as a privilege to serve in the Parliament of Victoria and greatly appreciate the friendships which I have made with fellow Members on all sides of the House which I feel sure will endure. I also value highly the guidance and assistance of all members of the staff. The Victorian Parliament is extremely fortunate to have such competent officers.

Yours sincerely,
A. R. WOOD

- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - SHOP TRADING HOURS IN TOURIST AREAS—Seeking that Caulfield be included with St. Kilda in Section 80D of the *Labour and Industry Act* 1958 to give it the same rights and privileges with respect to extended shopping hours, bearing 1277 signatures (*by Mr Tanner*).
 - ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well being and not supportive of family life and at variance with God's law and purposes, bearing 41 and 134 signatures respectively (*by Mrs Patrick and Mr Delzoppo*).
 - SCHOOL DENTAL SERVICES—Seeking that the House take action to revoke changes to the School Dental Services, bearing 109 signatures (*by Mr Walsh*).
 - FIREARM REGISTRATION—Seeking that the House reject firearm registration legislation until representatives of shooting organizations have been consulted, bearing 43 signatures (*by Mr Walsh*).

SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the Act be enforced, bearing 634 signatures (*by Mrs Hill*).

Severally ordered to lie on the Table.

- 5 SOCIAL DEVELOPMENT COMMITTEE—Mr Ernst, Chairman, brought up a Report from the Social Development Committee on Freeway Speed Limits; together with an Appendix and Minutes of Evidence.

Ordered to lie on the Table and the Report and the Appendix to be printed.

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

Dental Technicians Act 1972—Advanced Dental Technicians Qualifications Board—Report for the year 1981–82.

Education Act 1958—Resumption of land at Brunswick—Certificate of the Minister of Education.

Film Victoria—Report for the year 1981–82.

Motor Accidents Board—Report for the year 1981–82—Ordered to be printed.

Statutory Rule under the following Act:

Public Service Act 1974—PSD No. 212/1982.

- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 85)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Minerals and Energy Fees Bill.

Administrative Law (Amendment) Bill.

Local Government (Investments) Bill.

- 8 PUBLIC AUTHORITIES (CONTRIBUTIONS) (AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill "to amend the 'Public Authorities (Contributions) Act 1966' with respect to the Payment by Public Authorities of Contributions in aid of the Consolidated Fund, to amend the 'Port of Melbourne Authority Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 HOSPITAL BENEFITS (LEVY) (AMENDMENT) BILL—Mr Roper, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham to bring in a Bill "to amend the 'Hospital Benefits (Levy) Act 1982'"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 SITTING OF THE HOUSE, THURSDAY, 31 MARCH, 1983—Motion made, by leave, and question—That on Thursday, 31 March next—(a) Mr Speaker take the Chair at half-past nine o'clock; (b) Sessional Orders be suspended so far as to allow Government Business to take precedence at Twelve noon; and (c) Government Business accordingly take precedence at Twelve noon—(*Mr Fordham*)—put and agreed to.

- 11 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 86, 87)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Firearms (Amendment) Bill.

Community Welfare Services (Amendment) Bill.

- 12 CONSTITUTION (LOCAL GOVERNMENT) BILL AND LOCAL GOVERNMENT (MUNICIPAL COUNCIL ELECTIONS) BILL—Order read for resuming debate on question—That these Bills be now read a second time; debate resumed.

Constitution (Local Government) Bill—Read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed.

Ordered—That the Bill be considered in Committee later this day.

Local Government (Municipal Council Elections) Bill—Read a second time and committed.

Ordered—That the Bill be considered in Committee later this day.

Motion made, by leave, and question—That it be an instruction to the Committee that they have power to consider an amendment to allow the Oath of Allegiance by a person elected as a councillor of a municipality to be optional and that the capacity of such person to act as a councillor shall not be affected by the election to take or not to take such oath (*Mr Wilkes*)—put, after debate, and agreed to.

Bills considered in Committee.

Committee reported progress; to sit again later this day.

- 13 LAND SETTLEMENT (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 COMMUNITY WELFARE SERVICES (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 POSTPONEMENT OF ORDER OF THE DAY—That the consideration of Orders of the Day, Government Business, No. 5, be postponed until later this day.

- 16 WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) BILL—Further considered in Committee.

Business having been interrupted at 10.30 p.m.—

Committee reported progress.

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 17 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Motor Car (Learner Drivers) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 18 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

19 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at twenty-eight minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 61—Wednesday, 30 March 1983

1 Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS—(Pursuant to Standing Order No. 124).

3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

SHOP TRADING HOURS IN TOURIST AREAS—Seeking that Caulfield be included with St. Kilda in section 80D of the *Labour and Industry Act 1958* to give it the same rights and privileges with respect to extended shopping hours, bearing 637 signatures (by Mr Tanner).

SCHOOL DENTAL SERVICES—Seeking that the House take action to revoke the announced changes to the school dental services, bearing 237, 269, 113, 308 and 78 signatures respectively (by Mr Wilton, Mr McDonald, Mr Ernst, Mr Fogarty and Dr Coghill).

FIREARM REGISTRATION—Seeking that the House reject firearm registration legislation until representatives of shooting organizations have been consulted, bearing 8, 18, and 51 signatures respectively (by Mr McGrath, Mr Ebery and Mr Saltmarsh).

SEXUAL DISCRIMINATION—Seeking that the House not proceed with the proposed amendment to the Equal Opportunity Act to include discrimination on the basis of sexual preference until it has been proved conclusively that there is need for such legislation, bearing 39 signatures (by Mr Ebery).

GEMBROOK FOREST SHOOTING RANGE—Seeking that the House implement the recommendation of the Land Conservation Council providing for the allocation of a site in the Gembrook Forest area for a public shooting range, bearing 55 signatures (by Mr Saltmarsh).

MASSEURS AND MASSEUSES RIGHTS—Seeking that the House enact legislation that recognizes and protects the rights of masseurs and masseuses to practice their skills, bearing 934 signatures (by Mr Pope).

Severally ordered to lie on the Table.

4 LIQUOR CONTROL (AMENDMENT) BILL—Mr Cathie obtained leave, with Mr Jolly, to bring in a Bill “to amend sections 5 and 25 of the ‘Liquor Control Act 1968’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

5 LOTTERIES GAMING AND BETTING (ADMINISTRATION) BILL—Mr Trezise obtained leave, with Mr Fordham, to bring in a Bill “to amend certain provisions of the ‘Lotteries Gaming and Betting Act 1966’ with respect to the administration of that Act”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 6 MINISTERIAL STATEMENT—MINISTRY OF CONSUMER AFFAIRS REVIEW—Mr Spyker made a Ministerial Statement concerning the Ministry of Consumer Affairs review. Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Spyker*)—and, after debate— Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to. Ordered—That the debate be adjourned until tomorrow.
- 7 FOOD BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed. Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and re-drafted to follow more closely the draft model legislation of the Commonwealth–State–Territory Working Party thus providing for greater uniformity of food laws in Australia.” (*Mr Whiting*)—and, after debate— Question—That the words proposed to be omitted stand part of the question—put. The House divided.

AYES, 46

Mr Cain	Mr Hill	Mr Remington	Mr Stirling
Miss Callister	Mr Hockley	Mr Roper	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Trezise
Dr Coghill	Mr Jolly	Mr Seitz	Dr Vaughan
Mr Crabb	Mr Kennedy	Mr Sheehan	Mr Walsh
Mr Culpin	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr McDonald	(<i>Ballarat South</i>)	
Mr Fordham	Mr Mathews	Mr Shell	
Mr Gavin	Mr Micallef	Mr Sidiropoulos	<i>Tellers</i>
Mr Harrowfield	Mr Miller	Mr Simmonds	Mr Newton
Mr Hasset	Mr Pope	Mr Simpson	Mr Norris
Mrs Hill	Mrs Ray	Mr Spyker	

NOES, 27

Mr Austin	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Brown	Mr Jona	Mr Richardson	Mr Williams
Mr Burgin	Mr Lieberman	Mr Ross-Edwards	
Mr Delzoppo	Mr McGrath	Mr Saltmarsh	
Mr Ebery	Mr McKellar	Mrs Sibree	
Mr Evans	Mr McNamara	Mr Tanner	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton	Mr Dickinson
Mr Hann	Mrs Patrick	Mr Wallace	Mr Leigh

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress; to sit again tomorrow.

- 8 MOTOR CAR (LEARNER DRIVERS) BILL—Order read for the consideration of the amendments made by the Legislative Council. And the said amendments were read a second time and, after debate, agreed to by the House. Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 9 HOSPITAL BENEFITS (LEVY) (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*). Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to. Ordered—That the debate be adjourned until Tuesday, 19 April next.

- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Motor Accidents (Amendment) Bill without amendment.
- 11 CONSTITUTION (LOCAL GOVERNMENT) BILL AND LOCAL GOVERNMENT (MUNICIPAL COUNCIL ELECTIONS) BILL—Further considered in Committee.
Business having been interrupted at 10.30 p.m.
Committee reported progress.
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.
Constitution (Local Government) Bill—Read the third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
Local Government (Municipal Council Elections) Bill—Read the third time.
Ordered—That the Bills be returned to the Legislative Council with Messages acquainting them that the Legislative Assembly have agreed to the Bills with amendments with which they desire the concurrence of the Legislative Council.
- 12 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 13 ADJOURNMENT—Motion made and question proposed—That the House do now adjourn (*Mr Fordham*)—and, after debate—
And the House having continued to sit till after Twelve of the clock—

THURSDAY, 31 MARCH 1983

Question—put and agreed to.

And then the House at twelve minutes past Twelve o'clock in the morning adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 62—Thursday, 31 March 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 LIBRARY COMMITTEE—Motion made, by leave, and question—That Mrs Hill be appointed a member of the Library Committee (*Mr Fordham*)—put and agreed to.

- 4 FIRE PROTECTION SERVICES—Motion made and question proposed—That this House resolves that integration of the Country Fire Authority and the Metropolitan Fire Brigades Board should not take place (*Mr Evans, Gippsland East*)—and, after debate—

Amendment proposed—That all the words after “resolves” be omitted with the view of inserting in place thereof the words “that no decision should be reached on integration of the management structures and administration of services sections of the Country Fire Authority and the Metropolitan Fire Brigades Board until the time allowed for public comment has expired, a final report has been prepared by the Management Consultancy Division of the Public Service Board and that report has been made available to the Parliament” (*Mr Mathews*)—and, after debate—

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

AYES, 26

Mr Austin	Mr Evans	Mr McKellar	Mr Tanner
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Templeton
Mr Delzoppo	Mr Jasper	Mr Maclellan	Mr Wallace
Mr Dickinson	Mr Jona	Mrs Patrick	Mr Whiting
Mr Ebery	Mr Leigh	Mr Ramsay	Mr Williams
Mr Evans	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McGrath	Mrs Sibree	Mr Reynolds
			Mr Saltmarsh

NOES, 45

Mr Cain	Mr Hassett	Mr Newton	Mr Simpson
Miss Callister	Mrs Hill	Mr Pope	Mr Spyker
Mr Cathie	Mr Hill	Mrs Ray	Mr Stirling
Dr Coghill	Mr Hockley	Mr Remington	Mrs Toner
Mr Crabb	Mr Ihlein	Mr Roper	Mr Trezise
Mr Culpin	Mr Jolly	Mr Rowe	Dr Vaughan
Mr Ernst	Mr Kennedy	Mr Seitz	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McDonald	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gavin	Mr Mathews	Mr Shell	Mr McCutcheon
Mr Gray	Mr Micallef	Mr Sidiropoulos	Mr Sheehan
Mr Harrowfield	Mr Miller	Mr Simmonds	(<i>Ivanhoe</i>)

And so it passed in the negative.

General Business interrupted at Twelve o'clock pursuant to the Order of the House dated 29 March 1983.

- 5 LIQUOR CONTROL (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 12 April next.
- 6 LOTTERIES GAMING AND BETTING (ADMINISTRATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Trezise*).
Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 14 April next.
- 7 PUBLIC AUTHORITIES (CONTRIBUTIONS) (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).

Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 19 April next.

- 8 INDUSTRIAL RELATIONS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Motion made and question—That the debate be now adjourned (*Mr Pope*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 9 HEALTH (CONSULTATIVE COUNCIL) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until Tuesday, 19 April next (*Mr Fordham*)—put and agreed to.

- 11 POSTPONEMENT OF REMAINING BUSINESS—Ordered—That the consideration of the remaining business be postponed.

- 12 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty-six minutes past Four o'clock, adjourned until Tuesday, 19 April next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 63, 64 and 65

No. 63—Tuesday, 19 April 1983

- 1 The House met pursuant to adjournment.
- 2 ABSENCE OF MR. SPEAKER—The Clerk having, at the Table, informed the House of the unavoidable absence of Mr Speaker from this day's sitting, the Chairman of Committees took the Chair as Deputy-Speaker and read the Prayer.
- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - SHOPPING HOURS—Seeking that the law be changed to allow shopkeepers and customers to decide between themselves when to transact their business without interference from the Government, bearing 1090 signatures (*by Mr Tanner*).
 - SCHOOL DENTAL SERVICES—Seeking that the House take action to revoke the announced changes to the School Dental Services, bearing 51, 162, 356, 407, and 83 signatures respectively (*by Mr Evans (Ballarat North), Mr Evans (Gippsland East), Mr Culpin, Mr Delzoppo and Mr Burgin*).
 - FIREARM REGISTRATION—Seeking that the House reject firearm registration legislation until representatives of shooting organizations have been consulted, bearing 59, 133 and 29 signatures, respectively (*by Mr Ross-Edwards, Mr Reynolds and Mr Whiting*).
 - BUSHLAND EDUCATION PROGRAMME—Seeking that the Ministry for Conservation prepare an education programme for bushland and for urban development in a design with nature, bearing 25 signatures (*by Mrs Ray*).
 - LOTTERY OPERATIONS—Seeking that the House legislate to ensure that the Victorian Government control all profits arising from the conduct of lottery operations in this State, bearing 147 signatures (*by Mrs Ray*).
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 12 signatures (*by Mr Templeton*).
 - HEALTH AND HUMAN RELATIONS COURSES—Seeking that all health and human relations courses be withdrawn from the education curriculum, bearing 11 signatures (*by Mr McGrath*).

Severally ordered to lie on the Table.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Clark, Terrence John—Order in Council authorizing maximum expenditure by the Royal Commission reporting upon certain matters relating to Terrence John Clark.
 - Dandenong Valley Authority—Report and Statement of accounts for the year ended 30 September 1982.

Environment Protection Act 1970—Proposed Environment Protection (Motor Car Noise) (Amendment) Regulations 1983 (*In lieu of Proposed Regulations tabled 24 March 1983*).

Richmond Council Elections Voting—Order in Council authorizing maximum expenditure by the Board of Inquiry into Voting at the City of Richmond Councillors Elections.

Poker Machines—Order in Council authorizing maximum expenditure for the Board of Inquiry into Poker Machines.

Police Regulation Act 1958—Determination Nos. 384 and 385 of the Police Service Board (two papers).

Statutory Rules under the following Acts:

Health Act 1958—Nos. 53, 56.

Hospitals and Charities Act 1958—No. 44.

Penalties and Sentences Act 1981—No. 57.

Poisons Act 1962—No. 54.

Public Service Act 1974—No. 47; PSD Nos. 5 to 14.

State Employees Retirement Benefits Act 1979—No. 48.

West Moorabool Water Board Act 1968—No. 51.

Workers Compensation Act 1958—No. 52.

Superannuation Board—Report for the year 1981–82—Ordered to be printed.

Town and Country Planning Act 1961:

Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme, Amendment No. 19.

Flinders—Shire of Flinders Planning Scheme 1962, Amendment No. 148 (1982).

Geelong Regional Planning Scheme, Amendment Nos. 26 (1981) and 40 (Part 1) (two papers).

Knox—City of Knox Planning Scheme 1965, Amendment Nos. 249 (1981); 251 (1982) (two papers).

Melbourne Metropolitan Planning Scheme—Amendment Nos. 154 (Part 2B), 181 (Part 2A), 184 (Part 2), 249 (four papers).

Sale—City of Sale Planning Scheme 1975, Amendment No. 16 (1982).

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Rural Areas), Amendment No. 8.

Victorian Law Foundation—Report for the year ended 30 September, 1982.

6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 88)—ASSENT TO BILLS—Informing the Assembly that he had, on 12 April instant, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Motor Accidents (Amendment) Bill.

Motor Car (Learner Drivers) Bill.

7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No 89)—Mr. Deputy-Speaker announced the presentation of a message from His Excellency the Governor recommending an appropriation for the purposes of the Hospital Benefits (Levy) (Amendment) Bill.

8 THE CONSTITUTION ACT AMENDMENT (TEMPORARY PROVISIONS) BILL—Mr Simpson obtained leave, with Mr Cain, to bring in a Bill "*to amend 'The Constitution Act Amendment Act 1958' with respect to the conduct of the By-elections to be held for the Electoral Districts of Swan Hill and Warrnambool and the Electoral Province of East Yarra, in 1983*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 9 PUBLIC AUTHORITIES (CONTRIBUTIONS) (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read the Bill a second time until the Government presents to the House a proper explanation of the principle of public authorities being required to earn a target real rate of return on their assets and the mechanism by which such rates of return should be calculated” (*Mr Ramsay*)—and, after debate—

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

AYES, 41

Mr Cain	Mrs Hill	Mr Newton	Mr Stirling
Miss Callister	Mr Hill	Mr Norris	Mrs Toner
Mr Cathie	Mr Hockley	Mr Pope	Mr Walsh
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Wilkes
Mr Crabb	Mr Jolly	Mr Roper	
Mr Culpin	Mr Kennedy	Mr Seitz	
Mr Ernst	Mr Kirkwood	Mrs Setches	
Mr Fogarty	Mr McCutcheon	Mr Sheehan	
Mr Gavin	Mr McDonald	(<i>Ballarat South</i>)	
Mr Gray	Mr Mathews	Mr Sidiropoulos	<i>Tellers</i>
Mr Harrowfield	Mr Micallef	Mr Simpson	Mr Remington
Mr Hassett	Mr Miller	Mr Spyker	Mr Rowe

NOES, 27

Mr Austin	Mr Jona	Mr Ramsay	Mr Whiting
Mr Brown	Mr Leigh	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Lieberman	Mr Richardson	
Mr Dickinson	Mr McGrath	Mr Ross-Edwards	
Mr Ebery	Mr McKellar	Mrs Sibree	
Mr Evans	Mr McNamara	Mr Tanner	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton	Mr Burgin
Mr Hann	Mrs Patrick	Mr Wallace	Mr Jasper

And so it was resolved in the affirmative

Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 THE CONSTITUTION ACT AMENDMENT (TEMPORARY PROVISIONS) BILL—Read a second time, after debate, and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 COMPANIES (ADMINISTRATION) (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 JURIES (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 CONSTITUTION (COUNCIL POWERS) BILL—Order read for resuming debate on 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 the words “this Bill be withdrawn and redrafted to make provision for the dissolution of the Council as well as the Assembly if a Supply Bill is not passed by the Council within one month after it is sent up to the Council”; debate resumed

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

The House divided.

AYES, 44

Mr Cain	Mr Hasset	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Hockley	Mr Remington	Mr Stirling
Dr Coghill	Mr Jolly	Mr Roper	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Rowe	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fordham	Mr Mathews	Mr Sheehan	
Mr Gavin	Mr Micallef	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Sidiropoulos	Mr Ihlein
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Newton

NOES, 26

Mr Burgin	Mr Jona	Mrs Patrick	Mr Tanner
Mr Delzoppo	Mr Kennett	Mr Ramsay	Mr Wallace
Mr Dickinson	Mr Leigh	Mr Reynolds	Mr Whiting
Mr Evans	Mr Lieberman	Mr Richardson	Mr Williams
(<i>Gippsland East</i>)	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
Mr Hann	Mr McKellar	Mr Saltmarsh	Mr Ebery
Mr Jasper	Mr Maclellan	Mrs Sibree	Mr McNamara

And so it was resolved in the affirmative.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

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

The House divided.

AYES, 44

Mr Cain	Mr Hasset	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Hockley	Mr Remington	Mr Stirling
Dr Coghill	Mr Jolly	Mr Roper	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Rowe	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fordham	Mr Mathews	Mr Sheehan	
Mr Gavin	Mr Micallef	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Sidiropoulos	Mr Ihlein
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Newton

NOES, 26

Mr Burgin	Mr Jona	Mrs Patrick	Mr Tanner
Mr Delzoppo	Mr Kennett	Mr Ramsay	Mr Wallace
Mr Dickinson	Mr Leigh	Mr Reynolds	Mr Whiting
Mr Evans	Mr Lieberman	Mr Richardson	Mr Williams
(<i>Gippsland East</i>)	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
Mr Hann	Mr McKellar	Mr Saltmarsh	Mr Ebery
Mr Jasper	Mr Maclellan	Mrs Sibree	Mr McNamara

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported without amendment; read the third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

14 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

15 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at fifty-two minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

J. T. WILTON
Deputy-Speaker

No. 64—Wednesday, 20 April 1983

- 1 The House met pursuant to adjournment.
- 2 ABSENCE OF MR SPEAKER—The Clerk having, at the Table, informed the House of the unavoidable absence of Mr Speaker from this day's sitting, the Chairman of Committees took the Chair as Deputy-Speaker and read the prayer.
- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - SHOPPING HOURS—Seeking that the law be changed to allow shopkeepers and customers to decide between themselves when to transact their business without interference from the Government, bearing 1108 signatures (*by Mr Tanner*).
 - ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well being and not supportive of family life and at variance with God's law and purpose, bearing 33 signatures (*by Mr Delzoppo*).
 - FIREARMS REGISTRATION—Seeking that the House reject firearms registration legislation until representatives of shooting organizations have been consulted, bearing 50 and 110 signatures respectively (*by Mr Delzoppo and Mr Burgin*).
 Severally ordered to lie on the Table.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Legal Profession Practice Act 1958—Report of the Lay Observer for the year 1982 to the—
 - Barristers' Disciplinary Tribunal;
 - Solicitors' Disciplinary Tribunal.
 - State Employees Retirement Benefits Board— Report for the year 1981–82— Ordered to be printed.

- 6 SHOP TRADING HOURS COMMITTEE REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the Ministerial Advisory Committee on Shop Trading Hours (*Mr Jolly*)—put and agreed to.
- 7 PAPER—Mr Jolly presented:
Shop Trading Hours—Report of the Ministerial Advisory Committee—Return to the Foregoing Order.
Ordered, after debate, to lie on the Table.
- 8 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to some of the amendments made by the Assembly and disagreeing with another amendment made by the Assembly in the Constitution (Local Government) Bill.
Ordered—That the said Message be taken into consideration later this day.
- 9 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to some of the amendments made by the Assembly and disagreeing with another amendment made by the Assembly in the Local Government (Municipal Council Elections) Bill.
Ordered—That the said Message be taken into consideration later this day.
- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to The Constitution Act Amendment (Temporary Provisions) Bill without amendment.
- 11 PENALTIES AND SENTENCES (AMENDMENT) BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill “to further amend the Law relating to Penalties and Sentences, to amend the ‘Penalties and Sentences Act 1981’ and other Acts and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 FILM VICTORIA (AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Film Victoria Act 1981’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 MUSEUMS BILL—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill “to constitute the Museums Advisory Board and the Council of the Museum of Victoria, to abolish certain other Bodies and for that purpose to amend and repeal Various Acts and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 CONSTITUTION (ELECTORAL PROVINCES AND DISTRICTS) BILL—Mr Simpson obtained leave, with Mr Cain, to bring in a Bill “to amend the ‘Constitution Act 1975’, to provide for an increase in the Number of Electoral Districts and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 ELECTORAL COMMISSION (AMENDMENT) BILL—Mr Simpson, after debate, obtained leave, with Mr Cain, to bring in a Bill “to amend the ‘Electoral Commission Act 1982’ ”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 GEELONG WATERWORKS AND SEWERAGE (BELLARINE WATER SUPPLY) BILL—Mr Simpson obtained leave, with Mr Fordham, to bring in a Bill “to provide for the transfer of the Bellarine Water Supply System to the Geelong Waterworks and Sewerage Trust, to amend the ‘Geelong Waterworks and Sewerage Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 17 VICTORIAN PRISON INDUSTRIES COMMISSION BILL—Mrs Toner obtained leave, with Mr Simpson, to bring in a Bill “to establish a Victorian Prison Industries Commission, to amend the ‘Community Welfare Services Act 1970’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 CONSTITUTION (LOCAL GOVERNMENT) BILL—Order read for the consideration of the Message from the Legislative Council agreeing to some of the amendments made by the Assembly and disagreeing with another amendment.
On the motion of Mr Cathie and, after debate—Amendment made by the Assembly and disagreed with by the Council, not insisted on.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 19 LOCAL GOVERNMENT (MUNICIPAL COUNCIL ELECTIONS) BILL—Order read for the consideration of the Message from the Legislative Council agreeing to some of the amendments made by the Assembly and disagreeing with another amendment.
On the motion of Mr Cathie and, after debate—Amendment made by the Assembly and disagreed with by the Council, not insisted on.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 20 LIQUOR CONTROL (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 DECENTRALIZED INDUSTRY INCENTIVE PAYMENTS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 22 CHIROPODISTS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 BUSINESS FRANCHISE ACTS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 24 SCOUT ASSOCIATION BILL—Order read for resuming debate on question—That this Bill be now read a second time.
Mr Deputy-Speaker announced that Mr Speaker had ruled Bill a Private Bill.
Motion made and question—That this Bill be dealt with as a Public Bill and that fees be dispensed with (*Mr Simpson*)—put and agreed to.
Debate resumed on question—That this Bill be now read a second time.
Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 25 HOSPITAL BENEFITS (LEVY) (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 26 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
- Chiropodists (Amendment) Bill
 - Liquor Control (Amendment) Bill
 - Scout Association Bill
 - Juries (Amendment) Bill
 - Companies (Administration) (Amendment) Bill
 - Health (Consultative Council) Bill.
- 27 INDUSTRIAL RELATIONS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.30 p.m.
- 28 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Deputy-Speaker left the chair at twenty-five minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

J. T. WILTON
Deputy Speaker

No. 65—Thursday, 21 April 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 SITTING OF THE HOUSE—Motion made and question—That the House at its rising adjourn until Tuesday, 3 May next (*Mr Fordham*)—put and agreed to.
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - SHOPPING HOURS—Seeking that the law be changed to allow shopkeepers and customers to decide between themselves when to transact their business without interference from the Government, bearing 1190 signatures (*by Mr Tanner*).
 - FIREARM REGISTRATION—Seeking that the House reject firearm registration legislation until representatives of shooting organizations have been consulted, bearing 114 and 175 signatures respectively (*by Mr McKellar and Mr Austin*).
 - SCHOOL DENTAL SERVICES—Seeking that the House take action to revoke the announced changes to the School Dental Services, bearing 554 signatures (*by Miss Callister*).

BIRTH, DEATH AND MARRIAGE CERTIFICATE COSTS—Seeking that the Victorian Government take immediate action to set the cost of birth, death and marriage certificates at a level comparable to that applicable in other States and Territories of the Australian Commonwealth, bearing 71 signatures (*by Miss Callister*).

SUNDAY HOTEL TRADING HOURS—Seeking that the House take appropriate action to immediately ensure that hotel bar trading hours are not extended in any way whatsoever and that consideration be given to implementing the recommendations in the 1977 Report to the Senate Standing Committee on Social Welfare with regard to alcohol consumption, bearing 28 signatures (*by Mr Harrowfield*).

Severally ordered to lie on the Table.

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

Liquor Control Commission—Report for the year 1981–82—Ordered to be printed.

- 6 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

Land Settlement (Amendment) Bill.

Community Welfare Services (Amendment) Bill.

- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 90)—ASSENT TO BILL—Informing the Assembly that he had, that day, given the Royal Assent to the following Bill, presented to him by the Clerk of the Parliaments:

The Constitution Act Amendment (Temporary Provisions) Bill.

- 8 ECONOMIC MANAGEMENT—Motion made and question—That this House condemns the Government for its failure to pursue sound, consistent and coherent economic management (*Mr Maclellan*)—after debate, put.

The House divided.

AYES, 23

Mr Austin	Mr Jasper	Mr Richardson	Mr Williams
Mr Brown	Mr Jona	Mr Ross-Edwards	
Mr Burgin	Mr McGrath	Mr Saltmarsh	
Mr Dickinson	Mr McKellar	Mrs Sibree	
Mr Ebery	Mr McNamara	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Templeton	Mr Leigh
(<i>Gippsland East</i>)	Mr Ramsay	Mr Whiting	Mr Wallace

NOES, 44

Mr Cain	Mrs Hill	Mrs Ray	Mr Spyker
Miss Callister	Mr Hockley	Mr Remington	Mr Stirling
Dr Coghill	Mr Jolly	Mr Roper	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Rowe	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Ernst	Mr McCutcheon	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr Ihlein
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Sheehan
Mr Hassett	Mr Pope	Mr Simpson	(<i>Ballarat South</i>)

And so it passed in the negative.

General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.

- 9 CONSTITUTION (ELECTORAL PROVINCES AND DISTRICTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Ross-Edwards*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 3 May next.
- 10 ELECTORAL COMMISSION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 3 May next.
- 11 FILM VICTORIA (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 3 May next.
- 12 MUSEUMS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Thursday, 5 May next.
- 13 PENALTIES AND SENTENCES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 5 May next.
- 14 GEELONG WATERWORKS AND SEWERAGE (BELLARINE WATER SUPPLY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 5 May next.
- 15 LOTTERIES GAMING AND BETTING (ADMINISTRATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 MOTOR BOATING (AMENDMENT) BILL—SECOND READING—RESUMPTION OF DEBATE—
Ordered—That consideration of this order be postponed until later this day.

17 PRISONERS (INTERSTATE TRANSFER) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

18 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

19 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at forty-two minutes past Four o'clock, adjourned until Tuesday, 3 May next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

No. 66, 67 and 68

No. 66—Tuesday, 3 May 1983

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
 - 2 QUESTIONS—(Pursuant to Standing Order No. 124).
 - 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 72, 569 and 107 signatures respectively (by Mrs Ray, Mrs Hill and Mr Norris).
 - CANTERBURY ROAD WIDENING—Seeking that the Canterbury Road easement between Burke and Middleborough Roads as shown on Melbourne and Metropolitan Board of Works Plan No. 55, as amended, be excised, bearing 52 signatures (by Mr Kennett).
 - ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well being and not supportive of family life and at variance with God's law and purposes, bearing 44 signatures (by Mr Shell).
 - PORT PHILLIP BAY SCALLOP AND MUSSELL DREDGING—Seeking that excess netting and longlining and scallop and mussel dredging in Port Phillip Bay be totally abolished, bearing 2092 signatures (by Mr Stirling).
- Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Dentists Act 1972:
 - Dental Board—Report and statement of accounts for year ended 30 September 1982.
 - Specialist Practitioners Qualifications Committee—Report for the year ended 30 September 1982.
 - Industrial Training Commission—Report for the year 1981–82—Ordered to be printed.
 - Members of Parliament (Register of Interests) Act 1978—Summary of Returns April 1983—Ordered to be printed.
 - Statutory Rules under the following Acts:
 - Coal Mines Act 1958—No. 61.
 - Country Fire Authority Act 1958—No. 80.
 - Fisheries Act 1968—No. 75.
 - Health Act 1958—Nos. 55, 76.
 - Industrial Training Act 1975—Nos. 70 to 72, 74.
 - Marine Act 1958—Nos. 39, 59, 64.
 - Mines Act 1958—No. 60.

Money Lenders Act 1958—No. 78.
 Motor Boating Act 1961—No. 68.
 Motor Car Act 1958—No. 67, 69, 79.
 Police Regulation Act 1958—No. 63.
 Public Service Act 1974—No. 58; PSD Nos. 15 to 21.
 Racing Act 1958—No. 65.
 Road Traffic Act 1958—No. 66.
 State Electricity Commission Act 1958—No. 73.
 Stock (Artificial Breeding) Act 1962—No. 77.

Town and Country Planning Act 1961:

Bass—Shire of Bass Planning Scheme, Amendment No. 7.
 Camberwell—City of Camberwell Planning Scheme, Amendment No. 56.
 Echuca—City of Echuca Planning Scheme, Amendment No. 54 (1982).
 Geelong Regional Planning Scheme, Amendment Nos. 38 (Part 4) (1982), 49
 (Part 1) (1982), 58 (three papers).
 Melbourne Metropolitan Planning Scheme, Amendment Nos. 171 (Part 1B),
 250 (two papers).

- 5 INTER—GOVERNMENT RELATIONS ADVISORY COUNCIL—Motion made, by leave, and question—That there be presented to this House a copy of the report of the Advisory Council for Inter-Government Relations for the year ended 31 August 1982 (*Mr Cain*)—put and agreed to.
- 6 PAPER—Mr Cain presented:
 Inter-Government Relations Advisory Council—Report for year ended 31 August 1982—Return to the foregoing Order.

Ordered to lie on the Table.

- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 91)—ASSENT TO BILLS—Informing the Assembly that he had, on 27 April last, given the Royal Assent to the following Bills, presented to him by the Clerk-Assistant of the Legislative Council for and in the absence of the Clerk of the Parliaments:
- Constitution (Local Government) Bill.
 - Local Government (Municipal Council Elections) Bill.
 - Chiropodists (Amendment) Bill.
 - Liquor Control (Amendment) Bill.
 - Land Settlement (Amendment) Bill.
- 8 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR, AS DEPUTY FOR THE GOVERNOR (No. 92)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Juries (Amendment) Bill.
 - Health (Consultative Council) Bill.
 - Companies (Administration) (Amendment) Bill.
 - Scout Association Bill.
- 9 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 93, 94, 95 and 96)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Constitution (Electoral Provinces and Districts) Bill.
 - Electoral Commission (Amendment) Bill.
 - Museums Bill.
 - Geelong Waterworks and Sewerage (Bellarine Water Supply) Bill.

- 10 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR, AS DEPUTY FOR THE GOVERNOR (No. 97)—Mr Speaker announced the presentation of a Message from His Excellency the Lieutenant-Governor, as Deputy for the Governor, recommending an appropriation for the purposes of the Supply (1983-84 No. 1) Bill.
- 11 SUPPLY (1983-84, No. 1) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “*to make Interim Provision for the Appropriation of Moneys out of the Consolidated Fund for the Service of the Financial Year 1983-84*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR, AS DEPUTY FOR THE GOVERNOR (No. 98)—Mr Speaker announced the presentation of a Message from His Excellency the Lieutenant-Governor, as Deputy for the Governor, recommending an appropriation for the purposes of the Works and Services (Supply 1983-84) Bill.
- 13 WORKS AND SERVICES (SUPPLY 1983-84) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “*to make interim provision for the Appropriation of Moneys out of the Works and Services Account for certain Works and Purposes for the financial year 1983-84 and to make provision for the Appropriation of Moneys out of that Account to enable certain expenditure made under the Authority of Section 16 of the ‘Public Account Act 1958’ to be repaid in accordance with the requirements of that Section*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR, AS DEPUTY FOR THE GOVERNOR (No. 99)—Mr Speaker announced the presentation of a Message from His Excellency the Lieutenant-Governor, as Deputy for the Governor, transmitting to the Assembly for their consideration an amendment which he desires to be made in the Community Welfare Services (Amendment) Bill, which was as follows:
- Clause 13, omit “or in default” and insert “and in default”.
- And the said amendment was read a second time and agreed to by the House.
- Ordered—That His Excellency’s Message be transmitted to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendment, and requesting their concurrence therein.
- 15 LOCAL GOVERNMENT (QUALIFICATION OF COUNCILLORS) BILL—Mr Wilkes, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Simpson, to bring in a Bill “*to amend the ‘Local Government Act 1958’ and the ‘Constitution Act 1975’ with respect to the Qualification of Councillors and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 VICTORIAN PRISON INDUSTRIES COMMISSION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
- Motion made and question—That the debate be now adjourned (*Mr Saltmarsh*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 24 May instant.
- 17 CONSTITUTION (ELECTORAL PROVINCES AND DISTRICTS) BILL—Order read for resumed debate on question—That this Bill be now read a second time; debate resumed.
- Question—put.

The House divided.

AYES, 51

Mr Cain	Mr Hassett	Mr Newton	Mr Simmonds
Miss Callister	Mrs Hill	Mr Norris	Mr Simpson
Mr Cathie	Mr Hill	Mr Pope	Mr Spyker
Dr Coghill	Mr Hockley	Mr Remington	Mr Stirling
Mr Crabb	Mr Ihlein	Mr Roper	Mrs Toner
Mr Culpin	Mr Jasper	Mr Ross-Edwards	Mr Trezise
Mr Ernst	Mr Jolly	Mr Rowe	Mr Wallace
Mr Evans	Mr Kennedy	Mr Seitz	Mr Walsh
(Gippsland East)	Mr Kirkwood	Mrs Setches	Mr Whiting
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Gavin	Mr McDonald	(Ivanhoe)	<i>Tellers</i>
Mr Gray	Mr Mathews	Mr Sheehan	Mr McNamara
Mr Hann	Mr Micallef	(Ballarat South)	Mrs Ray
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	

NOES, 16

Mr Brown	Mr Kennett	Mr Reynolds	Mr Williams
Mr Burgin	Mr Lieberman	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr McKellar	Mr Saltmarsh	Mr Leigh
Mr Evans	Mr Maclellan	Mrs Sibree	Mr Tanner
(Ballarat North)	Mrs Patrick		

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read the third time forthwith, after debate.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 18 ELECTORAL COMMISSION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Question—put.

The House divided.

AYES, 48

Mr Cain	Mr Hassett	Mr Newton	Mr Sidiropoulos
Miss Callister	Mrs Hill	Mr Pope	Mr Simmonds
Mr Cathie	Mr Hill	Mrs Ray	Mr Simpson
Dr Coghill	Mr Hockley	Mr Remington	Mr Spyker
Mr Crabb	Mr Ihlein	Mr Roper	Mr Stirling
Mr Culpin	Mr Jolly	Mr Ross-Edwards	Mrs Toner
Mr Ernst	Mr Kennedy	Mr Rowe	Mr Wallace
Mr Evans	Mr Kirkwood	Mr Seitz	Mr Walsh
(Gippsland East)	Mr McCutcheon	Mrs Setches	Mr Whiting
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Gavin	Mr Mathews	(Ivanhoe)	<i>Tellers</i>
Mr Gray	Mr Micallef	Mr Sheehan	Mr McNamara
Mr Harrowfield	Mr Miller	(Ballarat South)	Mr Norris

NOES, 17

Mr Austin	Mr Kennett	Mr Reynolds	Mr Williams
Mr Brown	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Burgin	Mr McKellar	Mrs Sibree	Mr Dickinson
Mr Ebery	Mr Maclellan	Mr Tanner	Mr Leigh
Mr Evans	Mrs Patrick		
(Ballarat North)			

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

19 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No.100)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Victorian Prison Industries Commission Bill.

20 MOTOR BOATING (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

21 INDUSTRIAL RELATIONS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.

22 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at twenty-two minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 67—Wednesday, 4 May 1983

1 Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS—(Pursuant to Standing Order No. 124).

3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

FIREARM REGISTRATION—Seeking that the House reject firearm registration legislation until representatives of shooting organizations have been consulted, bearing 539 signatures (*by Mr Austin*).

FOOD PLUS STORE, NORTH CLAYTON—Seeking that the hours of business of the Food Plus store located near the intersection of Blackburn Road and Ferntree Gully Road, North Clayton, be restricted to 7.00 a.m. to 11.00 p.m. daily and that vehicle access to the store car-park be restricted after business hours, bearing 39 signatures (*by Mr Gray*).

LOTTERY PROFITS—Seeking that the Government take action to ensure the profits of all lotteries accrue to the benefit of the people of Victoria, bearing 64 signatures (*by Mrs Setches*).

SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 890, 1041, 1300 and 1076 signatures respectively (*by Mr Newton, Mrs Ray, Mr Pope and Mr Kirkwood*).

Severally ordered to lie on the Table.

- 4 LEGAL AND CONSTITUTIONAL COMMITTEE—Mr Whiting, Chairman, brought up a Report from the Legal and Constitutional Committee upon the Statute Law Revision Bill; together with an Appendix.
Ordered to lie on the Table and to be printed.
- 5 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Ombudsman—Report for the six months ended 31 December 1982—Ordered to be printed.
- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the amendment recommended by His Excellency the Lieutenant-Governor, as Deputy for the Governor, in the Community Welfare Services (Amendment) Bill.
- 7 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Decentralized Industry Incentive Payments (Amendment) Bill without amendment.
- 8 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Historic Buildings Act 1981’, the ‘Historic Buildings (Amendment) Act 1983’ and for other purposes.*”
- 9 HISTORIC BUILDINGS (FURTHER AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Not insisting on their amendment with which the Assembly have disagreed in the Historic Buildings (Amendment) Bill.
- 11 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the Penalties fixed under the ‘Rural Finance and Settlement Commission Act 1961’ for Offences against that Act.*”
- 12 RURAL FINANCE AND SETTLEMENT COMMISSION (PENALTIES) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Prisoners (Interstate Transfer) Bill.
Lotteries Gaming and Betting (Administration) Bill.
- 14 ADMINISTRATIVE ARRANGEMENTS BILL—Mr Cain pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Wilkes, to bring in a Bill “*to make Provision in relation to Changes in Administrative Arrangements with respect to Ministries, Departments and officers of Departments and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 LIQUOR CONTROL BILL—Mr Cathie after debate, obtained leave, with Mr Wilkes, to bring in a Bill “*to amend the ‘Liquor Control Act 1968’ and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 ROAD TRAFFIC (AMENDMENT) BILL (No. 2)—Mr Crabb obtained leave, with Mr Jolly, to bring in a Bill “*to amend the ‘Road Traffic Act 1958’ to provide for the incorporation of the Road Safety and Traffic Authority, to authorize that Authority to borrow moneys and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 17 RAILWAYS (AMENDMENT) BILL (NO. 2)—Mr Crabb obtained leave, with Mr Jolly, to bring in a Bill “to amend the ‘Railways Act 1958’ with regard to the borrowing and leasing powers of the Victorian Railways Board and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 TRANSPORT BILL—Mr Crabb obtained leave, with Mr Jolly, to bring in a Bill “to re-enact with Amendments the Law relating to Transport including the Law with respect to Railways, Roads and Tramways, to repeal the ‘Country Roads Act 1958’, the ‘Melbourne and Metropolitan Tramways Act 1958’, the ‘Ministry of Transport Act 1958’, the ‘Railway Lands Acquisition Act 1958’, the ‘Railways Act 1958’, the ‘Road Traffic Act 1958’, the ‘Transport Regulation Act 1958’, the ‘Melbourne Underground Rail Loop Act 1970’, the ‘Recreation Vehicles Act 1973’, the ‘Railway Construction and Property Board Act 1979’ and certain other Acts, to make consequential amendments to various Acts and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 MANAGEMENT AND BUDGET BILL—Mr Jolly obtained leave, with Mr Crabb, to bring in a Bill “to make Provision for and in relation to the Appointment and Powers of the Director-General, Department of Management and Budget and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 STATE INSURANCE OFFICE (EXTENSION OF FRANCHISE) BILL—Mr Jolly, after debate, obtained leave, with Mr Crabb, to bring in a Bill “to amend the ‘State Insurance Office Act 1975’ to extend the Franchise of the State Insurance Office and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 21 STATE FILM CENTRE OF VICTORIA COUNCIL BILL—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill “to establish the State Film Centre of Victoria Council and to make provision for the management and operation of the State Film Centre, to amend the ‘Ministry for the Arts Act 1972’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 ORDER OF THE DAY DISCHARGED—Motion made and question—That the following Order of the Day, Government Business, be read and discharged:
Mines (Amendment) Bill—Second reading—Resumption of debate—
 and that the Bill be withdrawn (Mr Mathews)—put, after debate, and agreed to.
- 23 MINES (AMENDMENT) BILL (NO. 2)—Mr Mathews, after debate, obtained leave, with Mr Wilkes, to bring in a Bill “to amend the ‘Mines Act 1958’, the ‘Crown Land (Reserves) Act 1978’, the ‘Extractive Industries Act 1966’, the ‘Explosives Act 1960’, the ‘Forests Act 1958’, the ‘Groundwater Act 1969’, the ‘Inflammable Liquids Act 1966’, the ‘Liquefied Gases Act 1968’, the ‘Mining Development Act 1958’, the ‘National Parks Act 1975’, the ‘Petroleum Act 1958’, and the ‘Town and Country Planning Act 1961’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 24 CONSTITUTION (DURATION OF PARLIAMENT) BILL—Mr Simpson obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Constitution Act 1975’ and ‘The Constitution Act Amendment Act 1958’ with respect to the Duration of the Legislative Assembly and the Tenure of Members of the Legislative Council and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 25 RACING (AMENDMENT) BILL—Mr Trezise obtained leave, with Mr Wilkes, to bring in a Bill “to establish the Racing Appeals Tribunal and to further amend the ‘Racing Act 1958’ with respect to the regulation of race-meetings, the distribution of commission by the Totalizator Agency Board, the application of the Race-courses Development Fund, betting on greyhound races, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 26 **FILM VICTORIA (AMENDMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 27 **INDUSTRIAL RELATIONS (AMENDMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Question—put.

The House divided.

AYES, 40

Miss Callister	Mr Hasset	Mr Miller	Mr Simpson
Mr Cathie	Mrs Hill	Mr Newton	Mr Spyker
Dr Coghill	Mr Hill	Mr Norris	Mr Stirling
Mr Crabb	Mr Hockley	Mr Pope	Mr Walsh
Mr Culpin	Mr Ihlein	Mrs Ray	Mr Wilton
Mr Ernst	Mr Jolly	Mr Remington	
Mr Fogarty	Mr Kennedy	Mr Roper	<i>Tellers</i>
Mr Fordham	Mr Kirkwood	Mr Rowe	Mr Sheehan
Mr Gavin	Mr McCutcheon	Mr Seitz	<i>(Ivanhoe)</i>
Mr Gray	Mr McDonald	Mrs Setches	Mr Sheehan
Mr Harrowfield	Mr Mathews	Mr Sidiropoulos	<i>(Ballarat South)</i>

NOES, 23

Mr Austin	Mr Evans	Mr McNamara	Mr Whiting
Mr Brown	<i>(Gippsland East)</i>	Mr Ramsay	Mr Williams
Mr Burgin	Mr Hann	Mr Reynolds	
Mr Delzoppo	Mr Jasper	Mr Richardson	
Mr Ebery	Mr Jona	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McGrath	Mrs Sibree	Mr Leigh
<i>(Ballarat North)</i>	Mr McKellar	Mr Tanner	Mr Wallace

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.

Motion made and question—That this Bill be now read a third time (*Mr Jolly*)—after debate, put.

The House divided.

AYES, 44

Miss Callister	Mr Hill	Mr Pope	Mr Simpson
Mr Cathie	Mr Hockley	Mrs Ray	Mr Spyker
Dr Coghill	Mr Jolly	Mr Remington	Mr Stirling
Mr Crabb	Mr Kennedy	Mr Roper	Mr Toner
Mr Culpin	Mr Kirkwood	Mr Rowe	Mr Trezise
Mr Ernst	Mr McCutcheon	Mr Seitz	Mr Walsh
Mr Fogarty	Mr McDonald	Mrs Setches	Mr Wilkes
Mr Fordham	Mr Mathews	Mr Sheehan	Mr Wilton
Mr Gavin	Mr Micallef	<i>(Ivanhoe)</i>	
Mr Gray	Mr Miller	Mr Sheehan	<i>Tellers</i>
Mr Hassett	Mr Newton	<i>(Ballarat South)</i>	Mr Harrowfield
Mrs Hill	Mr Norris	Mr Sidiropoulos	Mr Ihlein

NOES, 23

Mr Austin	Mr Evans	Mr McKellar	Mr Tanner
Mr Brown	(Gippsland East)	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Hann	Mr Ramsay	Mr Williams
Mr Ebery	Mr Jasper	Mr Reynolds	
Mr Evans	Mr Jona	Mr Richardson	<i>Tellers</i>
(Ballarat North)	Mr Leigh	Mr Ross-Edwards	Mr Delzoppo
	Mr McGrath	Mrs Sibree	Mr McNamara

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

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

28 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Film Victoria (Amendment) Bill without amendment.

29 FIREARMS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted to—(a) provide the necessary resources and expertise for the adequate education and training of applicants and holders of shooters’ licences in order to promote the safe and responsible use of firearms; and (b) reflect the Government policy on firearms, as announced during the last State election campaign” (Mr Ebery)—and, after debate—

Motion made and question—That the debate be now adjourned (Mr Hann)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (Mr Fordham)—put and agreed to.

30 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

Limitation of Actions (Personal Injury Claims) Bill.

Business Franchise Acts (Amendment) Bill.

31 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that the Council had agreed to the following Resolution:

That there be referred to the Social Development Committee for inquiry consideration and report the question of whether there is need and justification for the law to provide for the control of the provision of radiation apparatus to be used for the diagnosis or therapy of human beings where it is considered that such provision could result in a more than adequate or inappropriate diagnostic or therapeutic facility becoming available, having regard to the place where it is proposed and, if so, how appropriate existing legislation is, whether additional legislative powers would be required, and what are the criteria according to which such provisions would be administered—

with which they desire the concurrence of the Assembly.

Ordered—That the Message be taken into consideration tomorrow.

32 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Hospital Benefits (Levy) (Amendment) Bill and suggesting amendments.

Ordered—That the suggested amendments be printed and taken into consideration tomorrow.

- 33 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An act to amend the ‘Town and Country Planning Act 1961’, to amend the ‘State Co-ordination Council Act 1975’, the ‘Upper Yarra Valley and Dandenong Ranges Authority Act 1976’ and the ‘Planning Appeals Board Act 1980’ and for other purposes.*”
- 34 TOWN AND COUNTRY PLANNING (AMENDMENT) BILL (NO. 2)—On the motion of Mr Wilkes the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 35 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Health (Radiation Safety) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 36 SUPPLY (1983–84, No. 1) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Hann*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 17 May instant.
- 37 WORKS AND SERVICES (SUPPLY 1983–84) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 17 May instant.
- 38 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 39 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at forty-two minutes past Eleven o’clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 68—Thursday, 5 May 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

SHOP TRADING HOURS—Seeking that the Government’s policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 615, 1467, 787 and 108 signatures respectively (*by Mr Kennedy, Mrs Hill, Mr McCutcheon and Mr Ihlein*).

Severally ordered to lie on the Table.

4 PAPERS—Mr Speaker presented:

Auditor-General—Supplementary Report dated May 1983.

Ordered to be on the Table and to be printed.

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

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme, Amendments No. 3 (Part 1J), 120 (Part 7), 181 (Part 3), 187 (Part 1), 187 (Part 2), 191 (Part 1), 239, 251 (eight papers).

5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Public Authorities (Contributions) (Amendment) Bill and suggesting an amendment.

Ordered—That the suggested amendment be printed and taken into consideration later this day.

6 SITTING OF THE HOUSE—TUESDAY, 24 May, 1983—Motion made, by leave, and question—That the House, at its rising, adjourn until Tuesday, 24 May instant (*Mr Roper*)—put and agreed to.

7 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.

8 LIQUOR CONTROL BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).

Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until Tuesday, 24 May instant.

9 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to revise the Statute Law of Victoria.*”

10 STATUTE LAW REVISION BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

11 POSTPONEMENT OF ORDER OF THE DAY—Ordered, after debate—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

12 STATE FILM CENTRE OF VICTORIA COUNCIL BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).

Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 24 May instant.

13 CONSTITUTION (DURATION OF PARLIAMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).

Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 24 May instant.

14 ROAD TRAFFIC (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).

Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 24 May instant.

- 15 RAILWAYS (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 24 May instant.
- 16 MANAGEMENT AND BUDGET BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 24 May instant.
- 17 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 8 be postponed until later this day.
- 18 RACING (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Trezise*).
Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 24 May instant.
- 19 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos 10 and 11 be postponed until later this day.
- 20 HISTORIC BUILDINGS (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 24 May instant.
- 21 RURAL FINANCE AND SETTLEMENT COMMISSION (PENALTIES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 24 May instant.
- 22 SOCIAL DEVELOPMENT COMMITTEE—Order read for consideration of the Message from the Legislative Council transmitting the following resolution:
- That there be referred to the Social Development Committee for inquiry consideration and report the question of whether there is need and justification for the law to provide for the control of the provision of radiation apparatus to be used for the diagnosis or therapy of human beings where it is considered that such provision could result in a more than adequate or inappropriate diagnostic or therapeutic facility becoming available, having regard to the place where it is proposed and, if so, how appropriate existing legislation is, whether additional legislative powers would be required, and what are the criteria according to which such provisions would be administered.
- Motion made and question—That this House concur with the Legislative Council and agree to the said resolution (*Mr Roper*)—put, after debate, and agreed to.
Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.

- 23 HEALTH (RADIATION SAFETY) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 24 PUBLIC AUTHORITIES (CONTRIBUTIONS) (AMENDMENT) BILL—Order read for the consideration of the amendments suggested by the Legislative Council.
On the motion of Mr Jolly and, after debate—Suggested amendments made with modifications.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 25 HOSPITAL BENEFITS (LEVY) (AMENDMENT) BILL—Order read for the consideration of the amendments suggested by the Legislative Council.
On the motion of Mr Roper and, after debate—Suggested amendments made.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 26 TRANSPORT BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 31 May instant.
- 27 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Motor Boating (Amendment) Bill without amendment.
- 28 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Water and Sewerage Authorities (Restructuring) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 29 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Roper*)—put and agreed to.
- 30 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at eight minutes past Six o'clock, adjourned until Tuesday, 24 May instant.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 69, 70, 71 and 72

No. 69—Tuesday, 24 May 1983

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
 - 2 ISSUE OF AND RETURN TO WRITS—Mr Speaker announced that on 7 April last, he had issued Writs for the election of members to serve for the Electoral District of Swan Hill, in the place of the Honourable Alan Raymond Wood, resigned; and the Electoral District of Warrnambool, in the place of the Honourable Ian Winton Smith, resigned; and that he had received returns to the said Writs by which it appeared that Barry Edward Hector Steggall, Esquire, had been duly elected for the Electoral District of Swan Hill and Adam Kidman Kempton, Esquire, had been duly elected for the Electoral District of Warrnambool, in pursuance of the said Writs.
 - 3 MEMBERS SWORN—Barry Edward Hector Steggall, Esquire, and Adam Kidman Kempton, Esquire, were then introduced and took and subscribed the Oath required by law.
 - 4 QUESTIONS—(Pursuant to Standing Order No. 124).
 - 5 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 600, 476 and 616 signatures respectively (*by Mr Walsh, Miss Callister and Mr Stirling*).
 - ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well being and not supportive of family life and at variance with God's law and purpose, bearing 93 signatures (*by Mr Walsh*).
 - QUEEN ELIZABETH GERIATRIC CENTRE, BALLARAT—Seeking that the Government take appropriate steps to liaise with the Board of Management of the Queen Elizabeth Geriatric Centre to ensure that there is no reduction of services to the elderly and infirm of the Ballarat and Central Highlands Region, bearing 155 signatures (*by Mr Evans, Ballarat North*).
 - EQUAL OPPORTUNITY LEGISLATION—Seeking that the House not proceed with the proposed amendment to the Equal Opportunity Act to include discrimination on the basis of sexual preference until it has been proved conclusively that there is a need for the amendment, bearing 38 signatures (*by Mr Ramsay*).
 - FIREARM REGISTRATION—Seeking that the House reject firearm registration legislation until representatives of shooting organizations have been consulted, bearing 38 signatures (*by Mr McNamara*).
- Severally ordered to lie on the Table.
- 6 PUBLIC BODIES REVIEW COMMITTEE—Mr Miller, Chairman, brought up a report from the Public Bodies Review Committee on Future Structures for Water Management—Final Report on the Central and Regional Management of the Water Industry;

together with Appendices, Extracts from the Proceedings of the Committee, Minority Report and List of Major Recommendations.

Ordered to lie on the Table and to be printed.

- 7 SOCIAL DEVELOPMENT COMMITTEE—Mr Ernst, Chairman, brought up the Final Report from the Social Development Committee on the Medical Practitioners (Private Hospitals) Bill; together with an Appendix and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendix to be printed.

- 8 PAPERS—Mr Cain presented, by command of His Excellency the Governor:

Casinos in Victoria—Report of the Board of Inquiry (four volumes).

Severally ordered to lie on the Table and to be printed.

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

Building Societies—Report of the Registrar for the year 1981–82—Ordered to be printed.

Community Welfare Services—Report of the Department for the year 1981–82—Ordered to be printed.

Dried Fruits Act 1958—Report and Statement of accounts of the Victorian Dried Fruits Board for the year 1982.

Land Conservation Act 1970—Final Recommendations of the Land Conservation Council for the South-Western Area, District 1—Review.

Police Regulation Act 1958—Determination No. 386 of the Police Service Board.

Statutory Rules under the following Acts:

Companies (Administration) Act 1981—No. 92.

Education Service Act 1981—Nos. 86 to 88.

Estate Agents Act 1980—No. 81.

Evidence Act 1958—No. 93.

Farm Produce Merchants and Commission Agents Act 1965—No. 91.

Financial Institutions Duty Act 1982—No. 84.

Hospitals and Charities Act 1958—No. 95.

Motor Boating Act 1961—No. 83.

Parliamentary Salaries and Superannuation Act 1968—No. 85.

Police Regulation Act 1958—No. 94.

Public Service Act 1974—Nos. 96, 97; PSD No. 22.

Supreme Court Act 1958—Nos. 89, 90, 98, 99.

Veterinary Surgeons Act 1958—No. 82.

Town and Country Planning Act 1961:

Bulla—Shire of Bulla Planning Scheme 1959, Amendment No. 89 (1982).

Geelong Regional Planning Scheme, Amendment Nos. 66, 69 (two papers).

Melbourne Metropolitan Planning Scheme, Amendment Nos. 172 (Part 2A), 185 (Part 2B), 186 (Part 2), 189, 190 (Part 1) (five papers).

Mildura—City of Mildura Planning Scheme, Amendment No. 50 (1982).

Mornington—Shire of Mornington Planning Scheme 1959, Amendment No. 152.

Pakenham—Shire of Pakenham Planning Scheme (Part 1), Amendment Nos. 4, 10 (two papers).

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Rural Areas), Amendment Nos. 11, 11A (two papers).

- South Gippsland—Shire of South Gippsland Planning Scheme, Amendment No. 46 (1980).
- Tallangatta—Shire of Tallangatta Planning Scheme 1956, Amendment No. 6.
- Woorayl—Shire of Woorayl Planning Scheme, Amendment No. 56.
- Victorian Dairy Industry Authority—Report for the year 1981–82.
- 9 MINISTERIAL STATEMENT—CASINOS BOARD OF INQUIRY—Mr Cain made a Ministerial Statement concerning the Board of Inquiry into Casinos in Victoria.
- Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement and the Report (*Mr Cain*)—and, after debate—
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.
- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Public Authorities (Contributions) (Amendment) Bill (including the amendment made by the Assembly which was suggested by the Council as modified by the Assembly) without amendment.
- 11 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Hospital Benefits (Levy) (Amendment) Bill (including the amendments made by the Assembly which were suggested by the Council) without amendment.
- 12 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 101)—ASSENT TO BILLS—Informing the Assembly that he had, on 10 May instant, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Community Welfare Services (Amendment) Bill.
 - Lotteries Gaming and Betting (Administration) Bill.
 - Prisoners (Interstate Transfer) Bill.
 - Decentralized Industry Incentive Payments (Amendment) Bill.
 - Film Victoria (Amendment) Bill.
 - Limitation of Actions (Personal Injury Claims) Bill.
 - Business Franchise Acts (Amendment) Bill.
 - Motor Boating (Amendment) Bill.
 - Public Authorities (Contributions) (Amendment) Bill.
- 13 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 102)—ASSENT TO BILLS—Informing the Assembly that he had, on 17 May instant, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Hospital Benefits (Levy) (Amendment) Bill.
 - Health (Radiation Safety) Bill.
 - Historic Buildings (Amendment) Bill.
- 14 SALINITY COMMITTEE—Motion made, by leave, and question—That Mr Ramsay be appointed a member of the Salinity Committee (*Mr Fordham*)—put and agreed to.
- 15 HOUSE COMMITTEE—Motion made, by leave, and question—That Mrs Patrick be appointed a member of the House Committee (*Mr Fordham*)—put and agreed to.
- 16 GRIEVANCE DEBATE LIMITATION—Motion made, by leave, and question—That Standing Order No. 59 be suspended for Thursday next so far as to allow debate under that Standing Order to be limited and that Mr Speaker do put the question—“That grievances be noted” at 1 p.m. on that day (*Mr Fordham*)—put, after debate, and agreed to.

- 17 STAMPS (AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill “to vary and extend the Exemptions from Stamp Duty, to remove anomalies in Stamp Duty and to make additional provisions with respect to certain interests in and dealings relating to Marketable Securities and for those purposes to amend the ‘Stamps Act 1958’ and the ‘Motor Car (Mass and Dimension Limits) Act 1981’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 VACANCY IN MEMBERSHIP OF THE VICTORIAN INSTITUTE OF SECONDARY EDUCATION—Mr Speaker announced that he had received the following communication:

23 May 1983

Dear Mr Speaker,

Section 5 of the *Victorian Institute of Secondary Education Act 1976* provides that three members of the Council of the Institute shall be members of the Parliament of Victoria who have been recommended for appointment by a joint sitting of members of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by the members present at the sitting.

A vacancy has arisen on the Council of the Institute caused by the resignation of John Ingles Richardson, Esq., M.P., who was serving a term of office ending on 10 January 1985.

I should be grateful if you could arrange for a joint sitting of the members of the Legislative Council and the Legislative Assembly to recommend a member for appointment to the Council of the Victorian Institute of Secondary Education for the remainder of this term of office.

I have addressed a similar letter to the President of the Legislative Council.

Yours sincerely,

ROBERT C. FORDHAM, M.P.
Minister of Education

Motion made and question—That this House meets the Legislative Council for the purpose of sitting and voting together to choose a Member of the Parliament of Victoria to be recommended for appointment to the Council of the Victorian Institute of Secondary Education, and proposes that the place and time of such meeting be the Legislative Assembly Chamber tomorrow at twenty minutes past Six o'clock (*Mr Fordham*)—put and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.

- 19 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (NOS. 103, 104, 105, 106, 107, 108 AND 109)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Management and Budget Bill.
 - Liquor Control Bill.
 - State Film Centre of Victoria Council Bill.
 - Road Traffic (Amendment) Bill (No. 2).
 - Railways (Amendment) Bill (No. 2).
 - Transport Bill.
 - Racing (Amendment) Bill.

- 20 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 110)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Supporting Parents Concession Bill.
- 21 SUPPORTING PARENTS CONCESSION BILL—Mrs Toner, pursuant to Standing Order No. 169, obtained leave, with Mr Wilkes, to bring in a Bill “to amend the ‘Motor Car Act 1958’ and the ‘Municipalities Assistance Act 1973’ with respect to Concessions to be made to Supporting Parents within the meaning of the ‘Social Security Act 1947’ of the Commonwealth”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 111)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Public Account (Advances) Bill.
- 23 PUBLIC ACCOUNT (ADVANCES) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “to amend Section 4 of the ‘Public Account Act 1958’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 24 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 112)—Mr Speaker announced the presentation of a Message from his Excellency the Governor recommending an appropriation for the purposes of the Superannuation (Fund Contributions) Bill.
- 25 SUPERANNUATION (FUND CONTRIBUTIONS) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “to amend Section 32A of the ‘Superannuation Act 1958’ and Section 8C of the ‘Pensions Supplementation Act 1966’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 26 ADMINISTRATIVE ARRANGEMENTS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 31 May instant.
- 27 STATE INSURANCE OFFICE (EXTENSION OF FRANCHISE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Motion made and question proposed—That the debate be adjourned until Thursday, 2 June next (*Mr Jolly*)—and, after debate—
Motion made and question—That the question be now put (*Mr Fordham*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 2 June next.
- 28 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 113)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Grain Elevators (Amendment) Bill.
- 29 GRAIN ELEVATORS (AMENDMENT) BILL—Mr Wilkes, pursuant to Standing Order No. 169, obtained leave, with Mr Jolly, to bring in a Bill “to increase the borrowing powers of the Grain Elevators Board and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 30 MINES (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.

Motion made and question proposed—That the debate be adjourned until Wednesday, 1 June next (*Mr Mathews*)— and, after debate—

Motion made and question—That the question be now put (*Mr Fordham*)—put and agreed to.

Question—accordingly put.

The House divided.

AYES, 40

Mr Cain	Mrs Hill	Mr Remington	Mr Simpson
Mr Cathie	Mr Hill	Mr Roper	Mr Stirling
Dr Coghill	Mr Hockley	Mr Rowe	Mrs Toner
Mr Crabb	Mr Jolly	Mr Seitz	Mr Trezise
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilton
Mr Fordham	Mr Mathews	Mr Sheehan	
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Harrowfield	Mr Pope	Mr Shell	Mr Kennedy
Mr Hassett	Mrs Ray	Mr Sidiropoulos	Mr Norris

NOES, 29

Mr Austin	Mr Evans	Mr Maclellan	Mr Steggall
Mr Brown	(<i>Gippsland East</i>)	Mrs Patrick	Mr Templeton
Mr Burgin	Mr Hann	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Dickinson	Mr Jona	Mr Richardson	Mr Williams
Mr Ebery	Mr Kempton	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Saltmarsh	Mr Leigh
(<i>Ballarat North</i>)	Mr McKellar	Mrs Sibree	Mr McNamara

And so it was resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday, 1 June next.

- 31 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to meet with the Assembly for the purpose of sitting and voting together to recommend a Member of the Parliament of Victoria for appointment to the Council of the Victorian Institute of Secondary Education and, as proposed by the Assembly, concur with the place and time of such meeting.

- 32 TOWN AND COUNTRY PLANNING (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).

Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 31 May instant.

- 33 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 5 be postponed until later this day.

- 34 WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.

- 35 MANAGEMENT AND BUDGET BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 36 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 8 to 15 inclusive be postponed until later this day.
- 37 RAILWAYS (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 38 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Constitution (Electoral Provinces and Districts) Bill without amendment.
- 39 FIREARMS (AMENDMENT) BILL—Order read for resuming debate on 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 the words “this Bill be withdrawn and redrafted to—(a) provide the necessary resources and expertise for the adequate education and training of applicants and holders of shooters’ licences in order to promote the safe and responsible use of firearms; and (b) reflect the Government policy on firearms, as announced during the last State election campaign”; debate resumed.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to—

Debate resumed on question and amendment.

And the House having continued to sit till after Twelve of the clock—

WEDNESDAY, 25 MAY 1983

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

The House divided.

AYES, 54

Mr Cain	Mrs Hill	Mr Norris	Mr Spyker
Mr Cathie	Mr Hill	Mr Pope	Mr Steggall
Dr Coghill	Mr Hockley	Mrs Ray	Mr Stirling
Mr Crabb	Mr Ihlein	Mr Remington	Mrs Toner
Mr Culpin	Mr Jasper	Mr Roper	Mr Trezise
Mr Ernst	Mr Jolly	Mr Ross-Edwards	Mr Walsh
Mr Evans	Mr Kennedy	Mr Rowe	Mr Whiting
(<i>Gippsland East</i>)	Mr Kirkwood	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr McCutcheon	Mrs Setches	Mr Wilton
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr McGrath	(<i>Ballarat South</i>)	
Mr Gray	Mr McNamara	Mr Shell	<i>Tellers</i>
Mr Hann	Mr Mathews	Mr Sidiropoulos	Mr Sheehan
Mr Harrowfield	Mr Micallef	Mr Simmonds	(<i>Ivanhoe</i>)
Mr Hassett	Mr Miller	Mr Simpson	Mr Wallace

NOES, 19

Mr Brown	Mr Kempton	Mr Ramsay	Mr Templeton
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr McKellar	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr Maclellan	Mr Saltmarsh	Mr Dickinson
Mr Jona	Mrs Patrick	Mrs Sibree	Mr Leigh

And so it was resolved in the affirmative.

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

AYES, 45

Mr Cain	Mrs Hill	Mr Pope	Mr Simpson
Mr Cathie	Mr Hill	Mrs Ray	Mr Spyker
Dr Coghill	Mr Hockley	Mr Remington	Mr Stirling
Mr Crabb	Mr Ihlein	Mr Roper	Mrs Toner
Mr Culpin	Mr Jolly	Mr Rowe	Mr Trezise
Mr Ernst	Mr Kennedy	Mr Seitz	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mrs Setches	Mr Walkes
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Gavin	Mr Mathews	(Ballarat South)	Tellers
Mr Gray	Mr Micallef	Mr Shell	Mr McCutcheon
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	Mr Sheehan
Mr Hassett	Mr Norris	Mr Simmonds	(Ivanhoe)

NOES, 28

Mr Brown	Mr Jona	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Kempton	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Williams
Mr Ebery	Mr McGrath	Mr Ross-Edwards	
Mr Evans	Mr McKellar	Mr Saltmarsh	
(Gippsland East)	Mr McNamara	Mrs Sibree	Tellers
Mr Hann	Mr Maclellan	Mr Steggall	Mr Dickinson
Mr Jasper	Mrs Patrick	Mr Templeton	Mr Leigh

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time, after debate.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

40 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Electoral Commission (Amendment) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

41 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

42 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at twenty-seven minutes past Three o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 70—Wednesday, 25 May 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 556 signatures (*by Mr Wilton*).
 - INDUSTRIAL RELATIONS ACT—Seeking that the proposed amendments to the Industrial Relations Act be enacted, bearing 25 signatures (*by Mr Kennedy*).
 - RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 280 signatures (*by Mr Williams*).
 - EQUAL OPPORTUNITY LEGISLATION—Seeking that the House not proceed with the proposed amendment to the Equal Opportunity Act to include discrimination on the basis of sexual preference until it has been proved conclusively that there is a need for the amendment, bearing 18 signatures (*by Mr McGrath*).
 - ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well being and not supportive of family life and at variance with God's law and purpose, bearing 34 signatures (*by Mr Templeton*).
 - GEMBROOK FOREST SHOOTING RANGE—Seeking that the House implement the recommendation of the Land Conservation Council providing for the allocation of a site in the Gembrook Forest area for a public shooting range, bearing 24 signatures (*by Mr Ebery*).
 - FIREARM REGISTRATION—Seeking that the House reject firearms registration legislation until representatives of shooting organizations have been consulted, bearing 819 signatures (*by Mr Ebery*).

Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Motor Car Traders Committee—Report for the year 1982.
 - Town and Country Planning Act 1961:
 - Ararat—City of Ararat Planning Scheme, Amendment No. 31.
 - Bass—Shire of Bass Planning Scheme, Amendment No. 8.
 - Beechworth—United Shire of Beechworth (Township of Beechworth) Planning Scheme, Amendment No. 1.
 - Cranbourne Planning Scheme 1960, Amendment No. 43 (1982).
 - Croydon—City of Croydon Planning Scheme 1961, Amendment Nos. 116 and 116A, (two papers).
 - Geelong Regional Planning Scheme, Amendment Nos. 49 (Part 2) (1982), 56 (Part 1) (1983), 56 (Part 2) (1983) (three papers).
 - Knox—City of Knox Planning Scheme 1965, Amendment No. 225A (1983).
 - Morwell—Shire of Morwell Planning Scheme, Amendment No. 18.
 - Seymour Planning Scheme, Amendment No. 70.
 - Shepparton—City of Shepparton Planning Scheme 1953, Amendment Nos. 57 (1981), 69 (1982) (two papers).
 - Warragul Planning Scheme 1954, Amendment Nos. 44 (1982), 46 (1982) (two papers).

- 5 USE OF LEGISLATIVE COUNCIL CHAMBER—Motion made, by leave, and question—That the Legislative Assembly acquaint the Legislative Council that due to a proposal to renovate the Legislative Assembly Chamber it is expected that the Chamber will not be available to them from 20 June until 7 September, 1983, and accordingly seek the co-operation of the Legislative Council in making available their Chamber as an alternative venue for the sittings of the Legislative Assembly during that period (*Mr Fordham*)—put, after debate, and agreed to.
- Ordered—That a Message be sent to the Legislative Council acquainting them of the said resolution and seeking their concurrence therein.
- 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNER (No. 114)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Mines (Amendment) Bill (No. 2).
- 7 POST-SECONDARY EDUCATION (AMENDMENT) BILL—Mr Fordham obtained leave, with Mr Cathie, to bring in a Bill “*to provide for the better development and Co-ordination of Technical and Further Education in Victoria, to establish a Technical and Further Education Board, to amend the ‘Post-Secondary Education Act 1978’ and other Acts, and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 STATE BOARD OF EDUCATION BILL—Mr Fordham obtained leave, with Mr Cathie, to bring in a Bill “*to establish a State Board of Education, and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 CROWN INTELLECTUAL PROPERTY (ASSIGNMENT) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “*to authorize the Treasurer of Victoria to assign certain copyright and trade marks, and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 MOTOR ACCIDENTS (APPLICATIONS) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “*to alter the period within which applications may be made for compensation under the ‘Motor Accidents Act 1973’, and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “*to make special Provision in relation to Long Service Leave for Persons employed in the Construction Industry, to re-enact with amendments the ‘Building Industry Long Service Leave Act 1975’, to repeal the ‘Construction Industry (Electrical and Metal Trades) Long Service Leave Act 1982’, to amend certain other Acts, and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 ANNUAL REPORTING BILL—Mr Jolly obtained leave, with Mr Crabb, to bring in a Bill “*to provide for the reporting to Parliament annually of Ministers in relation to Departments of the Public Service and of Public Bodies, and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 PARLIAMENTARY SALARIES AND SUPERANNUATION BILL—Mr Jolly obtained leave, with Mr Crabb, to bring in a Bill “*to amend Part II. of the ‘Parliamentary Salaries and Superannuation Act 1968’*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 LEGAL PROFESSION PRACTICE (SOLICITORS’ GUARANTEE FUND) BILL—Mr Cain obtained leave, with Mr Crabb, to bring in a Bill “*to amend section 53 of the ‘Legal Profession Practice Act 1958’ and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 15 ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—Mr Cain obtained leave, with Mr Cathie, to bring in a Bill “to provide for the payment of certain fees under the ‘Associations Incorporation Act 1981’, exempt from stamp duty certain instruments giving effect to the vesting of land in incorporated associations, for those purposes to amend the ‘Associations Incorporation Act 1981’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 EQUAL OPPORTUNITY BILL—Mr Cain obtained leave, with Mr Cathie, to bring in a Bill “to render unlawful certain Kinds of Discrimination, to promote Equality of Opportunity between persons of different status, to amend the ‘Companies (Consequential Amendments) Act 1981’, to repeal the ‘Equal Opportunity Act 1977’ and the ‘Equal Opportunity (Discrimination against Disabled Persons) Act 1982’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 NUDITY (PRESCRIBED AREAS) BILL—Mr Cain obtained leave, with Mr Crabb, to bring in a Bill “to permit nudity in certain public places”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 MEDICAL PRACTITIONERS (AMENDMENT) BILL—Mr Roper, pursuant to motion moved on his behalf by Mr Cain, obtained leave, with Mr Jolly, to bring in a Bill “to amend the ‘Medical Practitioners Act 1970’ generally”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 HOSPITALS AND CHARITIES (COMMITTEES OF MANAGEMENT) BILL—Mr Roper obtained leave, with Mr Crabb, to bring in a Bill “to amend the ‘Hospitals and Charities Act 1958, the ‘Health Act 1958’ and the ‘Cancer Act 1958’ to facilitate employee representation on hospital committees of management, to provide for a retirement age of 72 years for members of those committees, to make provision relating to the disclosure of information by specified persons, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 MENTAL HEALTH (AMENDMENT) BILL—Mr Roper obtained leave, with Mr Simpson, to bring in a Bill “to amend the ‘Mental Health Act 1959’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 21 POLICE REGULATION (AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Simpson, to bring in a Bill “to amend the ‘Police Regulation Act 1958’ ”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 MOTOR CAR (PENALTIES) BILL (No. 2)—Mr Mathews obtained leave, with Mr Crabb, to bring in a Bill “to enable the Admission in certain Proceedings of Evidence of the recording of Demerit Points, to increase the Number of Demerit Points to be recorded in relation to certain Speeding Offences and to remove Doubt as to Penalties for certain other Offences, and for those Purposes to amend the ‘Motor Car Act 1958’ and the ‘Motor Car (Penalties) Act 1982’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 23 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL (No. 2)—Mr Wilkes, pursuant to motion moved on his behalf by Mr. Fordham, obtained leave, with Mr Mathews, to bring in a Bill “to amend the ‘Local Authorities Superannuation Act 1958’ to enable it to remain consistent with other superannuation schemes and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 24 COMMUNITY WELFARE SERVICES (ATTENDANCE CENTRE PERMITS) BILL—Mrs Toner, pursuant to motion moved on her behalf by Mr. Fordham, obtained leave, with Mr Simpson, to bring in a Bill “to empower the Director-General of Community Welfare Services to permit an Offender undergoing a Term of Imprisonment in default of Payment of a Fine to serve the Term by way of Attendance at an Attendance Centre,

to amend the 'Community Welfare Services Act 1970', the 'Penalties and Sentences Act 1981', and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 25 ALPINE RESORTS BILL—Mr Cathie obtained leave, with Mr Crabb, to bring in a Bill "to make Provision for the Establishment of an Alpine Resorts Commission, to make Provision with respect to the Powers, Duties and Functions of that Commission and the Development, Management and Improvement of Alpine Resorts, to amend the 'Forests Act 1958', the 'Local Government Act 1958', the 'Road Traffic Act 1958', to repeal the 'Mount Hotham Alpine Resort Act 1972' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 26 CONSUMER AFFAIRS COMMITTEE BILL—Mr Spyker obtained leave, with Mr Simpson, to bring in a Bill "to amend the 'Consumer Affairs Act 1972' so as to abolish the Consumer Affairs Council and establish the Consumer Affairs Committee, and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 27 BEER PRICES REGULATION (TEMPORARY PROVISIONS) BILL—Mr Spyker obtained leave, with Mr Simpson, to bring in a Bill "to make temporary Provision for the Regulation of the Prices at which Beer may be sold by Breweries and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 28 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1 be postponed until later this day.
- 29 CONSTITUTION (DURATION OF PARLIAMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee. Committee reported progress; to sit again later this day.
- 30 LIQUOR CONTROL BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Motion made and question —That the question be now put (*Mr Fordham*)—put and agreed to.
Question—accordingly put.
The House divided.

AYES, 65

Mr Austin	Mr Harrowfield	Mr Norris	Mr Sidiropoulos
Mr Brown	Mr Hassett	Mrs Patrick	Mr Simmonds
Mr Burgin	Mrs Hill	Mr Pope	Mr Simpson
Mr Cain	Mr Hill	Mr Ramsay	Mr Spyker
Miss Callister	Mr Hockley	Mrs Ray	Mr Stirling
Mr Cathie	Mr Ihlein	Mr Remington	Mr Templeton
Dr Coghill	Mr Jolly	Mr Reynolds	Mrs Toner
Mr Crabb	Mr Jona	Mr Richardson	Mr Trezise
Mr Culpin	Mr Kennedy	Mr Roper	Mr Walsh
Mr Dickinson	Mr Kennett	Mr Rowe	Mr Wilkes
Mr Ebery	Mr Kirkwood	Mr Saltmarsh	Mr Williams
Mr Ernst	Mr Leigh	Mr Seitz	Mr Wilton
Mr Evans	Mr Lieberman	Mrs Setches	
(Ballarat North)	Mr McCutcheon	Mr Sheehan	
Mr Fogarty	Mr McKellar	(Ivanhoe)	
Mr Fordham	Mr Maclellan	Mr Sheehan	Tellers
Mr Gavin	Mr Mathews	(Ballarat South)	Mr Delzoppo
Mr Gray	Mr Miller	Mr Shell	Mr McDonald

NOES, 8

Mr Evans
(*Gippsland East*)

Mr Hann
Mr Jasper

Mr Ross-Edwards
Mr Steggall
Mr Whiting

Tellers
Mr McGrath
Mr Wallace

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Further considered in Committee.

And having continued to sit until after Twelve of the clock—

THURSDAY, 26 MAY 1983

Bill reported with amendments; as amended, considered, and amendments agreed to; read a third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 31 VACANCY IN MEMBERSHIP OF THE VICTORIAN INSTITUTE OF SECONDARY EDUCATION—
Mr Speaker reported that the House had, this day, met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to choose a Member of the Parliament of Victoria to be recommended for appointment to the Council of the Victorian Institute of Secondary Education and that The Honourable Walter Jona, M.P. has been duly chosen to be recommended for appointment.
- 32 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that the Legislative Council consents to the use by the Assembly of the Legislative Council Chamber from 20 June to 7 September 1983.
Motion made, by leave, and question—That the Legislative Assembly express their appreciation of the generous action of the Legislative Council in consenting to the use of the Legislative Council Chamber from 20 June to 7 September 1983 (*Mr Fordham*)—put and agreed to.
- 33 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Railways (Amendment) Bill (No. 2) without amendment.
- 34 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 35 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at thirty-one minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 71—Thursday, 26 May 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - INDUSTRIAL RELATIONS ACT—Seeking that the proposed amendments to the Industrial Relations Act be enacted, bearing 39 signatures (*by Mr Sidiropoulos*).
 - GEMBROOK FOREST SHOOTING RANGE—Seeking that the House implement the recommendation of the Land Conservation Council providing for the allocation of a site in the Gembrook Forest area for a public shooting range, bearing 20 signatures (*by Mrs Setches*).
 - FIREARM REGISTRATION—Seeking that the House reject firearm registration legislation until representatives of shooting organizations have been consulted, bearing 34 and 122 signatures, respectively (*by Mrs Setches and Mr Dickinson*).
 Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Industrial Relations Commission—Report of the President for the year ended 31 October 1982.
 - Statutory Rules under the following Acts:
 - Police Regulation Act 1958—No. 101.
 - Public Service Act 1974—Determination Nos. 23 to 30.
 - Warehousemen's Liens Act 1958—No. 103.
 - Youth, Sport and Recreation Department—Report for the year 1981–82—Ordered to be printed.
- 5 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Management and Budget Bill without amendment.
- 7 ELECTORAL COMMISSION (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 8 SUPPLY (1983–84, NO. 1) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Constitution (Council Powers) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 10 POSTPONEMENT OF ORDER OF THE DAY—That the consideration of Order of the Day, Government Business, No. 3 be postponed until later this day.
- 11 WORKS AND SERVICES (SUPPLY 1983–84) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Debate resumed on question—That this Bill be now read a second time.

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Industrial Relations (Amendment) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 13 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until tomorrow at half-past Ten o'clock (*Mr Fordham*)—put and agreed to.

- 14 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of the remaining Orders of the Day be postponed.

- 15 ADJOURNMENT—Resolved—That the House do now adjourn.

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

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 72—Friday, 27 May 1983

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 GRAIN ELEVATORS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 4 STAMPS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 5 PUBLIC ACCOUNT (ADVANCES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 6 SUPPORTING PARENTS CONCESSION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).

- Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday next.
- 7 MOTOR ACCIDENTS (APPLICATIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday next.
- 8 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 9 LEGAL PROFESSION PRACTICE (SOLICITORS' GUARANTEE FUND) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
 Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until Thursday next.
- 10 MEDICAL PRACTITIONERS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 11 POST-SECONDARY EDUCATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 12 CONSUMER AFFAIRS COMMITTEE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Spyker*).
 Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 13 BEER PRICES REGULATION (TEMPORARY PROVISIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Spyker*).
 Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 14 COMMUNITY WELFARE SERVICES (ATTENDANCE CENTRE PERMITS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
 Motion made and question—That the debate be now adjourned (*Mr Saltmarsh*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday next.
- 15 HOSPITALS AND CHARITIES (COMMITTEES OF MANAGEMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).

- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 16 STATE BOARD OF EDUCATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until Thursday next.
- 17 POLICE REGULATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday next.
- 18 ROAD TRAFFIC (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 GEELONG WATERWORKS AND SEWERAGE (BELLARINE WATER SUPPLY) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 MUSEUMS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 CROWN INTELLECTUAL PROPERTY (ASSIGNMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 22 ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 23 MENTAL HEALTH (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 24 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 22 be postponed until later this day.

- 25 MOTOR CAR (PENALTIES) BILL (No. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr. Crabb*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 26 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL (No. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 27 ANNUAL REPORTING BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 14 June next.
- 28 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 29 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at forty-four minutes past Four o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 73, 74 and 75

No. 73—Tuesday, 31 May 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - POKER MACHINES—Seeking that the Government will not legalize the operation of poker machines in Victoria, bearing 53 signatures (*by Mr Gavin*).
 - QUEEN ELIZABETH GERIATRIC CENTRE, BALLARAT—Seeking that the Government take appropriate steps to liaise with the Board of Management of the Queen Elizabeth Geriatric Centre to ensure that there is no reduction of services to the elderly and infirm of the Ballarat and Central Highlands Region, bearing 570 signatures (*by Mr Sheehan, Ballarat South*).
 - DUCK BAY NETTING—Seeking that the House legislate to prevent professional and amateur netting within the waters of Duck Bay by proclaiming it a restricted area, bearing 106 signatures (*by Mr Templeton*).
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 431, 383, 408 and 733 signatures respectively (*by Mr Sheehan, Ballarat South, Mr Shell, Mrs Setches and Mr Fogarty*).
 - RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 240 signatures (*by Mr Walsh*).
 - DALLA-SANTA COURT HEARING DELAY—Seeking that the House take action to ensure that the adjourned *sine die* court hearing in 1973 involving Mrs M. J. L. Dalla-santa go before the courts for judgment without further delay and that an immediate inquiry is conducted into the legal system in Victoria, bearing 72 signatures (*by Mr Whiting*).
 - WILTONA HOSTEL ACCOMMODATION—Seeking that the House support the Council of the City of Altona in opposing any residential use within 1000 metres of the petroleum refinery, bearing 2417 signatures (*by Mr Stirling*).

Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Country Fire Authority—Report for the year 1981–82.
 - Public Service Board—Report for the year 1981–82—Ordered to be printed.
 - River Murray Commission—Report for the year 1981–82.
 - Town and Country Planning Act 1961:
 - Melbourne Metropolitan Planning Scheme, Amendment No. 185 (Part 2A).

- 5 MINISTERIAL STATEMENT—TRUSTEES EXECUTORS AND AGENCY CO. LTD.—COMPANY INVESTIGATION—Mr Cain made a Ministerial Statement relating to the Company Investigation into the Trustees Executors and Agency Co. Ltd.
 Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cain*)—and, after debate—
 Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 115)—ASSENT TO BILLS—
 Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
 Railways (Amendment) Bill (No. 2).
 Constitution (Electoral Provinces and Districts) Bill.
 Management and Budget Bill.
 Electoral Commission (Amendment) Bill.
- 7 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (NOS. 116, 117, 118, 119 and 120)—
 Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
 Stamps (Amendment) Bill.
 Motor Accidents (Applications) Bill.
 Associations Incorporation (Amendment) Bill.
 State Board of Education Bill.
 Police Regulation (Amendment) Bill.
- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 121)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Transport Bill.
- 9 EQUAL OPPORTUNITY BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
 Motion made and question—That the debate be now adjourned (*Mrs Sibree*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 9 August next.
- 10 SUPERANNUATION (FUND CONTRIBUTIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
 Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 9 August next.
- 11 NUDITY (PRESCRIBED AREAS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 9 August next.
- 12 STATUTE LAW REVISION BILL—Read a second time, after debate, and, by leave, read the third time forthwith.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.

- 13 ALPINE RESORTS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 9 August next.
- 14 PAPER—Mr Cain presented, by command of His Excellency the Governor:
Drug Trafficking—Report of the Royal Commission.
- Ordered to lie on the Table.
- 15 MINISTERIAL STATEMENT—REPORT OF ROYAL COMMISSION INTO DRUG TRAFFICKING—Mr Cain made a Ministerial Statement relating to the Report of the Royal Commission into Drug Trafficking.
- Ordered, after debate—That the Ministerial Statement, together with the Report of the Royal Commission into Drug Trafficking, be taken into consideration tomorrow.
- 16 TRANSPORT BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.30 p.m.—
- Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
- Debate resumed on question—That this Bill be now read a second time.
- Bill read a second time and committed; considered in Committee.
- And having continued to sit till after Twelve of the clock—

WEDNESDAY, 1 JUNE 1983

Committee reported progress; to sit again tomorrow.

- 17 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Barley Marketing Act 1958’ and for other purposes*”.
- 18 BARLEY MARKETING (AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to revoke the Permanent Reservations of certain Lands and for Purposes connected therewith*”.
- 20 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (NO. 2)—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Estate Agents Act 1980’ with respect to the Constitution of the Estate Agents Board, the Qualifications for Persons applying for Estate Agents Licences and for other purposes*”.
- 22 ESTATE AGENTS (RECONSTITUTION) BILL—On the motion of Mr Jolly, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to a resolution discharging the Honourable K. I. M. Wright from attendance upon the Social Development Committee and notifying the Assembly that a vacancy accordingly exists in the membership of that Committee.
- 24 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Geelong Waterworks and Sewerage (Bellarine Water Supply) Bill without amendment.

- 25 SOCIAL DEVELOPMENT COMMITTEE—Motion made, by leave, and question—That Mr Steggall be appointed a member of the Social Development Committee (*Mr Fordham*)—put and agreed to.
- 26 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 27 ADJOURNMENT—Resolved—That the House do now adjourn.
- And then the House, at twenty-nine minutes past Two o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 74—Wednesday, 1 June 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- LOTTERY PROFITS—Seeking that the Government take action to ensure that profits of all lotteries accrue to the benefit of the people of Victoria, bearing 54 signatures (*by Mr Hockley*).
- HOTEL TRADING HOURS—Seeking that the House take appropriate action to immediately ensure that hotel bar trading hours are not extended in any way whatsoever and that consideration be given to implementing the recommendations in the 1977 report of the Senate Standing Committee on Social Welfare with regard to alcohol consumption, bearing 84 signatures (*by Mr Williams*).
- RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 258 signatures (*by Mr Sidiropoulos*).
- SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 53 signatures (*by Mrs Setches*).
- SCHOOL DENTAL SERVICES—Seeking that the House take action to revoke the announced changes to the School Dental Service, bearing 407 signatures (*by Mr Fogarty*).
- WORKERS COMPENSATION—Seeking that the State Government totally re-evaluate workers compensation and its effects on small business, bearing 9 signatures (*by Mr Saltmarsh*).
- Severally ordered to lie on the Table.
- 4 ECONOMIC AND BUDGET REVIEW COMMITTEE—Mr Rowe, Chairman, brought up a Report from the Economic and Budget Review Committee upon a Review of the *Audit Act 1958*; together with Extracts from the Proceedings of the Committee, Appendices and Minutes of Evidence.
- Ordered to lie on the Table and the Report, Extracts and Appendices to be printed.

- 5 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Egg Industry Stabilization Act 1973—Report of the Poultry Farmer Licensing Committee for the year ending 28 February 1983.
- 6 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 122 and 123)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
Equal Opportunity Bill.
Alpine Resorts Bill.
- 7 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive be postponed until later this day.
- 8 TRANSPORT BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 ADMINISTRATIVE ARRANGEMENTS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again later this day.
- 10 BARLEY MARKETING (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*)—
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 14 June instant.
- 11 MINES (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time, after debate.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Country Fire Authority Act 1958’, the ‘Metropolitan Fire Brigades Act 1958’, the ‘Metropolitan Fire Brigades Superannuation Act 1976’ and Section 12 of the ‘Summary Offences Act 1966.’*”
- 13 FIRE AUTHORITIES BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 14 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Road Traffic (Amendment) Bill (No. 2) without amendment.
- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Pipelines Act 1967’ and for other purposes*”.
- 16 PIPELINES (AMENDMENT) BILL (NO. 2)—On the motion of Mr Mathews, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 17 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Museums Bill with an amendment.

And the said amendment was read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendment.

- 18 RACING (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Debate resumed on question—That this Bill be now read a second time.

Bill read a second time and committed.

And having continued to sit till after Twelve of the clock—

THURSDAY, 2 JUNE 1983

Considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Works and Services (Supply 1983–84) Bill without amendment.

- 20 ADOPTION LEGISLATION REVIEW COMMITTEE—Motion made, by leave, and question—That there be presented to this House a copy of the report of the Adoption Legislation Review Committee, March 1983 (*Mrs Toner*)—put and agreed to.

- 21 PAPER—Mrs Toner presented:

Adoption Legislation Review Committee Report, March 1983—Return to the foregoing Order.

Ordered to lie on the Table and to be printed.

- 22 MINISTERIAL STATEMENT—ADOPTION LEGISLATION REVIEW COMMITTEE REPORT—Mrs Toner made a Ministerial Statement relating to the Adoption Legislation Review Committee Report.

Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement and the Report (*Mrs Toner*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Jasper*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until tomorrow.

- 23 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 24 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at twenty-one minutes past Two o'clock in the morning, adjourned until later this day.

No. 75—Thursday, 2 June 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

WILTONA HOSTEL ACCOMMODATION—Seeking that the House take action to ensure that the Government proposal to use the Wiltona Migrant Hostel in Williamstown for the purpose of providing accommodation for prisoners is not implemented, bearing 1409 signatures (*by Mr Stirling*).

Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Town and Country Planning Act 1961—

 - Ballarat—Shire of Ballarat Planning Scheme, Amendment No. 14.
 - Buninyong—Shire of Buninyong Planning Scheme, Amendment No. 9.
 - Cobram—Shire of Cobram Planning Scheme 1979, Amendment No. 5.
 - Hastings—Shire of Hastings Planning Scheme, Amendment No. 14.
 - Horsham—City of Horsham Planning Scheme, Amendment No. 73 (1982).
 - Lillydale—Shire of Lillydale Planning Scheme 1958, Amendment No. 157.
 - Sebastopol—Borough of Sebastopol Planning Scheme, Amendment No. 25.
 - Seymour Planning Scheme, Amendment No. 69.
 - Shepparton—City of Shepparton Planning Scheme 1953, Amendment No. 65 (1982).
 - Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas), Amendment No. 4A (1983).
- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Firearms (Amendment) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 6 ANZ EXECUTORS & TRUSTEE COMPANY BILL—Mr Cain, by leave, obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Trustee Companies Act 1958', to provide for the transfer to a wholly owned subsidiary of Australia and New Zealand Banking Group Limited of the trust business of The Trustees Executors & Agency Company Limited and for other purposes*", and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 124)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Construction Industry Long Service Leave Bill.
- 8 HOSPITALS SUPERANNUATION (AMENDMENT) BILL (NO. 2)—Mr Jolly obtained leave, with Mr Roper, to bring in a Bill "*to amend the 'Hospitals Superannuation Act 1965', and for other purposes*", and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 STATE EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'State Employees Retirement Benefits Act 1979' and for other purposes*", and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 PUBLIC AUTHORITIES—RETURN ON ASSETS—Motion made, by leave, and question proposed—That the principle of public authorities being required to earn a target real rate of return on their assets and the mechanism by which such rates of return should be calculated, be referred to the Economic and Budget Review Committee for inquiry, consideration and report to the Parliament by 9 August 1983 (*Mr Ramsay*)—and, after debate—
General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.
- 11 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 14 June instant.
- 12 ANZ EXECUTORS & TRUSTEE COMPANY BILL—Motion made and question proposed—
That this Bill be now read a second time (*Mr Cain*).
Mr Speaker ruled Bill a Private Bill.
Motion made and question—That this Bill be dealt with as a Public Bill (*Mr Cain*)—
put and agreed to.
Mr Speaker having advised that the sum required pursuant to Standing Order No. 168 had been paid into the Treasury—
Debate resumed on question—That this Bill be now read a second time.
Bill read a second time and, by leave, read the third time forthwith, after debate.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Supply (1983–84, No. 1) Bill without amendment.
- 14 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 125)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the St. Andrew's Hospital (Guarantee) (Amendment) Bill.
- 15 ST. ANDREW'S HOSPITAL (GUARANTEE) (AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill "to amend the 'St. Andrew's Hospital (Guarantee) (Amendment) Act 1978', to make provision with respect to an Increase in the Sum guaranteed and for other purposes", and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 16 ESTATE AGENTS (RECONSTITUTION) BILL—Motion made and question proposed—
That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 14 June instant.
- 17 FIRE AUTHORITIES BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 14 June instant.

- 18 PIPELINES (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 14 June instant.
- 19 INDUSTRIAL RELATIONS (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 20 ADMINISTRATIVE ARRANGEMENTS BILL—Further considered in Committee and reported without amendment; read the third time, after debate.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 POSTPONEMENT OF ORDER OF THE DAY—That the consideration of Order of the Day, Government Business, No. 7 be postponed until later this day.
- 22 GRAIN ELEVATORS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 STAMPS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 24 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the ANZ Executors & Trustee Company Bill without amendment.
- 25 PUBLIC ACCOUNT (ADVANCES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 26 MOTOR ACCIDENTS (APPLICATIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 27 LEGAL PROFESSION PRACTICE (SOLICITORS' GUARANTEE FUND) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 28 COMMUNITY WELFARE SERVICES (ATTENDANCE CENTRE PERMITS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 29 POLICE REGULATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 30 CONSTITUTION (DURATION OF PARLIAMENT) BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.

Motion made and question—That this Bill be now read a third time (*Mr Simpson*)—after debate, put.

The House divided.

AYES, 44

Mr Cain	Mr Hassett	Mr Norris	Mr Simpson
Miss Callister	Mrs Hill	Mr Pope	Mr Spyker
Mr Cathie	Mr Hockley	Mrs Ray	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Rowe	Mrs Toner
Mr Crabb	Mr Jolly	Mrs Setches	Mr Trezise
Mr Culpin	Mr Kennedy	Mr Sheehan	Mr Walsh
Mr Ernst	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McDonald	(<i>Ballarat South</i>)	
Mr Gavin	Mr Mathews	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Sidiropoulos	Mr Micallef
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Seitz

NOES, 23

Mr Austin	Mr Evans	Mr McKellar	Mr Ross-Edwards
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Saltmarsh
Mr Burgin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Delzoppo	Mr Jasper	Mr Ramsay	Mr Williams
Mr Dickinson	Mr Kempton	Mr Reynolds	<i>Tellers</i>
Mr Ebery	Mr Lieberman	Mr Richardson	Mr Leigh
			Mr Steggall

And so it was resolved in the affirmative—Bill read the third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 31 STATE INSURANCE OFFICE (EXTENSION OF FRANCHISE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Debate resumed on question—That this Bill be now read a second time.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted to make provision for the separation of the functions of the Insurance Commissioner in relation to the approval of the Workers Compensation Insurers, the Premiums Committee and Compulsory Third Party Insurance from his responsibilities in relation to the State Insurance Office” (*Mr Ramsay*)—and, after debate—

And the House having continued to sit till after Twelve of the clock—

FRIDAY, 3 JUNE 1983

Debate continued on question and amendment.

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

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 32 ST. ANDREW'S HOSPITAL (GUARANTEE) (AMENDMENT) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 33 SUPPORTING PARENTS CONCESSION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 34 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until Tuesday, 14 June next (*Mr Fordham*)—put and agreed to.

- 35 POSTPONEMENT OF REMAINING BUSINESS—Ordered—That the consideration of the remaining business be postponed.

- 36 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-five minutes past One o'clock in the morning, adjourned until Tuesday, 14 June next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 76, 77 and 78

No. 76—Tuesday, 14 June 1983

- 1 The House met pursuant to adjournment—Mr Speaker took the chair and read the Prayer.
- 2 QUESTIONS (Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - WODONGA HOSPITAL—Seeking that the Government re-instate the planning and construction of the new Wodonga Hospital, bearing 11 377 signatures (*by Mr Lieberman*).
 - EQUAL OPPORTUNITY LEGISLATION—Seeking that the House not proceed with the proposed amendment to the Equal Opportunity Act to include discrimination on the basis of sexual preference until it has been proved conclusively that there is a need for the amendment, bearing 18 signatures (*by Mr McDonald*).
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 286 signatures (*by Mrs Hill*).
 - RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 209 signatures (*by Mr Culpin*).
 - PROBATION SERVICES—Seeking that the Minister for Community Welfare Services rescind her decision of 12 February 1983 that the existing arrangements between the Department of Community Welfare Services and the Probation Officers Association of Victoria for the management of the probation service will cease to operate from 30 June 1983, bearing 147 signatures (*by Mr Sheehan, Ivanhoe*).
 - DALLA-SANTA COURT HEARING DELAY—Seeking that the House take action to ensure that the adjourned *sine die* court hearing in 1973 involving Mrs M. J. L. Dalla-santa go before the courts for judgement without further delay and that an immediate inquiry is conducted into the legal system in Victoria, bearing 337 signatures (*by Mr Sheehan, Ivanhoe*).
 - ANTI-DISCRIMINATION LEGISLATION—Seeking that the House reject anti-discrimination legislation that is contrary to the well being and not supportive of family life and at variance with God's law and purpose, bearing 23 signatures, (*by Mr McGrath*).

Severally ordered to lie on the Table.
- 4 PAPERS—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 ended 31 December 1982.
 - Groundwater Act 1969—Groundwater Investigation Program Report for the year ended 1982.
 - Library Council of Victoria—Report for the year 1980–81.
 - Medical Board of Victoria—Report for the year 1981–82.
 - Monash University—Report of the Council for the year 1981; together with Statutes approved by the Governor in Council during the year 1981.

Planning—Report of the Department of Planning for the year 1981–82—Ordered to be printed.

Port of Geelong Authority—Statement of accounts for the year 1982.

Town and Country Planning Act 1961—

Croydon—City of Croydon Planning Scheme 1961, Amendment No. 122.

Geelong Regional Planning Scheme, Amendment No. 42 (Part B).

Hastings—Shire of Hastings Planning Scheme (Chapter One), Amendment No. 6 (Part 1).

Melbourne Metropolitan Planning Scheme, Amendment No. 118 (Part 1).

Moe—City of Moe Planning Scheme 1966, Amendment No. 64 (Part 3).

Phillip Island Planning Scheme, Amendment No. 15.

Seymour Planning Scheme, Amendment Nos. 68, 72, 75 (three papers).

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas), Amendment No. 12.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme, Amendment No. 41.

Woorayl—Shire of Woorayl Planning Scheme, Amendment Nos. 57, 60, 61 (three papers).

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 126)—ASSENT TO BILLS—Informing the Assembly that he had, on 7 June instant, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
 - Water and Sewerage Authorities (Restructuring) Bill.
 - Geelong Waterworks and Sewerage (Bellarine Water Supply) Bill.
 - Road Traffic (Amendment) Bill (No. 2).
 - ANZ Executors & Trustee Company Bill.
- 6 LEGISLATIVE ASSEMBLY RULES APPLICATION—Motion made, by leave, and question—That this House resolves that, during the sittings of the Legislative Assembly in the Legislative Council Chamber, the Standing Orders and practices relating to the meetings of the Legislative Assembly and to the conduct of persons be deemed to apply to the Legislative Council Chamber and to the sittings of the House therein (*Mr Fordham*)—put, after debate, and agreed to.
- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 127)—Mr Speaker announced the presentation of a Message from his Excellency the Governor recommending an appropriation for the purposes of the Post-Secondary Education (Amendment) Bill.
- 8 BEER PRICES REGULATION (TEMPORARY PROVISIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 5 inclusive be postponed until later this day.
- 10 CONSUMER AFFAIRS COMMITTEE BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 11 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 - Grain Elevators (Amendment) Bill.

Stamps (Amendment) Bill.
 Motor Accidents (Applications) Bill.
 Legal Profession Practice (Solicitors' Guarantee Fund) Bill.
 Community Welfare Services (Attendance Centre Permits) Bill.
 Police Regulation (Amendment) Bill.

- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Public Account (Advances) Bill and suggesting amendments.

Ordered—That the suggested amendments be printed and taken into consideration tomorrow.

- 13 STATE BOARD OF EDUCATION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 POST -SECONDARY EDUCATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Debate resumed on question—That this Bill be now read a second time.

Bill read a second time and committed; considered in Committee.

And having continued to sit till after Twelve of the clock—

WEDNESDAY, 15 JUNE 1983

Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

St. Andrew's Hospital (Guarantee) (Amendment) Bill.
 Supporting Parents Concession Bill.
 Consumer Affairs Committee Bill.

- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Transport Bill with amendments.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.

- 17 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 18 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at three minutes past Two o'clock in the morning, adjourned until later this day.

No. 77—Wednesday, 15 June 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - EQUAL OPPORTUNITY LEGISLATION—Seeking that the House not proceed with the proposed amendment to the Equal Opportunity Act to include discrimination on the basis of sexual preference until it has been proved conclusively that there is a need for the amendment, bearing 69 and 17 signatures respectively (*by Mr Reynolds and Mr McGrath*).
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 434 and 163 signatures respectively (*by Mr McGrath and Mr Harrowfield*).
 Severally ordered to lie on the Table.
- 4 PAPERS—Mr Speaker presented:
 - Auditor-General—Second Report on an overview of works contracts in relation to Government departments and Statutory authorities.
 Ordered to lie on the Table and to be printed.
 The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
 - Adult Parole Board—Report for the year 1981–82—Ordered to be printed.
- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 128)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
 - Industrial Relations (Amendment) Bill
 - Supply (1983–84, No. 1) Bill
 - Works and Services (Supply 1983–84) Bill
 - Statute Law Revision Bill
 - Museums Bill
- 6 DRUGS POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL—Mr Roper, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Crabb, to bring in a Bill "*to amend the 'Drugs Poisons and Controlled Substances Act 1981', the 'Bail Act 1977' and the 'Vagrancy Act 1966' to make further Provision with respect to Offences involving Drugs of Dependence and other Matters*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 LATROBE REGIONAL COMMISSION BILL—Mr Cathie obtained leave, with Mr Wilkes, to bring in a Bill "*to make Provision with respect to the Planning and Development of the Latrobe Region, to establish the Latrobe Regional Commission and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 FISHERIES (AMENDMENT) BILL—Mr Cathie obtained leave, with Mr Wilkes, to bring in a Bill "*to amend the 'Fisheries Act 1968' to provide for the Payment of Moneys into the Victorian Fishing Industry Trust Fund, the Payment of a Surcharge on Licences issued under that Act and for the Issue of Fish Traders' Licences and to amend Section 72 of the said Act*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 LOCAL GOVERNMENT (QUALIFICATION OF COUNCILLORS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 9 August next.
- 10 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 11 MENTAL HEALTH (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 HOSPITALS AND CHARITIES (COMMITTEES OF MANAGEMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments and an amended long title, which title is as follows:
“A Bill to amend the ‘Hospitals and Charities Act 1958’, the ‘Health Act 1958’ and the ‘Cancer Act 1958’ to facilitate employee representation on hospital committees of management, to provide for a retirement age of 72 years for members of those committees, to make provision relating to the disclosure of information by specified persons, and for other purposes.”
Bill as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Administrative Arrangements Bill without amendment.
- 14 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the State Board of Education Bill with an amendment.
Ordered—That the said amendment be printed and taken into consideration later this day.
- 15 PUBLIC ACCOUNT (ADVANCES) BILL—Order read for the consideration of the amendments suggested by the Legislative Council.
On the motion of Mr Wilkes—Suggested Amendment No. 1 made.
—Suggested Amendment No. 2 made with modifications.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 16 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 6 be postponed until later this day.
- 17 FIREARMS (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time.
On the motion of Mr Wilkes and, after debate—Amendment No. 1 agreed to.

Motion made and question proposed—That this House do agree to Amendment No. 2 and that consequential amendments be made in the Bill (*Mr Wilkes*)—and, after debate—

Motion made, by leave, and question—That the debate be now adjourned (*Mr Mathews*)—put and agreed to.

Ordered—That further consideration of the amendments made by the Legislative Council in this Bill be adjourned until later this day.

- 18 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 8, be postponed until later this day.

- 19 HISTORIC BUILDINGS (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 20 FIREARMS (AMENDMENT) BILL—Order read for the further consideration of the amendments made by the Legislative Council.

Debate resumed on question—That this House do agree to Amendment No. 2 and that consequential amendments be made in the Bill.

Amendment No. 2 agreed to and consequential amendments made in Bill.

On the motion of Mr Mathews—

Amendment Nos. 3 to 7 agreed to.

Amendment No. 8 agreed to and consequential amendments made in Bill.

Amendment Nos. 9 to 13 inclusive agreed to, after debate.

Amendment No. 14 disagreed with.

Amendment No. 15 agreed to.

Amendment No. 16 agreed to and consequential amendment made in Bill.

Amendment No. 17 agreed to.

Amendment No. 18 agreed to and consequential amendments made in Bill.

Amendment Nos. 19 to 23 inclusive agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 21 ESTATE AGENTS (RECONSTITUTION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed.

Ordered—That the Bill be considered in Committee later this day.

Motion made, by leave, and question—That it be an instruction to the Committee that it have power to consider a new clause to vary the requirements determining eligibility to apply for the issue of an estate agent's licence (*Mr McNamara*)—put and agreed to.

Bill considered in Committee and reported without amendment; read the third time.

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

- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Mental Health (Amendment) Bill without amendment.

- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Mines (Amendment) Bill (No. 2) with amendments.

Ordered—That the said amendments be printed and taken into consideration later this day.

- 24 MEDICAL PRACTITIONERS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until the Government consults with the Australian Medical Association, the Medical Board, the Health Commission, State and Commonwealth Ministers for Ethnic Affairs and Health and other interested organizations with the view to publishing reports on conditional medical registrations which would outline the implications of such registrations and which would seek uniformity throughout Australia” (*Mr Lieberman*)—and, after debate—

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

The House divided.

AYES, 41

Mr Cain	Mr Hassett	Mr Pope	Mr Spyker
Miss Callister	Mrs Hill	Mrs Ray	Mr Stirling
Mr Cathie	Mr Hill	Mr Roper	Mrs Toner
Dr Coghill	Mr Hockley	Mr Seitz	Mr Trezise
Mr Crabb	Mr Ihlein	Mrs Setches	Mr Walsh
Mr Culpin	Mr Kennedy	Mr Sheehan	Mr Wilkes
Mr Ernst	Mr Kirkwood	(<i>Ballarat South</i>)	Mr Wilton
Mr Fogarty	Mr McCutcheon	Mr Shell	<i>Tellers</i>
Mr Fordham	Mr McDonald	Mr Sidiropoulos	Mr Newton
Mr Gray	Mr Mathews	Mr Simmonds	Mr Sheehan
Mr Harrowfield	Mr Micallef	Mr Simpson	(<i>Ivanhoe</i>)

NOES, 27

Mr Austin	Mr Hann	Mr Maclellan	Mr Whiting
Mr Burgin	Mr Jasper	Mrs Patrick	Mr Williams
Mr Delzoppo	Mr Jona	Mr Reynolds	
Mr Dickinson	Mr Kempton	Mr Richardson	
Mr Ebery	Mr Kennett	Mr Saltmarsh	
Mr Evans	Mr Lieberman	Mrs Sibree	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McGrath	Mr Templeton	Mr Leigh
Mr Evans	Mr McKellar	Mr Wallace	Mr Steggall
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Further considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 25 SITTING OF THE HOUSE—Motion made, by leave, and question—That the House, at its rising, adjourn until half-past One o'clock p.m., Mr Speaker to take the Chair at Two o'clock p.m. (*Mr Fordham*)—put and agreed to.
- 26 GRIEVANCE DEBATE LIMITATION—Motion made, by leave, and question—That Standing Order No. 59 be suspended so far as to provide that debate under that Standing Order be limited and that Mr Speaker do put the question “That grievances be noted” at half-past Four o'clock p.m. (*Mr Fordham*)—put and agreed to.

- 27 **POSTPONEMENT OF REMAINING BUSINESS**—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 28 **ADJOURNMENT**—Resolved, after debate—That the House do now adjourn.
- And then the House, at twenty-nine minutes past Eleven o'clock adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 78—Thursday, 16 June 1983

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS**—(Pursuant to Standing Order No. 124).
- 3 **PETITIONS**—The Clerk announced that the following petitions had been lodged for presentation:
 - RETURNABLE DRINK CONTAINERS**—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 207 and 241 signatures, respectively (*by Miss Callister and Mr McCutcheon*).
 - CHIRNSIDE PARK BUILDING STANDARDS**—Seeking that the Government introduce regulations that will enable the Shire of Lillydale to control building designs of dwellings in the Chirnside Park area based upon acceptable community standards, bearing 231 signatures (*by Mr Hill*).

Severally ordered to lie on the Table.
- 4 **ECONOMIC AND BUDGET REVIEW COMMITTEE**—Mr Harrowfield brought up a Report from the Economic and Budget Review Committee upon Dry Docking and Repair Facilities in the Port of Melbourne; together with Extracts from the Proceedings of the Committee, Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report and Extracts from the Proceedings of the Committee to be printed.
- 5 **NATURAL RESOURCES AND ENVIRONMENT COMMITTEE**—Mr McDonald brought up a Report from the Natural Resources and Environment Committee upon Transmission Lines serving Melbourne; together with Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report to be printed.
- 6 **PAPER**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Albury-Wodonga (Victoria) Corporation—Report for the year 1981–82.
- 7 **PARLIAMENT HOUSE ACCOMMODATION**—Motion made, by leave, and question—That there be presented to this House a copy of the House Committee Report on the Design Brief and Accommodation Requirements of Parliament House (Volume 2) (*Mr Hann*)—put and agreed to.

- 8 PAPER—Mr Hann presented:
Parliament House Accommodation House Committee Report—Return to the foregoing Order.
Ordered to lie on the Table.
- 9 MESSAGES FROM THE LEGISLATIVE COUNCIL—
Not insisting on their amendment with which the Assembly have disagreed, and have agreed to the consequential amendments made by the Assembly in the Firearms (Amendment) Bill.
Agreeing to the Public Account (Advances) Bill (including amendments made by the Assembly which were suggested by the Council, as modified by the Assembly) without amendment.
- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Post-Secondary Education (Amendment) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 11 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Construction Industry Long Service Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Liquor Control Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL —Agreeing to the Beer Prices Regulations (Temporary Provisions) Bill without amendment.
- 14 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 15 POST-SECONDARY EDUCATION (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them the Legislative Assembly have agreed to the said amendments.
- 16 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 17 LIQUOR CONTROL BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time.
On the motion of Mr Cathie and, after debate—Amendment No. 1 agreed to.
Motion made and question—That Amendments Nos. 2 and 3 be disagreed with (*Mr Cathie*)—after debate, put.
The House divided.

AYES, 40

Mr Cain	Mr Hassett	Mr Newton	Mr Spyker
Miss Callister	Mrs Hill	Mr Pope	Mr Stirling
Mr Cathie	Mr Hill	Mr Roper	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Seitz	Mr Walsh
Mr Crabb	Mr Jolly	Mrs Setches	Mr Wilkes
Mr Culpin	Mr Kennedy	Mr Sheehan	Mr Wilton
Mr Ernst	Mr Kirkwood	(Ballarat South)	
Mr Fogarty	Mr McCutcheon	Mr Shell	
Mr Fordham	Mr McDonald	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr Mathews	Mr Simmonds	Mr Norris
Mr Harrowfield	Mr Micallef	Mr Simpson	Mrs Ray

NOES, 27

Mr Austin	Mr Hann	Mr McNamara	Mr Wallace
Mr Brown	Mr Jasper	Mr Maclellan	Mr Williams
Mr Burgin	Mr Jona	Mrs Patrick	
Mr Delzoppo	Mr Kempton	Mr Ramsay	
Mr Dickinson	Mr Kennett	Mr Reynolds	
Mr Ebery	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McGrath	Mrs Sibree	Mr Leigh
(Gippsland East)	Mr McKellar	Mr Templeton	Mr Steggall

And so it was resolved in the affirmative—Amendments Nos. 2 and 3 disagreed with.
On the motion of Mr Cathie—Amendments Nos. 4 and 5 agreed to.

Motion made and question—That Amendment No. 6 be disagreed with (*Mr Cathie*)—after debate, put.

The House divided.

AYES, 38

Mr Cain	Mr Hassett	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Roper	Mr Stirling
Dr Coghill	Mr Jolly	Mr Seitz	Mr Trezise
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr McCutcheon	(Ballarat South)	Mr Wilton
Mr Fordham	Mr McDonald	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Mathews	Mr Sidiropoulos	Mr Micallef
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Norris

NOES, 25

Mr Austin	Mr Hann	Mr McKellar	Mr Templeton
Mr Brown	Mr Jasper	Mr McNamara	Mr Wallace
Mr Delzoppo	Mr Jona	Mr Maclellan	Mr Williams
Mr Dickinson	Mr Kempton	Mrs Patrick	
Mr Ebery	Mr Kennett	Mr Ramsay	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Saltmarsh	Mr Leigh
(Gippsland East)	Mr McGrath	Mrs Sibree	Mr Steggall

And so it was resolved in the affirmative—Amendment No. 6 disagreed with.

On the motion of Mr Cathie—Amendments Nos. 7 to 9 inclusive agreed to.

Motion made and question—That Amendment No. 10 be disagreed with (*Mr Cathie*)—after debate, put.

The House divided.

AYES, 39

Mr Cain	Mrs Hill	Mr Pope	Mr Stirling
Miss Callister	Mr Hill	Mrs Ray	Mr Trezise
Mr Cathie	Mr Ihlein	Mr Roper	Mr Walsh
Dr Coghill	Mr Jolly	Mrs Setches	Mr Wilkes
Mr Culpin	Mr Kennedy	Mr Sheehan	Mr Wilton
Mr Ernst	Mr Kirkwood	(Ballarat South)	
Mr Fogarty	Mr McCutcheon	Mr Shell	
Mr Fordham	Mr McDonald	Mr Sidiropoulos	
Mr Gray	Mr Mathews	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Simpson	Mr Micallef
Mr Hassett	Mr Norris	Mr Spyker	Mr Seitz

NOES, 27

Mr Austin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Brown	Mr Jasper	Mrs Patrick	Mr Williams
Mr Burgin	Mr Kennett	Mr Ramsay	
Mr Delzoppo	Mr Leigh	Mr Reynolds	
Mr Dickinson	Mr Lieberman	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr McGrath	Mr Saltmarsh	Mr Kempton
Mr Evans	Mr McKellar	Mrs Sibree	Mr Wallace
(Gippsland East)	Mr McNamara	Mr Steggall	

And so it was resolved in the affirmative—Amendment No. 10 disagreed with.

On the motion of Mr Cathie—Amendments Nos. 11 and 12 agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Racing (Amendment) Bill with amendments.

And the said amendments were read a second time.

Motion made and question—That Amendment No. 1 be agreed to with an amendment (*Mr Trezise*)—after debate, put.

The House divided.

AYES, 46

Mr Cain	Mr Harrowfield	Mr Mathews	Mr Steggall
Miss Callister	Mr Hassett	Mr Newton	Mr Stirling
Mr Cathie	Mrs Hill	Mr Norris	Mr Trezise
Dr Coghill	Mr Hill	Mrs Ray	Mr Wallace
Mr Crabb	Mr Ihlein	Mr Roper	Mr Walsh
Mr Culpin	Mr Jasper	Mr Seitz	Mr Wilkes
Mr Ernst	Mr Jolly	Mrs Setches	Mr Wilton
Mr Evans	Mr Kennedy	Mr Sheehan	
(Gippsland East)	Mr Kirkwood	(Ballarat South)	
Mr Fogarty	Mr McCutcheon	Mr Shell	
Mr Fordham	Mr McDonald	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr McGrath	Mr Simmonds	Mr Micallef
Mr Hann	Mr McNamara	Mr Simpson	Mr Pope

NOES, 18

Mr Austin	Mr Kempton	Mr Reynolds	Mr Williams
Mr Brown	Mr Kennett	Mr Richardson	
Mr Burgin	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Delzoppo	Mr McKellar	Mrs Sibree	Mr Dickinson
Mr Ebery	Mr Ramsay	Mr Templeton	Mr Leigh

And so it was resolved in the affirmative—Amendment No. 1 agreed to with an amendment.

On the motion of Mr Trezise—Amendment No. 2 agreed to.

Motion made and question—That Amendment No. 3 be disagreed with (*Mr Trezise*)—after debate, put.

The House divided.

AYES, 45

Miss Callister	Mr Harrowfield	Mr McNamara	Mr Simmonds
Mr Cathie	Mr Hassett	Mr Mathews	Mr Simpson
Dr Coghill	Mrs Hill	Mr Newton	Mr Steggall
Mr Crabb	Mr Hill	Mr Norris	Mr Stirling
Mr Culpin	Mr Ihlein	Mr Pope	Mr Trezise
Mr Ernst	Mr Jasper	Mrs Ray	Mr Wallace
Mr Evans	Mr Jolly	Mr Roper	Mr Walsh
(<i>Gippsland East</i>)	Mr Kennedy	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McCutcheon	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr McDonald	Mr Shell	Mr Micallef
Mr Hann	Mr McGrath	Mr Sidiropoulos	Mr Seitz

NOES, 19

Mr Austin	Mr Kempton	Mr Ramsay	Mr Templeton
Mr Brown	Mr Kennett	Mr Reynolds	Mr Williams
Mr Burgin	Mr Lieberman	Mr Richardson	<i>Tellers</i>
Mr Delzoppo	Mr McKellar	Mr Saltmarsh	Mr Dickinson
Mr Ebery	Mr Maclellan	Mrs Sibree	Mr Leigh

And so it was resolved in the affirmative—Amendment No. 3 disagreed with.

Motion made and question—That the House disagree with Amendment No. 4 but make further amendments in the Bill (*Mr Trezise*)—after debate, put.

The House divided.

AYES, 47

Miss Callister	Mr Hassett	Mr Micallef	Mr Simmonds
Mr Cathie	Mrs Hill	Mr Norris	Mr Simpson
Dr Coghill	Mr Hill	Mr Pope	Mr Spyker
Mr Crabb	Mr Ihlein	Mrs Ray	Mr Steggall
Mr Culpin	Mr Jasper	Mr Roper	Mr Stirling
Mr Ernst	Mr Jolly	Mr Seitz	Mr Trezise
Mr Evans	Mr Kennedy	Mrs Setches	Mr Walsh
(<i>Gippsland East</i>)	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilton
Mr Fordham	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr McGrath	(<i>Ballarat South</i>)	Mr Newton
Mr Hann	Mr McNamara	Mr Shell	Mr Wallace
Mr Harrowfield	Mr Mathews	Mr Sidiropoulos	

NOES, 20

Mr Austin	Mr Jona	Mr Maclellan	Mrs Sibree
Mr Brown	Mr Kempton	Mr Ramsay	Mr Templeton
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Lieberman	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr McKellar	Mr Saltmarsh	Mr Dickinson
			Mr Leigh

An so it was resolved in the affirmative—Amendment No. 4 disagreed with but further amendments made in the Bill.

On the motion of Mr Trezise, and after debate—Amendment No. 5 agreed to with an amendment.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

19 PAPERS—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 statement of accounts for the year ended 31 October 1982.

Land Act 1958—Resumption of land in the County of Buln Buln for use as a police radio base—Certificate of Minister of Public Works.

Statutory Rules under the following Acts:

Estate Agents Act 1980—No. 108.

Farm Produce Merchants and Commission Agents Act 1965—No. 109.

Fruit and Vegetables Act 1958—No. 102.
 Health Act 1958—No. 107.
 Local Government Act 1958—No. 106.
 Melbourne and Metropolitan Board of Works Act 1958—No. 104.
 Motor Boating Act 1961—No. 105.
 Poisons Act 1962—No. 110.
 Public Service Act 1974—PSD Nos. 31 to 33.
 Water Act 1958—No. 100.

- 20 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Medical Practitioners (Amendment) Bill with amendments.
 Ordered—That the said amendments be printed and taken into consideration later this day.
- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Hospitals and Charities (Committees of Management) Bill with amendments.
 Ordered—That the said amendments be printed and taken into consideration later this day.
- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the State Insurance Office (Extension of Franchise) Bill with amendments.
 Ordered—That the said amendments be printed and taken into consideration later this day.
- 23 MINES (AMENDMENT) BILL (No. 2)—Order read for the consideration of the amendments made by the Legislative Council.
 And the said amendments were read a second time and, after debate, agreed to by the House.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 24 STATE BOARD OF EDUCATION BILL—Order read for the consideration of the amendment made by the Legislative Council.
 And the said amendment was read a second time and, after debate, agreed to by the House.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendment.
- 25 STATE INSURANCE OFFICE (EXTENSION OF FRANCHISE) BILL—Order read for the consideration of the amendments made by the Legislative Council.
 And the said amendments were read a second time and, after debate, agreed to by the House.
 Ordered—That the Bill be returned the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.
- 26 RURAL FINANCE AND SETTLEMENT COMMISSION (PENALTIES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 27 POSTPONEMENT OF ORDER OF THE DAY—That the consideration of Order of the Day, Government Business, No. 4 be postponed until later this day.
- 28 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (No. 2) —Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 29 MESSAGE FROM THE LEGISLATIVE COUNCIL—Insisting on some amendments disagreed with and not insisting on other amendments disagreed with in the Liquor Control Bill.

Ordered—That the Message be taken into consideration later this day.

- 30 TOWN AND COUNTRY PLANNING (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Debate resumed on question—That this Bill be now read a second time.

Bill read a second time and, by leave, read the third time forthwith.

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

- 31 MEDICAL PRACTITIONERS (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time.

On the motion of Mr Roper—Amendments Nos. 1 and 2 agreed to.

Motion made and question—That Amendment No. 3 be disagreed with (*Mr Roper*)—after debate, put.

The House divided.

AYES, 39

Miss Callister	Mrs Hill	Mrs Ray	Mr Stirling
Mr Cathie	Mr Hill	Mr Roper	Mr Trezise
Dr Coghill	Mr Jolly	Mr Seitz	Mr Walsh
Mr Crabb	Mr Kirkwood	Mrs Setches	Mr Wilkes
Mr Culpin	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Ernst	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Fogarty	Mr Mathews	Mr Shell	
Mr Fordham	Mr Micallef	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Simmonds	Mr Ihlein
Mr Harrowfield	Mr Norris	Mr Simpson	Mr Sheehan
Mr Hassett	Mr Pope	Mr Spyker	(<i>Ballarat South</i>)

NOES, 26

Mr Austin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Richardson	
Mr Dickinson	Mr Leigh	Mr Saltmarsh	<i>Tellers</i>
Mr Ebery	Mr Lieberman	Mrs Sibree	Mr Kempton
Mr Evans	Mr McKellar	Mr Steggall	Mr McNamara
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative—Amendment No. 3 disagreed with.

On the motion of Mr Roper and, after debate—Amendment No. 4 agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 32 FIRE AUTHORITIES BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

- 33 MESSAGE FROM THE LEGISLATIVE COUNCIL—Not insisting on amendments disagreed with and agreeing to amendments made by the Assembly in the Racing (Amendment) Bill.

- 34 BARLEY MARKETING (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 35 HOSPITALS AND CHARITIES (COMMITTEES OF MANAGEMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.

And the House having continued to sit till after Twelve of the clock—

FRIDAY, 17 JUNE 1983

- 36 MESSAGE FROM THE LEGISLATIVE COUNCIL—Insisting on the amendment disagreed with by the Assembly in the Medical Practitioners (Amendment) Bill.

Ordered—That the Message be taken into consideration later this day.

- 37 PIPELINES (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 38 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the amendments made by the Assembly in the Fire Authorities Bill.

- 39 NUCLEAR ACTIVITIES (PROHIBITIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 40 LIQUOR CONTROL BILL—Order read for the consideration of the Message from the Legislative Council insisting on amendments disagreed with by the Assembly.

On the motion of Mr Cathie and, after debate—Amendments Nos. 2 and 3 made and insisted on by the Council agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 41 MEDICAL PRACTITIONERS (AMENDMENT) BILL—Order read for the consideration of the Message from the Legislative Council insisting on the amendment disagreed with by the Assembly.

On the motion of Mr Roper and, after debate—Amendment made and insisted on by the Council agreed to.

- Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 42 DRUGS POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 9 August next.
- 43 ADJOURNMENT—Motion made and question—That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker which time of meeting shall be notified to each Member of the House by telegram or letter (*Mr Fordham*)—put and agreed to.
- 44 LATROBE REGIONAL COMMISSION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 9 August next.
- 45 FISHERIES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 9 August next.
- 46 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (NOS. 129 AND 130)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
Fisheries (Amendment) Bill.
Latrobe Regional Commission Bill.
- 47 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 48 ADJOURNMENT—Resolved—That the House do now adjourn.
- And then the House, at eleven minutes past Three o'clock in the morning, adjourned until a day and hour to be fixed by Mr Speaker and notified to each Member of the House by telegram or letter, as determined by resolution of the House at this sitting.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 79, 80 and 81

No. 79—Tuesday, 9 August 1983

- 1 The House met pursuant to the terms of the resolution of 17 June last, Mr Speaker having fixed this day at half-past One o'clock as the time of meeting—Mr Speaker took the chair and read the prayer.
- 2 PROCLAMATION—Mr Speaker announced that he had, that day, received a Proclamation from His Excellency the Governor pursuant to the *Public Safety Preservation Act 1958* which, by virtue of that Act, was required to be communicated to the House. The said Proclamation was read by the Clerk and is as follows:

Public Safety Preservation Act 1958

PROCLAMATION OF STATE OF EMERGENCY

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

Whereas by section 3 (1) of the *Public Safety Preservation Act 1958*, the Governor in Council is empowered by proclamation to declare that a state of emergency exists:

And whereas it appears to the Governor in Council that the public safety or order is or is likely to be imperilled by the industrial action taken by numerous prison officers and other officers in the employ of the Department of Community Welfare Services:

Now therefore I the Governor of the said State of Victoria by and with the advice of the Executive Council thereof, and in pursuance of the powers conferred by the *Public Safety Preservation Act 1958*, do by this Proclamation declare a state of emergency to exist and I further declare that unless sooner revoked this Proclamation shall remain in force for the period of one month from the date hereof.

Given under my hand and the Seal of the State of Victoria aforesaid, at Melbourne, this Fifth day of August in the year of Our Lord One thousand nine hundred and eighty-three, and in the thirty-second year of the reign of Her Majesty Elizabeth Second, Queen of Australia.

B. S. MURRAY

By His Excellency's Command

JOHN CAIN
Premier

GOD SAVE THE QUEEN!

- 3 PAPERS—The following Paper, pursuant to the direction of an Act of Parliament, was laid on the Table by the Clerk:
Public Safety Preservation Act 1958—Public Safety Preservation Regulations 1983.
.....
together with a further Proclamation revoking the state of emergency and the aforementioned regulations.

- 4 DEATH OF JOHN ROBERT McCCLURE, ESQUIRE—Motion made and question—That this House expresses its sincere sorrow at the death of John Robert McClure, Esquire, and places on record its acknowledgment 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 Dundas from 1952 to 1955 (*Mr Cain*)—put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 5 APPOINTMENT OF OFFICERS—Mr Speaker informed the House that, consequent upon the impending retirement of Ian Neil McCarron, due to ill-health, from the office of Clerk-Assistant, and consequent upon a change of designation of certain of the positions in the Legislative Assembly, he had nominated Raymond Keith Boyes to be Deputy Clerk, John Gregory Little to be Assistant-Clerk and Clerk of Committees, and Philip John Mithen to be Serjeant-at-Arms; and that the Governor in Council had been pleased to make these appointments accordingly.
- 6 QUESTIONS—(Pursuant to Standing Order No. 124).
- 7 MINISTERIAL STATEMENT—PRISON ESCAPES AND RESULTANT EMERGENCY MEASURES—Mrs Toner made a Ministerial Statement relating to the prison escapes and resultant emergency measures.
Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mrs Toner*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Jasper*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 8 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
“SHOW ME” BOOK—Seeking that the House take urgent positive action to have the book “Show Me” removed from circulation, bearing 227 signatures (*by Mr Ross-Edwards*).
EQUAL OPPORTUNITY LEGISLATION—Seeking that the House not proceed with the proposed amendment to the Equal Opportunity Act to include discrimination on the basis of sexual preference until it has been proved conclusively that there is a need for the amendment, bearing 18 signatures (*by Mr Walsh*).
RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 24, 205, 191, 283 and 237 signatures, respectively (*by Mr Kennedy, Mr Shell, Mr Jona, Mr Templeton and Mr Stirling*).
MUNICIPAL LIBRARY SUBSIDY—Seeking that Parliament restore the Government subsidy to free municipal libraries throughout the State of Victoria on a dollar for dollar basis as between government and municipal councils, bearing 4987 signatures (*by Mr Rowe*).
Severally ordered to lie on the Table.
- 9 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Education Act 1958—Report of the Council of Public Education for the period 1 July 1980 to 23 March 1982—Ordered to be printed.
Educational Institutions (Guarantees) Act 1976—Statement of guarantees executed by the Treasurer in respect of education institutions for the year 1982–83.
Labour and Industry Department—Report for the year 1982—Ordered to be printed.
Melbourne University—Statement of accounts for the year 1981.

Psychological Practices Act 1965—Report and statement of accounts of the Victorian Psychological Council for the year 1982.

Registration of Births Deaths and Marriages Act 1959—General Abstract of the number of live births, still-births, deaths and marriages in Victoria for the year 1982.

State Board of Education Act 1983—Report of the Board on grants to non-government schools for 1984 and 1985.

Statutory Rules under the following Acts:

Associations Incorporation Act 1981—No. 122.

Building Societies Act 1976—No. 135.

Business Franchise (Tobacco) Act 1974 and Business Franchise (Petroleum Products) Act 1979—No. 136.

Country Fire Authority Act 1958—Nos. 125 to 127, 130.

Decentralized Industry Incentive Payments Act 1972—No. 120.

Education Act 1958—No. 152.

Freedom of Information Act 1982—No. 151.

Groundwater Act 1969—No. 137.

Historic Buildings Act 1981—No. 150.

Hospitals and Charities Act 1958—No. 147.

Housing Act 1958—No. 111.

Marine Act 1958—No. 124.

Medical Practitioners Act 1970—No. 138.

Melbourne and Metropolitan Board of Works Act 1958—Nos. 116 to 118, 131.

Metropolitan Fire Brigades Superannuation Act 1976—No. 139.

Motor Car Act 1958—Nos. 112 to 114, 119.

Mt. Hotham Alpine Resort Act 1972—No. 123.

Public Authorities Marks Act 1958—No. 132.

Public Service Act 1974—No. 115; PSD Nos. 34 to 46.

Racing Act 1958—No. 128.

Second-hand Dealers Act 1958—No. 129.

Supreme Court Act 1958—No. 133.

Transport Act 1983—Nos. 142 to 146.

Unclaimed Moneys Act 1962—No. 121.

Vegetation and Vine Diseases Act 1958—No. 149.

Water Act 1958—No. 134.

Town and Country Planning Act 1961:

Bairnsdale—Town of Bairnsdale Planning Scheme, Amendment No. 39.

Benalla—City of Benalla Planning Scheme, Amendment No. 34.

Croydon—City of Croydon Planning Scheme 1961, Amendment No. 102.

Geelong Regional Planning Scheme, Amendment Nos. 53, 61, 63 (1982), 65 (Part 1), 71 (five papers).

Hastings—Shire of Hastings Planning Scheme, Amendment No. 8.

Horsham—City of Horsham Planning Scheme 1973, Amendment No. 75 (1982).

Knox—City of Knox Planning Scheme 1965, Amendment No. 258 (1983).

Lillydale—Shire of Lillydale Planning Scheme 1958, Amendment No. 158.

Maffra—Shire of Maffra Planning Scheme 1965 (Maffra Township) Amendment No. 21 (1982).

Melbourne Metropolitan Planning Scheme, Amendment Nos. 120 (Part 6), 140 (Part 2D), 157 (Part 4), 171 (Part 2), 181 (Part 2B), 183 (Part 2), 190 (Part 2), 191 (Part 2) (eight papers).

Morwell—Shire of Morwell Planning Scheme 1977, Amendment No. 14 (1981).

Myrtleford—Shire of Myrtleford (Myrtleford Township) Planning Scheme 1966, Amendment No.7.

Rosedale—Shire of Rosedale Planning Scheme Part 2, Amendment No. 7 (1981).

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme, Amendment No. 43.

Waratah Bay Planning Scheme, Amendment No. 15 (1982).

Trade Unions—Report of the Registrar of Friendly Societies on Trade Unions for the year 1981–82.

- 11 CONSTITUTIONAL CONVENTION RESOLUTIONS—Motion made, by leave, and question—That there be presented to this House a copy of the resolutions adopted by the Australian Constitutional Convention, Adelaide, 26–29 April 1983 (*Mr Cain*)—put and agreed to.
- 12 PAPER—Mr Cain presented:
Constitutional Convention 26–29 April 1983 Resolutions—Return to the foregoing Order.
Ordered to lie on the Table.
- 13 ADMINISTRATIVE ORDERS—Motion made, by leave, and question—That there be presented to this House a copy of the Order in Council made pursuant to the *Administrative Arrangements Act* 1983 relating to the transfer of the responsibility for maritime activities from the Minister of Public Works to the Minister of Transport (*Mr Cain*)—put and agreed to.
- 14 PAPER—Mr Cain presented:
Administrative Arrangements Act 1983—Order in Council relating to transfer of responsibility for maritime activities from the Minister of Public Works to the Minister of Transport—Return to the foregoing Order.
Ordered to lie on the Table.
- 15 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 131)—ASSENT TO BILLS—Informing the Assembly that he had, on 21 June last, given the Royal Assent to the following Bills, presented to him by the Clerk-Assistant of the Legislative Council for and in the absence of the Clerk of the Parliaments:
Grain Elevators (Amendment) Bill.
Motor Accidents (Applications) Bill.
Police Regulation (Amendment) Bill.
Mental Health (Amendment) Bill.
Historic Buildings (Further Amendment) Bill.
Consumer Affairs Committee Bill.
Town and Country Planning (Amendment) Bill (No. 2).
Stamps (Amendment) Bill.
Legal Profession Practice (Solicitors' Guarantee Fund) Bill.
Community Welfare Services (Attendance Centre Permits) Bill.
St. Andrew's Hospital (Guarantee) (Amendment) Bill.
Supporting Parents Concession Bill.
Administrative Arrangements Bill.
- 16 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 132)—ASSENT TO BILLS—Informing the Assembly that he had, on 23 June last, given the Royal Assent to the following Bills, presented to him by the Clerk-Assistant of the Legislative Council for and in the absence of the Clerk of the Parliaments:
Public Account (Advances) Bill.
Medical Practitioners (Amendment) Bill.
Beer Prices Regulation (Temporary Provisions) Bill.

Rural Finance and Settlement Commission (Penalties) Bill.
 Transport Bill.
 Revocation and Excision of Crown Reservations Bill (No. 2).
 Nuclear Activities (Prohibitions) Bill.
 Racing (Amendment) Bill.
 Estate Agents (Reconstitution) Bill.
 Pipelines (Amendment) Bill (No. 2).
 State Insurance Office (Extension of Franchise) Bill.

- 17 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 133)—ASSENT TO BILLS—
 Informing the Assembly that he had, on 28 June last, given the Royal Assent to the
 following Bills, presented to him by the Clerk-Assistant of the Legislative Council
 for and in the absence of the Clerk of the Parliaments:

Fire Authorities Bill.
 State Board of Education Bill.
 Barley Marketing (Amendment) Bill.
 Liquor Control Bill.
 Firearms (Amendment) Bill.
 Post-Secondary Education (Amendment) Bill.

- 18 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 134)—ASSENT TO BILLS—
 Informing the Assembly that he had, on 5 July last, given the Royal Assent to the
 following Bills, presented to him by the Clerk-Assistant of the Legislative Council
 for and in the absence of the Clerk of the Parliaments:

Hospitals and Charities (Committees of Management) Bill.
 Construction Industry Long Service Leave Bill.
 Mines (Amendment) Bill (No. 2).

- 19 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the
 consideration of the remaining business be postponed (*Mr Fordham*)—put and
 agreed to.

- 20 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-three minutes past Six o'clock adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 80—Wednesday, 10 August 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that the Council
 consent to the use by the Assembly of the Legislative Council Chamber beyond
 7 September 1983.
- 4 INSTRUMENTS (BILLS OF EXCHANGE) BILL—Mr Cain obtained leave, with Mr Fordham,
 to bring in a Bill "*to amend the 'Instruments Act 1958' to increase the time limits for
 the giving of leave to defend actions on bills of exchange, to extend the application of
 the procedure for actions on such bills to Magistrates' Courts and for that purpose to
 amend the 'Magistrates (Summary Proceedings) Act 1975', to amend the 'County
 Court Act 1958', and for other purposes*"; and the said Bill was read a first time,
 ordered to be printed and read a second time tomorrow.

- 5 CONSTITUTION (CORPORATIONS' FRANCHISE) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill “*to make provision with respect to the franchise for certain corporations in municipal elections, to amend the ‘Constitution Act 1975’, and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 ASSOCIATIONS INCORPORATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 7 CROWN INTELLECTUAL PROPERTY (ASSIGNMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 8 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again later this day.
- 9 ALPINE RESORTS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Further considered in Committee and reported with amendments and with an amended title, which title is as follows:
“*A Bill to make Provision for the Establishment of an Alpine Resorts Commission, to make Provision with respect to the Powers, Duties and Functions of that Commission and the Development, Management and Improvement of Alpine Resorts, to amend the ‘Forests Act 1958’, the ‘Local Government Act 1958’, to repeal the ‘Mount Hotham Alpine Resort Act 1972’ and for other purposes.*”
Bill, as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 11 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at fifty-nine minutes past Eleven o'clock, adjourned until tomorrow.

No. 81—Thursday, 11 August 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - ACQUISITION OF LAND—DARLING ROAD, EAST MALVERN—Seeking that the House takes action to purchase the land at 135–149 Darling Road, East Malvern, as a means of providing much needed replacement open space at low cost without displacing further residential properties, bearing 809 signatures (*by Mr Mathews*).
 - EQUAL OPPORTUNITY LEGISLATION—Seeking that the House not proceed with the proposed amendment to the Equal Opportunity Act to include discrimination on the basis of sexual preference until it has been proved conclusively that there is a need for the amendment, bearing 24 signatures (*by Mr McDonald*).
 - UPPER YARRA WATER SUPPLY SERVICES—Seeking that the House take action to form a new Upper Yarra Water Board so that control of the local water supply can remain with local elected representatives, bearing 286 signatures (*by Mr McDonald*).

Severally ordered to lie on the Table.
- 4 PUBLIC SECTOR GROWTH RESTRAINT—Motion made and question proposed—That this House is of the opinion that the economic security of Victorians and the future development of Victoria requires that growth in the State public sector be kept to a minimum; and in particular that the forthcoming State Budget contain no increase in taxes or charges (*Mr Ramsay*)—and, after debate—

General Business having been interrupted at 2.00 p.m. pursuant to Sessional Orders—
- 5 INSTRUMENTS (BILLS OF EXCHANGE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 30 August instant.
- 6 CONSTITUTION (CORPORATIONS' FRANCHISE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday next.
- 7 VICTORIAN PRISON INDUSTRIES COMMISSION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 8 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL (NO. 2)—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

9 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

10 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at fourteen minutes past Five o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS**Nos. 82, 83 and 84****No. 82—Tuesday, 16 August 1983**

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

HEALTH CARE SERVICES—Seeking that the House re-examine health care priorities and review the health budget for the coming year in order that the over-all service to the citizens of Victoria can be maintained and improved, bearing 24 signatures (*by Mr Kennedy*).

MUSSEL DREDGING AND PRODUCTION—Seeking that the House take positive action in respect of mussel dredging to seriously look at alternatives if mussel production is to continue for the sake of the leisure benefit of present and future generations, bearing 1146 signatures (*by Mr Norris*).

POKER MACHINES—Seeking that the Government will not legalize poker machines in Victoria, bearing 88 signatures (*by Mr Burgin*).

RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 192 signatures (*by Mr McKellar*).

BELMONT POLICE STATION—Seeking that a start be made on a new police station in the 1983–84 financial year and that the existing police station in Belmont be fully manned as soon as possible, bearing 3775 signatures (*by Mr Dickinson*).

Severally ordered to lie on the Table.

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

Local Authorities Superannuation Benefit Contracts Account—Report of the Actuary on his investigation of the Account at the expiration of the seventh triennium, 28 February 1982.

Marketing of Primary Products Act 1958—Proclamation declaring that eggs shall become the property of the Victorian Egg Marketing Board for a further period of two years on, from and after 16 August 1983.

Parliamentary Officers Act 1975—

Statement of Appointments and Alterations of Classifications—

Department of the Legislative Assembly.

Department of the Legislative Council.

Department of the Legislative Council and Legislative Assembly House Committee.

Department of the Parliament Library.

Department of the Reporting Staff of the Victorian Parliamentary Debates.

Statement of Persons Temporarily Employed—

Department of the Legislative Assembly.

Department of the Legislative Council.

Department of the Parliament Library.

Department of the Reporting Staff of the Victorian Parliamentary Debates.

Statutory Rules under the following Acts:

Abattoir and Meat Inspection Act 1973—Nos. 191 to 193.
 Construction Industry Long Service Leave Act 1983—Nos. 170, 171.
 Co-operation Act 1981—No. 180.
 Education Act 1958—No. 194.
 Environment Protection Act 1970—No. 178.
 Evidence Act 1958—No. 185.
 Firearms Act 1958—No. 177.
 Fisheries Act 1968—Nos. 181, 184.
 Freedom of Information Act 1982—No. 155.
 Home Finance Act 1962—No. 182.
 Liquor Control Act 1968—No. 160.
 Motor Boating Act 1961—No. 175.
 Motor Car Act 1958—No. 173.
 Metropolitan Fire Brigades Act 1958—No. 172.
 Penalties and Sentences Act 1981—No. 183.
 Police Regulation Act 1958—No. 174.
 Public Service Act 1974—PSD Nos. 47 to 51.
 Racing Act 1958—No. 176.
 Superannuation Benefits Act 1977—No. 165.
 Transport Act 1983—Nos. 186 to 190.
 Water Act 1958—No. 168.
 Wildlife Act 1975—No. 179.

Town and Country Planning Act 1961:

Melbourne Metropolitan Planning Scheme, Amendment Nos. 190 (Part 3),
 244 (two papers).

- 5 CONSTITUTION (CORPORATIONS' FRANCHISE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read the third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 6 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 7 FISHERIES (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 8 STATE FILM CENTRE OF VICTORIA COUNCIL BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 ANNUAL REPORTING BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and

committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 PENALTIES AND SENTENCES (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Wilkes*)—put and agreed to.

- 12 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at nine minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 83—Wednesday, 17 August 1983

- 1 Mr Speaker took the Chair and read the Prayer.

- 2 QUESTIONS—(Pursuant to Standing Order No. 124).

- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

DISQUALIFICATION OF MOTOR CAR DRIVERS—Seeking that the penalty provisions of section 318 of the *Crimes Act* 1958 be amended to provide for the total disqualification of drivers' licences and a penalty sentence to be in excess of 12 months, for offences related to misdemeanours, in particular, culpable driving of a motor car, bearing 22 866 signatures (*by Mr Newton*).

GRANTS TO NON-GOVERNMENT SCHOOLS—Seeking the continued maintenance and eventual increase of governmental basic per capita grants to non-government schools irrespective of whether supplementary grants are also made on the basis of need, in order to provide freedom of choice to parents in the education of their children, bearing 1250 signatures (*by Mr Williams*).

Severally ordered to lie on the Table.

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

Consumer Affairs—Report of the Council of Consumer Affairs for the year 1982–83—Ordered to be printed.

Members of Parliament (Register of Interests) Act 1978—Summary of Returns, June 1983 (No. 1)—Ordered to be printed.

- 5 SELECT COMMITTEE DOCUMENTS—Motion made by leave, and question—That—(a) The Clerk be authorized to transfer to the Keeper of Public Records, all documents which were laid before any Select Committee of this House more than 75 years ago

and which have not been tabled in the House, on the condition that they remain the property of the House; and (b) Mr. Speaker be empowered, after consultation with the Printing Committee, to authorize in respect of any such documents—(i) access; and (ii) reproduction and/or publication for educational or historical purposes (*Mr Wilkes*)—put, after debate, and agreed to.

- 6 PENALTY INTEREST RATES BILL—Mr Cain, pursuant to motion moved on his behalf by Mr Wilkes, obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Supreme Court Act 1958’, the ‘County Court Act 1958’, the ‘Property Law Act 1958’, the ‘Transfer of Land Act 1958’, and the ‘Magistrates’ Courts Act 1971’ with respect to the Payment of Interest on certain unpaid Moneys and for Purposes connected therewith”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 VERMIN AND NOXIOUS WEEDS (RE-ORGANIZATION) BILL—Mr Simpson, after debate, obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Vermin and Noxious Weeds Act 1958’ ”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 MEDICAL PRACTITIONERS (CONDITIONAL REGISTRATION) BILL—Mr Roper obtained leave, with Mr Spyer, to bring in a Bill “to amend the ‘Medical Practitioners Act 1970’ with respect to conditional medical registrations”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 SUPERANNUATION (FUND CONTRIBUTIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment and with an amended title, which title is as follows:
“A Bill to amend the ‘Superannuation Act 1958’ and Section 8C of the ‘Pensions Supplementation Act 1966’.”
 Bill, as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 NUDITY (PRESCRIBED AREAS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Question—put

The House divided.

AYES, 63

Mr Austin	Mr Hill	Mrs Patrick	Mr Sidiropoulos
Mr Brown	Mr Ihlein	Mr Pope	Mr Simpson
Mr Burgin	Mr Jona	Mr Ramsay	Mr Spyer
Mr Cain	Mr Kempton	Mrs Ray	Mr Stirling
Miss Callister	Mr Kennedy	Mr Remington	Mr Tanner
Mr Cathie	Mr Kennett	Mr Reynolds	Mr Templeton
Dr Coghill	Mr Kirkwood	Mr Richardson	Mrs Toner
Mr Crabb	Mr Lieberman	Mr Roper	Mr Trezise
Mr Culpin	Mr McCutcheon	Mr Rowe	Dr Vaughan
Mr Delzoppo	Mr McDonald	Mr Saltmarsh	Mr Walsh
Mr Ebery	Mr McKellar	Mrs Setches	Mr Wilkes
Mr Ernst	Mr Maclellan	Mr Sheehan	Mr Williams
Mr Fogarty	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Micallef	Mr Sheehan	
Mr Gray	Mr Miller	(<i>Ballarat South</i>)	
Mr Harrowfield	Mr Newton	Mr Shell	
Mr Hassett	Mr Norris	Mrs Sibree	
			<i>Tellers</i>
			Mr Leigh
			Mr Seitz

NOES, 9

Mr Evans (<i>Gippsland East</i>)	Mr Jasper Mr McGrath	Mr Ross-Edwards Mr Whiting	<i>Tellers</i> Mr Steggall Mr Wallace
Mr Hann	Mr McNamara		

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to.

Motion made and question—That this Bill be now read a third time (*Mr Cain*)—put.
The House divided.

AYES, 59

Mr Brown	Mr Ihlein	Mrs Ray	Mr Simpson
Mr Burgin	Mr Jolly	Mr Remington	Mr Spyker
Miss Callister	Mr Kempton	Mr Reynolds	Mr Stirling
Mr Cathie	Mr Kennedy	Mr Richardson	Mr Tanner
Dr Coghill	Mr Kennett	Mr Roper	Mr Templeton
Mr Culpin	Mr Kirkwood	Mr Rowe	Mr Toner
Mr Delzoppo	Mr Lieberman	Mr Saltmarsh	Mr Trezise
Mr Ebery	Mr McCutcheon	Mrs Setches	Dr Vaughan
Mr Ernst	Mr McKellar	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr Maclellan	(<i>Ivanhoe</i>)	Mr Williams
Mr Gavin	Mr Mathews	Mr Sheehan	Mr Wilton
Mr Gray	Mr Micallef	(<i>Ballarat South</i>)	
Mr Harrowfield	Mr Miller	Mr Shell	
Mr Hassett	Mr Norris	Mrs Sibree	<i>Tellers</i>
Mr Hill	Mrs Patrick	Mr Sidiropoulos	Mr Leigh
Mr Hockley	Mr Ramsay	Mr Simmonds	Mr Seitz

NOES, 9

Mr Evans (<i>Gippsland East</i>)	Mr Jasper Mr McGrath	Mr Ross-Edwards Mr Whiting	<i>Tellers</i> Mr Steggall Mr Wallace
Mr Hann	Mr McNamara		

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

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 STATE EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 30 August instant.
- 12 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 and 5 be postponed until later this day.
- 13 EQUAL OPPORTUNITY BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.
- 14 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at twenty-one minutes past Eleven o'clock.

No. 84—Thursday, 18 August 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
Member named and suspended—The Honourable Member for Brighton (*Mrs Patrick*) having been named by Mr Speaker for disregarding the authority of the Chair—
Motion made and question—That the Honourable Member for Brighton (*Mrs Patrick*) be suspended from the service of the House (*Mr Wilkes*)—put and agreed to.
 Thereupon Mrs Patrick withdrew from the Chamber.
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:
 HEALTH CARE SERVICES—Seeking that the House re-examine health care priorities and review the health budget for the coming year in order that the over-all service to the citizens of Victoria can be maintained and improved, bearing 4759 signatures. (*by Mr Lieberman*).
 Ordered to lie on the Table.
- 4 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
 Trade Unions—Report of the Government Statist for the year 1982.
- 5 ORDER OF THE DAY DISCHARGED—Motion made, by leave, and question—That the following Order of the Day, Government Business, be read and discharged:
Drugs Poisons and Controlled Substances (Amendment) Bill—Second reading—Resumption of debate.
 and that the Bill be withdrawn (*Mr Roper*)—put, after debate, and agreed to.
- 6 SITTINGS OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until a day and hour and venue to be fixed by Mr Speaker which shall be notified to each member of the House by telegram or letter (*Mr Wilkes*)—put, after debate, and agreed to.
- 7 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 8 HOSPITALS SUPERANNUATION (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 6 September next.
- 9 PENALTY INTEREST RATES BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 6 September next.
- 10 VERMIN AND NOXIOUS WEEDS (RE-ORGANIZATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until Tuesday, 6 September next.
- 11 MEDICAL PRACTITIONERS (CONDITIONAL REGISTRATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).

Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.

Motion made and question—That the debate be adjourned until Tuesday, 6 September next (*Mr Roper*)—after debate, put.

The House divided.

AYES, 36

Miss Callister	Mr Ihlein	Mr Rowe	Mrs Toner
Mr Cathie	Mr Jolly	Mrs Setches	Mr Trezise
Dr Coghill	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Crabb	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Walsh
Mr Ernst	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr Mathews	(<i>Ballarat South</i>)	Mr Wilton
Mr Gavin	Mr Micallef	Mr Shell	
Mr Gray	Mr Miller	Mr Simpson	<i>Tellers</i>
Mr Harrowfield	Mrs Ray	Mr Spyker	Mr Kennedy
Mr Hill	Mr Roper	Mr Stirling	Mr Newton

NOES, 24

Mr Austin	Mr Jasper	Mr Maclellan	Mr Templeton
Mr Burgin	Mr Jona	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Reynolds	
Mr Dickinson	Mr Lieberman	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr McGrath	Mr Ross-Edwards	Mr Kempton
Mr Evans	Mr McKellar	Mr Saltmarsh	Mr Leigh
(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner	

And so it was resolved in the affirmative.

- 12 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Wilkes*)—put and agreed to.
- 13 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty-nine minutes past Five o'clock, adjourned until a day and hour and venue to be fixed by Mr Speaker and notified to each Member of the House by telegram or letter, as determined by resolution of the House at this sitting.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 85, 86 and 87

No. 85—Tuesday, 13 September 1983

- 1 The House met pursuant to the terms of the resolution of 18 August last, Mr Speaker having fixed this day at half-past One o'clock as the time of the meeting—Mr Speaker took the chair and read the prayer.
- 2 ASSEMBLY CHAMBER RENOVATIONS—Motion made, by leave, and question—That this House requests the Honourable the Minister of Public Works to accept and to convey to his Department and to the craftsmen and all others concerned, its sincere appreciation for the painstaking care and skill which they have displayed in the restoration and redecoration of the Legislative Assembly Chamber (*Mr Cain*)—put, after debate, and agreed to.
- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - WEEKEND TRADING HOURS—Seeking that the Government will not take any action that would in anyway curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 67, 35, 327, 735, 267, 128, 141, 449 and 35 signatures, respectively (*by Mr Hockley, Mr Cathie, Mr Gavin, Mr Richardson, Mr Shell, Dr Vaughan, Mr Culpin, Mr Mathews and Mr Kirkwood*).
 - RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 229, 238, 223 and 223 signatures, respectively (*by Mr Hockley, Mr Mathews, Mr Kempton and Mr Stirling*).
 - BERWICK RAILWAY SERVICE—Seeking that action be taken to re-introduce country train stops at Berwick suitable for residents working in the city of Melbourne between the hours of 8.30 a.m. and 5.30 p.m., bearing 147 signatures (*by Mr Maclellan*).
 - EQUAL OPPORTUNITY LEGISLATION—Seeking that the House not proceed with the proposed amendment to the *Equal Opportunity Act 1977* to include discrimination on the basis of sexual preference until it has been proved conclusively that there is a need for the amendment, bearing 20 signatures (*by Mrs Hill*).
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 226 signatures (*by Mrs Hill*).
 - WEEKEND TRADING REGULATIONS—Seeking that the House take action to ensure that there be no further extension of those trading regulations already provided relative to week-end trading, bearing 155 signatures (*by Mr Sidiropoulos*).
 - PROTECTION OF SMALL BUSINESS—Seeking that the House take immediate action to introduce or amend legislation in order to protect the livelihood of the small business sector and its associated suppliers, bearing 836 signatures (*by Mr Sidiropoulos*).
 - SOUTH GIPPSLAND MARINE RESERVES—Seeking that the Government will withdraw its intention to proceed with the establishment of any marine reserves in South Gippsland until after the Minister for Conservation has consulted representative groups of people affected by such action, and until all interested persons have

had ample opportunity to present submissions for the control and management of any reserves that may be proclaimed, bearing 7118 signatures (*by Mr Brown*). Severally ordered to lie on the Table.

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

Dental Technicians Licensing Committee—Report for the year 1981–82.
 Education—Report of the Minister of Education and the Minister of Educational Services for the year 1981–82—Ordered to be printed.
 Geelong Regional Commission—Report and Statement of accounts for the year 1981–82.
 Land Act 1958—Resumption of land at Melbourne for the purposes of a remand centre—Certificate of the Minister of Community Welfare Services.
 Members of Parliament (Register of Interests) Act 1978—Summary of Returns, June 1983 (No. 2)—Ordered to be printed.
 Physiotherapists Registration Board—Report for the year 1982.
 Queen Victoria Medical Centre (Guarantees) Act 1982—Notices of guarantee executed by the Treasurer concerning South Eastern Medical Complex Ltd.
 Town and Country Planning Act 1961—

 Alberton—Shire of Alberton (Coastal) Planning Scheme, Amendment No. 23.
 Bass—Shire of Bass Planning Scheme, Amendment No. 12.
 Geelong Regional Planning Scheme, Amendment Nos. 50, 67 (Part 1) (two papers).
 Horsham—City of Horsham Planning Scheme, (Substituted Scheme).
 Korumburra—Shire of Korumburra Planning Scheme, Amendment Nos. 20, 21 (two papers).
 Lake Tyrers to Cape Howe Coastal Planning Scheme, Amendment No. 8.
 Melbourne Metropolitan Planning Scheme, Amendment Nos. 172 (Part 2B), 185 (Part 3), 254 (three papers).
 Mildura—City of Mildura Planning Scheme, Amendment Nos. 52, 54, 56, 57, 59 (1982), 61 (1983), (six papers).
 Sebastopol—Borough of Sebastopol Planning Scheme, Amendment Nos. 20, 27 (two papers).
 Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Rural Areas), Amendment Nos. 4, 6 (1982), (two papers).
 Warrnambool—City of Warrnambool Planning Scheme, Amendment No. 5.
 Victorian College of the Arts—Report and Statement of accounts of the Council for the year 1982.

- 6 ADMINISTRATIVE ARRANGEMENTS ORDERS—Motion made, by leave, and question—That there be presented to this House of copy of the Orders in Council made pursuant to the *Administrative Arrangements Act 1983* relating to the transfer of the administration of certain acts and of certain functions from—(a) the Minister for Planning to the Minister for Planning and Environment; (b) the Minister for Conservation to the Minister for Planning and Environment; (c) the Minister of Lands to the Minister for Planning and Environment; (d) the Minister for Conservation, the Minister of Lands and the Minister of Forests to the Minister for Conservation, Forests and Lands; and (e) the Minister of Agriculture to the Minister of Transport (*Mr Cain*)—put and agreed to.

- 7 PAPER—Mr Cain presented:

Administrative Arrangements Act 1983—Orders in Council relating to the transfer of the administration of certain Acts and functions—Return to the foregoing Order (five papers).

Severally ordered to lie on the Table.

- 8 PLUMBERS AND GASFITTERS BOARD—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the Plumbers and Gasfitters Board for 1982 (*Mr Roper*)—put and agreed to.
- 9 PAPER—Mr Roper presented:
Plumbers and Gasfitters Board Report, 1982—Return to the foregoing Order.
Ordered to lie on the Table.
- 10 CINEMATOGRAPH OPERATORS BOARD—Motion made, by leave, and question—That there be presented to this House a copy of the report of the Cinematograph Operators Board for 1982 (*Mr. Roper*)—put and agreed to.
- 11 PAPER—Mr Roper presented:
Cinematograph Operators Board Report, 1982—Return to the foregoing Order.
Ordered to lie on the Table.
- 12 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Constitution (Corporations' Franchise) Bill
Associations Incorporation (Amendment) Bill
Crown Intellectual Property (Assignment) Bill
Superannuation (Fund Contributions) Bill.
- 13 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 135)—ASSENT TO BILL—Informing the Assembly that he had, on 9 September instant, given the Royal Assent to the following Bill, presented to him by the Clerk-Assistant of the Legislative Council for and in the absence of the Clerk of the Parliaments:
Constitution (Corporations' Franchise) Bill.
- 14 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 136)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk-Assistant of the Legislative Council for and in the absence of the Clerk of the Parliaments:
Superannuation (Fund Contributions) Bill.
Crown Intellectual Property (Assignment) Bill.
Associations Incorporation (Amendment) Bill.
- 15 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 137)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Vermin and Noxious Weeds (Re-organization) Bill.
- 16 DRUGS POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL (NO. 2)—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Drugs Poisons and Controlled Substances Act 1981', the 'Bail Act 1977' and the 'Vagrancy Act 1966' to make further Provision with respect to Offences involving Drugs of Dependence and other Matters*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 LOCAL GOVERNMENT (QUALIFICATION OF COUNCILLORS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Motion made and question—That the question be now put (*Mr Fordham*)—put.
The House divided.

AYES, 47

Mr Cain	Mrs Hill	Mr Pope	Mr Spyker
Miss Callister	Mr Hill	Mrs Ray	Mr Stirling
Mr Cathie	Mr Hockley	Mr Remington	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Roper	Mr Trezise
Mr Crabb	Mr Jolly	Mr Rowe	Dr Vaughan
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilton
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gray	Mr Miller	Mr Sidiropoulos	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Micallef
Mr Hassett	Mr Norris	Mr Simpson	Mr Seitz

NOES, 29

Mr Austin	Mr Evans	Mr McKellar	Mr Tanner
Mr Brown	(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton
Mr Burgin	Mr Hann	Mrs Patrick	Mr Wallace
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Dickinson	Mr Jona	Mr Richardson	Mr Williams
Mr Ebery	Mr Kempton	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr Kennett	Mrs Sibree	Mr Leigh
(<i>Ballarat North</i>)	Mr Lieberman	Mr Steggall	Mr McNamara

And so it was resolved in the affirmative.

Question—accordingly put.

The House divided.

AYES, 47

Mr Cain	Mrs Hill	Mr Pope	Mr Spyker
Miss Callister	Mr Hill	Mrs Ray	Mr Stirling
Mr Cathie	Mr Hockley	Mr Remington	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Roper	Mr Trezise
Mr Crabb	Mr Jolly	Mr Rowe	Dr Vaughan
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilton
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gray	Mr Miller	Mr Sidiropoulos	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Micallef
Mr Hassett	Mr Norris	Mr Simpson	Mr Seitz

NOES, 30

Mr Austin	Mr Evans	Mr McKellar	Mr Steggall
Mr Brown	(<i>Gippsland East</i>)	Mr Maclellan	Mr Tanner
Mr Burgin	Mr Hann	Mrs Patrick	Mr Templeton
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Wallace
Mr Dickinson	Mr Jona	Mr Richardson	Mr Whiting
Mr Ebery	Mr Kempton	Mr Ross-Edwards	Mr Williams
Mr Evans	Mr Kennett	Mr Saltmarsh	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr Lieberman	Mrs Sibree	Mr Leigh
			Mr McNamara

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported without amendment; read the third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 18 EQUAL OPPORTUNITY BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.

- 19 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at twenty-four minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 86—Wednesday, 14 September 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - WEEKEND TRADING HOURS—Seeking that the Government not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 726, 366 and 60 signatures, respectively (*by Mr Newton, Mr Richardson and Mr Kirkwood*).
 - RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 213 and 205 signatures, respectively (*by Mr Newton and Mr Pope*).
 - TOBACCO LEVY AND ANTI-SMOKING CAMPAIGNS—Seeking that—(a) tobacco licences in Victoria will not be increased and no form of surcharge or levy will be imposed on cigarette and tobacco sales; and (b) no further taxpayers money will be used to sponsor anti-smoking campaigns, bearing 7648 signatures (*by Mr Richardson*).
 - EXTENSION OF F19 FREEWAY—Seeking that the F19 freeway be not extended beyond its present stage, bearing 35 signatures (*by Mr Harrowfield*).
 Severally ordered to lie on the Table.
- 4 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Annual Reporting Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 5 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 - State Film Centre of Victoria Council Bill.
 - Penalties and Sentences (Amendment) Bill.
 - Victorian Prison Industries Commission Bill.
 - Nudity (Prescribed Areas) Bill.
- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that the Council had agreed to the following Resolution:
 - That the proposals contained in the Local Authorities Superannuation (Amendment) Bill (No. 2) be referred to the Economic and Budget Review Committee for inquiry, consideration and report not later than 3 October 1983—
 with which they desire the concurrence of the Assembly.
Motion made and question—That this House concur with the Legislative Council and agree to the said Resolution (*Mr Wilkes*)—put, after debate, and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.

- 7 HOUSING BILL—Mr Cathie obtained leave, with Mrs Toner, to bring in a Bill “to modernize housing law, to improve housing administration in Victoria, to repeal the ‘Housing Act 1958’ and the ‘Home Finance Act 1962’ and certain other Acts, to make consequential amendments to various Acts and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 CHATTEL SECURITIES (AMENDMENT) BILL—Mr Crabb obtained leave, with Mr Spyker, to bring in a Bill “to amend the ‘Chattel Securities Act 1981’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 LABOUR AND INDUSTRY (SHOP TRADING) BILL—Mr Simpson obtained leave, with Mr Crabb, to bring in a Bill “to make further provision in relation to shop trading hours and for that purpose to amend the ‘Labour and Industry Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 SUMMER TIME (AMENDMENT) BILL—Mr Simpson obtained leave, with Mr Crabb, to bring in a Bill “to amend the ‘Summer Time Act 1972’ ”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 EMPLOYMENT AGENTS BILL—Mr Spyker obtained leave, with Mr Simpson, to bring in a Bill “to make provision for the licensing and regulation of employment agents, to amend the ‘Market Court Act 1978’, the ‘Small Claims Tribunal Act 1973’, the ‘Consumer Affairs Act 1972’ and the ‘Ministry of Consumer Affairs Act 1973’ with respect to employment and employment agents, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 COMMUNITY WELFARE SERVICES (DIRECTOR-GENERAL OF CORRECTIONS) BILL—Mrs Toner obtained leave, with Mr Wilkes, to bring in a Bill “to make provision with respect to the functions of the Director-General of Corrections and the Office of Corrections, and for that purpose to amend the ‘Community Welfare Services Act 1970’, the ‘Crimes Act 1958’ and the ‘Penalties and Sentences Act 1981’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 LOCAL GOVERNMENT (MUNICIPAL COUNCILS TRIENNIAL ELECTIONS) BILL—Mr Wilkes obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Local Government Act 1958’ to provide for triennial elections of municipal councils and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 INSTRUMENTS (BILLS OF EXCHANGE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 MEDICAL PRACTITIONERS (CONDITIONAL REGISTRATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Question—put:

The House divided.

AYES, 54

Mr Burgin	Mrs Hill	Mr Pope	Mr Simmonds
Dr Coghill	Mr Hill	Mrs Ray	Mr Spyker
Mr Crabb	Mr Ihlein	Mr Remington	Mr Stirling
Mr Culpin	Mr Jolly	Mr Richardson	Mr Templeton
Mr Delzoppo	Mr Kempton	Mr Roper	Mrs Toner
Mr Ebery	Mr Kirkwood	Mr Rowe	Mr Trezise
Mr Ernst	Mr Lieberman	Mr Saltmarsh	Mr Walsh
Mr Evans	Mr McCutcheon	Mrs Setches	Mr Williams
(Ballarat North)	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr McKellar	(Ivanhoe)	
Mr Fordham	Mr Maclellan	Mr Sheehan	
Mr Gavin	Mr Miller	(Ballarat South)	
Mr Gray	Mr Newton	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mrs Sibree	Mr Kennedy
Mr Hassett	Mrs Patrick	Mr Sidiropoulos	Mr Seitz

NOES, 8

Mr Hann	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
Mr Jasper	Mr McNamara	Mr Whiting	Mr Steggall
			Mr Wallace

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 16 ANNUAL REPORTING BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments.

- 17 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until after No. 4.

- 18 EQUAL OPPORTUNITY BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Question—put.

The House divided.

AYES, 64

Mr Austin	Mr Gavin	Mr Mathews	Mr Sidiropoulos
Mr Brown	Mr Gray	Mr Miller	Mr Simmonds
Mr Burgin	Mr Harrowfield	Mr Newton	Mr Simpson
Mr Cain	Mr Hassett	Mr Norris	Mr Spyker
Miss Callister	Mrs Hill	Mrs Patrick	Mr Stirling
Mr Cathie	Mr Hill	Mr Pope	Mr Tanner
Dr Coghill	Mr Hockley	Mr Ramsay	Mr Templeton
Mr Crabb	Mr Ihlein	Mrs Ray	Mrs Toner
Mr Culpin	Mr Jolly	Mr Remington	Mr Trezise
Mr Delzoppo	Mr Jona	Mr Reynolds	Mr Walsh
Mr Dickinson	Mr Kempton	Mr Richardson	Mr Wilkes
Mr Ebery	Mr Kennedy	Mr Roper	Mr Williams
Mr Ernst	Mr Kirkwood	Mr Rowe	Mr Wilton
Mr Evans	Mr Leigh	Mrs Setches	
(Ballarat North)	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Fogarty	Mr McKellar	(Ballarat South)	Mr Micallef
Mr Fordham	Mr Maclellan	Mrs Sibree	Mr Seitz

NOES, 9

Mr Evans
(*Gippsland East*)
Mr Hann

Mr Jasper
Mr McGrath
Mr McNamara

Mr Ross-Edwards
Mr Whiting

Tellers
Mr Steggall
Mr Wallace

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress; to sit again on Tuesday next.

- 19 PENALTY INTEREST RATES BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.
- 20 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at fourteen minutes past Eleven o'clock.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 87—Thursday, 15 September 1983

- 1 Mr Speaker took the Chair and read the Prayer.
 - 2 APPOINTMENT OF THE CLERK OF THE PARLIAMENTS—Mr Speaker announced that, on the joint recommendation of the Honourable the President of the Legislative Council and himself, the Governor in Council had been pleased to appoint John Harold Campbell to be the Clerk of the Parliaments.
 - 3 QUESTIONS—(Pursuant to Standing Order No. 124).
 - 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - WEEKEND TRADING HOURS—Seeking that the Government not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 110 signatures (*by Mr Richardson*).
 - SOUTH GIPPSLAND MARINE RESERVES—Seeking that the Government withdraw its intention to proceed with the establishment of any marine reserves in South Gippsland until after the Minister for Conservation has consulted representative groups of people affected by such action, and until all interested persons have had ample opportunity to present submissions for the control and management of any reserves that may be proclaimed, bearing 27 signatures (*by Mr Wallace*).
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 126 signatures (*by Mr Jasper*).
- Severally ordered to lie on the Table.
- 5 ALCOA—PORTLAND AGREEMENT—Motion made and question proposed—That this House expresses alarm at the failure of the Government to finalize agreement with Alcoa to enable that company's Portland project to proceed and calls on the Premier

- to take positive action to resolve any outstanding differences immediately (*Mr Ross-Edwards*)—and, after debate—
 General Business having being interrupted at 2.00 p.m. pursuant to Sessional Orders—
- 6 HOUSING BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
 Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until Tuesday, 11 October next.
 - 7 CHATTEL SECURITIES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 11 October next.
 - 8 LABOUR AND INDUSTRY (SHOP TRADING) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
 Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 11 October next.
 - 9 SUMMER TIME (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
 Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 11 October next.
 - 10 EMPLOYMENT AGENTS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
 Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 11 October next.
 - 11 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.
 - 12 LOCAL GOVERNMENT (MUNICIPAL COUNCILS TRIENNIAL ELECTIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Wednesday, 1 February next.
 - 13 COMMUNITY WELFARE SERVICES (DIRECTOR-GENERAL OF CORRECTIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
 Motion made and question—That the debate be now adjourned (*Mr Saltmarsh*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until Wednesday next.
 - 14 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 8, be postponed until later this day.
 - 15 PENALTY INTEREST RATES BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time, after debate.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

16 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

17 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at thirty-one minutes past Three o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 88 and 89

No. 88—Tuesday, 20 September 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - WEEKEND TRADING HOURS—Seeking that the Government will not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 50, 381, 1187, 275, 208, 105, 15, 961 and 159 signatures, respectively (*by Mr Lieberman, Mr Hockley, Mr Richardson, Mrs Hill, Mr Shell, Mr Whiting, Mr Matthews, Mrs Setches and Mr Stirling*).
 - BERWICK RAILWAY SERVICE—Seeking the action be taken to re-introduce country train stops at Berwick suitable for residents working in the city of Melbourne between the hours of 8.30 a.m. and 5.30 p.m., bearing 295 signatures (*by Mr Maclellan*).
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small businesses and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 326 signatures (*by Mr Ross-Edwards*).
 - SECURITY ON HOUSING ESTATES—Seeking that the Government make adequate funding available so that the Ministry of Housing can ensure the security of people and property on estates and that the master plan on the Langdon Park and Anderson Court estates be fully implemented, bearing 316 signatures (*by Mr Sidiropoulos*).
 - RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 157 signatures (*by Mr Austin*).

Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the direction of an Act of Parliament, were laid on the Table by the Clerk:
 - Statutory Rules under the following Acts:
 - Abattoir and Meat Inspection Act 1973—No. 202.
 - Chiropodists Act 1968—No. 213.
 - County Court Act 1958—No. 207.
 - Dentists Act 1972—No. 196.
 - Environment Protection Act 1970—No. 208.
 - Financial Institutions Duty Act 1982—No. 199.
 - Fisheries Act 1968—No. 205.
 - Forests Act 1958—Nos. 198, 203.
 - Hospitals and Charities Act 1958—No. 206.
 - Land Act 1958—No. 211.
 - Lotteries Gaming and Betting Act 1966—No. 209.
 - Motor Boating Act 1961—No. 210.
 - Mt. Hotham Alpine Resort Act 1972—No. 212.
 - Public Service Act 1974—Nos. 200, 201; P.S.D. Nos. 52, 53, 55 to 57, 59, 61.
 - Racing Act 1958—No 214.

Second-hand Dealers Act 1958—No. 204.
Wildlife Act 1975—No. 197.

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 138)—ASSENT TO BILLS—
Informing the Assembly that he had, that day, given the Royal Assent to the following
Bills, presented to him by the Clerk of the Parliaments:
- Annual Reporting Bill.
 - Nudity (Prescribed Areas) Bill.
 - State Film Centre of Victoria Council Bill.
 - Victorian Prison Industries Commission Bill.
 - Penalties and Sentences (Amendment) Bill.
- 6 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 139, 140)—Mr Speaker
announced the presentation of Messages from His Excellency the Governor
recommending appropriations for the purposes of the following Bills:
- Chattel Securities (Amendment) Bill.
 - Housing Bill.
- 7 POSTPONEMENT OF ORDER OF THE DAY—Ordered, after debate—That the consideration
of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 8 HOSPITALS SUPERANNUATION (AMENDMENT) BILL (No. 2)—Order read for resuming
debate on question—That this Bill be now read a second time; debate resumed.
Amendment proposed—That all the words after “That” be omitted with the view of
inserting in place thereof the words “this House refuses to read this Bill a second
time until the provisions contained therein have been examined and reported upon
by the Economic and Budget Review Committee” (*Mr Ramsay*)—and, after debate—
Amendment, by leave, withdrawn.
Bill read a second time.
Ordered—That this Bill be committed later this day.
- 9 HOSPITALS SUPERANNUATION (AMENDMENT) BILL (No. 2)—Motion made, by leave,
and question—That the proposals contained in the Hospitals Superannuation
(Amendment) Bill (No. 2) be referred to the Economic and Budget Review Committee
for inquiry, consideration and report (*Mr Roper*)—put and agreed to.
Ordered—That a Message be sent to the Legislative Council acquainting them of the
resolution and seeking their concurrence therein.
- 10 STATE EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL—Order read for resuming
debate on question—That this Bill be now read a second time; debate resumed; Bill
read a second time.
Ordered—That this Bill be committed later this day.
- 11 STATE EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL—Motion made, by leave,
and question—That the proposals contained in the State Employees Retirement
Benefits (Amendment) Bill be referred to the Economic and Budget Review
Committee for inquiry, consideration and report (*Mr Jolly*)—put and agreed to.
Ordered—That a Message be sent to the Legislative Council acquainting them of the
resolution and seeking their concurrence therein.
- 12 VERMIN AND NOXIOUS WEEDS (RE-ORGANIZATION) BILL—Order read for resuming
debate on question—That this Bill be now read a second time; debate resumed; Bill
read a second time and, by leave, read a third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence
desired therein.

- 13 LATROBE REGIONAL COMMISSION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress.
Business having been interrupted at 10.30 p.m.
- 14 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the Chair at six minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 89—Wednesday, 21 September 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- RETAIL SHOPPING HOURS—Seeking that the House take action to ensure that trading hours for retail shopping not be increased, bearing 474 signatures (*by Mr Rowe*).
- KEON PARK TO EPPING RAILWAY DUPLICATION—Seeking that the railway track between Keon Park and Epping stations be duplicated, bearing 302 signatures (*by Mr McDonald*).
- WEEKEND TRADING HOURS—Seeking that the Government not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and Sundays, bearing 5446 and 136 signatures, respectively (*by Mr Richardson and Mr Culpin*).
- SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 240 signatures (*by Mr Miller*).
- Severally ordered to lie on the Table.
- 4 PAPERS—Mr Speaker presented—
Finance, 1982–83—Statement of Receipts and Payments of the Consolidated Fund and the Trust Fund for the year ended 30 June 1983, accompanied by the Report of the Auditor-General and by the Documents specified in the Forty-Seventh Section of the Audit Act.
Severally ordered to lie on the Table and to be printed.
- 5 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Medical Practitioners (Conditional Registration) Bill.
Instruments (Bills of Exchange) Bill.
Fisheries (Amendment) Bill.
- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to repeal the 'Wyndham Shire Hall Act 1892'*".
- 7 WERRIBEE SHIRE HALL BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 8 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Eltham Land Act 1975’ and for other purposes*”.
- 9 ELTHAM LAND (AMENDMENT) BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 10 MESSAGES FROM THE LEGISLATIVE COUNCIL—
 Acquainting the Assembly that they have agreed to the resolution referring the proposals contained in the Hospitals Superannuation (Amendment) Bill (No. 2) to the Economic and Budget Review Committee.
 Acquainting the Assembly that they have agreed to the resolution referring the proposals contained in the State Employees Retirement Benefits (Amendment) Bill to the Economic and Budget Review Committee.
- 11 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 141)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (1983–84, No. 1) Bill and transmitting Estimates of Revenue and Expenditure for the year 1983–84.
 Estimates ordered to lie on the Table and to be printed.
- 12 APPROPRIATION (1983–84, NO. 1) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Cain, to bring in a Bill “*to appropriate certain Sums out of the Consolidated Fund for the Service of the Financial Year 1983–84 and to appropriate the Supplies granted in this Session of Parliament and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.
 Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 11 October next.
- 13 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 142)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Works and Services Appropriation Bill (No. 2) and transmitting Works Programmes of the Government and major semi-government authorities including Estimates of Receipts and Payments from the Works and Services Account 1983–84.
 Works Programmes and Estimates ordered to lie on the Table and to be printed.
- 14 WORKS AND SERVICES APPROPRIATION BILL (NO. 2)—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “*with respect to the Appropriation of Moneys out of the Works and Services Account for certain Works and Purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.
 Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 11 October next.
- 15 ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL—Mr Cathie obtained leave, with Mr Fordham, to bring in a Bill “*to amend the ‘Zoological Parks and Gardens Act 1967’ to enable the appointment of an additional Member to the Zoological Board of Victoria, to vary the requirements relating to Borrowing, Investment and Financial Reporting by that Board and with respect to Penalties for Breaches of Regulations under that Act and for other purposes*”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 16 ELTHAM LAND (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
- Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 11 October next.
- 17 WERRIBEE SHIRE HALL BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
- Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 11 October next.
- 18 ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
- Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 11 October next.
- 19 DRUGS POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
- Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Wednesday, 5 October next.
- 20 COMMUNITY WELFARE SERVICES (DIRECTOR-GENERAL OF CORRECTIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments and with an amended title, which title is as follows:
- “A Bill to make provision with respect to the functions of the Director-General of Corrections and the Office of Corrections, and for that purpose to amend the ‘Community Welfare Services Act 1970’, the ‘Crimes Act 1958’ and the ‘Penalties and Sentences Act 1981’ and the ‘Prisoners (Interstate Transfer) Act 1983’, and for other purposes”.*
- Bill, as amended, considered, and amendments agreed to; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 LATROBE REGIONAL COMMISSION BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 22 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until Tuesday, 11 October next (*Mr Fordham*)—put and agreed to.
- 23 POSTPONEMENT OF REMAINING BUSINESS—Ordered—That the consideration of remaining business be postponed.

24 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at twenty-eight minutes past Six o'clock, adjourned until Tuesday, 11 October next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 90, 91, and 92

No. 90—Tuesday, 11 October 1983

- 1 The House met pursuant to adjournment—Mr Speaker took the chair and read the prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - RETAIL SHOPPING HOURS—Seeking that the House take action to ensure that trading hours for retail shopping not be increased, bearing 4437 signatures (*by Mr Simpson*).
 - SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 198 signatures (*by Mr Jasper*).
 - WEEKEND TRADING HOURS—Seeking that the Government will not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 203, 2096, 408, 981, 133, 98, 1831, 703, signatures, respectively (*by Mr Hockley, Mr Richardson, Dr Vaughan, Mr Leigh, Mr Mathews, Mr Kirkwood, Mr McCutcheon and Mr Fogarty*).
 - BERWICK RAILWAY SERVICE—Seeking that action be taken to re-introduce country train stops at Berwick suitable for residents working in the city of Melbourne between the hours of 8.30 a.m. and 5.30 p.m., bearing 55 signatures (*by Mr Maclellan*).
 - ADVERTISING OF TOBACCO PRODUCTS—Seeking that positive action be taken to end all advertising and promotion of tobacco products, bearing 469 signatures (*by Mr Ernst*).
 - OTWAY WOODCHIPPING AND NATIONAL PARKS—Seeking that there be no woodchipping proposals for the Otway Region and there be established a system of national parks truly representative of the region, bearing 71 signatures (*by Mr Ernst*).
 - SWINBURNE COLLEGE OF TECHNICAL AND FURTHER EDUCATION—Seeking that Parliament ensures the continuing existence of Swinburne College of Technical and Further Education on its present site and that sufficient capital funds be provided for facilities and accommodation of a suitable standard to meet the educational needs of its students, bearing 2591 signatures (*by Miss Callister*).
 - GIPPSLAND MARINE RESERVES—Seeking that the Government withdraw its intention to proceed with the establishment of any marine reserves in Gippsland until after the Minister for Conservation has consulted representative groups of people affected by such action, and until all interested persons have had ample opportunity to present submissions for the control and management of any reserves that may be proclaimed, bearing 408 signatures (*by Mr Delzoppo*).
 - POKER MACHINES—Seeking that the Government will not legalize poker machines in this State, bearing 25 signatures (*by Mr Burgin*).

Severally ordered to lie on the Table.

- 4 ECONOMIC AND BUDGET REVIEW COMMITTEE—Mr Rowe, Chairman, brought up a Report from the Economic and Budget Review Committee upon the Proposals contained in the Local Authorities Superannuation (Amendment) Bill (No. 2), together with Appendices.

Ordered to lie on the Table and to be printed.

- 5 PAPERS—Mr Cain presented, by command of His Excellency the Governor:
Supreme Court Judges—Report for the year 1982.

Ordered to lie on the Table.

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

Chiropractors and Osteopaths Registration Board—Report for the year 1982.

Fairfield Hospital—Report for the year 1982–83.

Lands and Survey—Report of the Department of Crown Lands and Survey for the year 1982–83.

Members of Parliament (Register of Interests) Act 1978—Cumulative Summary of Returns, September 1983—Ordered to be printed.

Mines Act 1958—Return of suspensions of the labour covenant for the years 1977 to 1982 inclusive.

Public Record Office—Report of the Keeper of Public Records for the year 1982–83.

Queen Victoria Medical Centre (Guarantees) Act 1982—Notice of guarantee executed by the Treasurer concerning South Eastern Medical Complex Ltd.

State Bank of Victoria—Reports, Statements, Returns etc. for the year 1982–83—Ordered to be printed.

Town and Country Planning Act 1961:

Alberton—Shire of Alberton (Coastal) Planning Scheme, Amendment No. 18.

Ballaarat—City of Ballaarat Planning Scheme, Amendment No. 69.

Colac—City of Colac Planning Scheme 1963, Amendment No. 17 (1982).

Croydon—City of Croydon Planning Scheme 1961, Amendment No. 123.

Eaglehawk—Borough of Eaglehawk Planning Scheme, Amendment No. 5.

Geelong Regional Planning Scheme, Amendment Nos. 78, 79 (two papers).

Knox—City of Knox Planning Scheme 1965, Amendment Nos. 247, 248 (1982) (two papers).

Lake Bellfield Planning Scheme 1968, Amendment No. 13.

Maffra—Shire of Maffra (Maffra Township) Planning Scheme, Amendment No. 25 (1983).

Melbourne Metropolitan Planning Scheme, Amendment Nos. 188 (Part 2), 191 (Part 3A), 193, (Part 1A), 225 (Part 1), 248, 255, 256 (seven papers).

Mornington—Shire of Mornington Planning Scheme 1959, Amendment No. 154 (1982).

Morwell—Shire of Morwell Planning Scheme 1977, Amendment No. 19.

Rosedale—

Shire of Rosedale Planning Scheme, Amendment No. 33 (1982).

Shire of Rosedale Planning Scheme Part 2, Amendment Nos. 8, 9 (two papers).

Sale—City of Sale Planning Scheme 1975, Amendment No. 15 (1981).

Shepparton—City of Shepparton Planning Scheme, Amendment No. 67 (1982).

Winchelsea—Shire of Winchelsea, Lorne Planning Scheme, Amendment No. 2.

Transport Act 1983—Schedule of Assets of the Road Construction Authority transferred to the Road Traffic Authority.

Victorian Brown Coal Council—Report for the year 1982–83.

- 6 ADMINISTRATIVE ARRANGEMENTS ORDER—Motion made, by leave, and question—
That there be presented to this House a copy of the Order in Council made pursuant to the *Administrative Arrangements Act 1983* relating to the transfer of certain functions from the Minister of Labour and Industry to the Minister of Industrial Affairs (*Mr Fordham*)—put and agreed to.
- 7 PAPER—Mr Fordham presented:
Administrative Arrangements Act 1983—Order in Council relating to the transfer of certain functions to the Minister of Industrial Affairs—Return to the foregoing Order.
Ordered to lie on the Table.
- 8 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR, AS DEPUTY FOR THE GOVERNOR (No. 143)—ASSENT TO BILLS—Informing the Assembly that he had, on 27 September last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
Fisheries (Amendment) Bill.
Instruments (Bills of Exchange) Bill.
Medical Practitioners (Conditional Registration) Bill.
- 9 MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—Motion made, by leave, and question—That the resolution of the House of 1 July 1982 appointing the Mortuary Industry and Cemeteries Administration Committee and providing that the Committee be required to present its Final Report to the Parliament no later than 31 December 1983, be amended so far as to require the Final Report to be presented to the Parliament no later than 31 March 1985 (*Mr Fordham*)—put and agreed to.
Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- 10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 144)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Zoological Parks and Gardens (Amendment) Bill.
- 11 APPROPRIATION (1983–84, No. 1) BILL—Order read for resuming debate on question—
That this Bill be now read a second time; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 12 WORKS AND SERVICES APPROPRIATION BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Simpson*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Penalty Interest Rates Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 14 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Local Authorities Superannuation (Amendment) Bill (No.2) without amendment.
- 15 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 145)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the County Court (Jurisdiction) Bill.

- 16 COUNTY COURT (JURISDICTION) BILL—Mr Cain, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘County Court Act 1958’ with respect to the appointment of Acting Judges, the jurisdiction of the County Court and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 146)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Constitution (Judges) Bill.
- 18 CONSTITUTION (JUDGES) BILL—Mr Cain, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “to amend section 75 (2) of the ‘Constitution Act 1975’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 LABOUR AND INDUSTRY (SHOP TRADING) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Debate resumed on question—That this Bill be now read a second time.
Motion made and question—That the debate be now adjourned (*Mrs Setches*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 20 MESSAGES FROM THE LEGISLATIVE COUNCIL—
Acquainting the Assembly that they have concurred with the Assembly and have amended the Resolution of the Council of 1 July 1982, as amended, relating to the appointment of the Mortuary Industry and Cemeteries Administration Committee so far as to now require the Committee’s Final Report to be presented to the Parliament no later than 31 March 1985.
Agreeing to the Vermin and Noxious Weeds (Re-organization) Bill without amendment.
- 21 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 22 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at twenty-three minutes past Eleven o’clock adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 91—Wednesday, 12 October 1983

- 1 Mr Speaker took the chair and read the Prayer.
- 2 QUESTIONS (Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

SHOP TRADING HOURS LEGISLATION—Seeking that the present shop trading hours legislation be maintained and enforced, bearing 51 695 signatures (*by Mr Hockley*).

RETAIL SHOPPING HOURS—Seeking that the House take action to ensure that trading hours for retail shopping not be increased, bearing 1875, 136, 674 and 57 signatures, respectively (*by Mrs Ray, Miss Callister, Mrs Setches and Mr Gray*).

SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 93 signatures (*by Mr Gray*).

WEEKEND TRADING HOURS—Seeking that the Government not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 64, 28, 429 and 1277 signatures, respectively (*by Mr Hockley, Mr Kirkwood, Mrs Setches and Mr Gray*).

RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 395 and 213 signatures, respectively (*by Mrs Setches and Mr Gray*).

Severally ordered to lie on the Table.

4 **PAPERS**—Mr Cain presented, by command of His Excellency the Governor:

Federated Ship Painters and Dockers Union—Interim Report No. 5, Volume 1, of the Royal Commission.

Ordered to lie on the Table and to be printed.

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

Anti-Cancer Council—Report for the year 1982–83.

Statutory Rules under the following Acts:

Building Control Act 1981—No. 224.

Country Fire Authority Act 1958—Nos. 225, 238.

Explosives Act 1960—No. 223.

Extractive Industries Act 1966—No. 217.

Groundwater Act 1969—No. 219.

Health Act 1958—Nos. 229, 234, 241.

Industrial Training Act 1975—No. 233.

Inflammable Liquids Act 1966—No. 222.

Liquefied Gases Act 1968—No. 221.

Liquor Control Act 1968—No. 240.

Local Government Act 1958—No. 215.

Melbourne and Metropolitan Board of Works Act 1958—Nos. 230, 231.

Metropolitan Fire Brigades Act 1958—Nos. 227, 237.

Mines Act 1958—No. 216.

Motor Boating Act 1961—Nos. 239, 243.

Motor Car Traders Act 1973—No. 244.

Petroleum Act 1958—No. 218.

Pipelines Act 1967—No. 220.

Poisons Act 1962—Nos. 228, 242.

Post-Secondary Education Remuneration Tribunal Act 1980—No. 235.

Public Service Act 1974—PSD Nos. 60, 63 to 65, 67.

Second-hand Dealers Act 1958—No. 226.

Veterinary Surgeons Act 1958—No. 232.

- 5 ADMINISTRATIVE ARRANGEMENTS ORDER—Motion made, by leave, and question—That there be presented to this House a copy of an Order in Council made pursuant to the *Administrative Arrangements Act 1983* relating to the transfer of certain functions from the Director-General of Community Welfare Services to the Director-General of Corrections (*Mr Cain*)—put and agreed to.
- 6 PAPER—Mr Cain presented:
Administrative Arrangements Act 1983—Order in Council relating to the transfer of certain functions to the Director-General of Corrections—Return to the foregoing Order.
Ordered to lie on the Table.
- 7 BUSINESS FRANCHISE ACTS (FURTHER AMENDMENT) BILL—Mr Jolly pursuant to Standing Order No. 169 (b), obtained leave, with Mr Cain, to bring in a Bill “to amend the *Business Franchise Acts* with respect to Fees and Refunds and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 CONCURRENT DEBATE—APPROPRIATION (1983–84, No. 1) BILL AND WORKS AND SERVICES APPROPRIATION BILL (No. 2)—Motion made and question—That this House authorizes and requires Mr. Speaker to permit concurrent consideration and debate on the questions that the Appropriation (1983–84, No. 1) Bill and the Works and Services Appropriation Bill (No. 2) be now read a second time (*Mr Fordham*)—after debate, put.

The House divided.

AYES, 45

Mr Cain	Mrs Hill	Mr Newton	Mr Simpson
Miss Callister	Mr Hill	Mr Norris	Mr Spyker
Mr Cathie	Mr Hockley	Mrs Ray	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Remington	Mrs Toner
Mr Culpin	Mr Jolly	Mr Roper	Mr Trezise
Mr Ernst	Mr Kennedy	Mr Rowe	Dr Vaughan
Mr Fogarty	Mr Kirkwood	Mr Seitz	Mr Wilkes
Mr Fordham	Mr McCutcheon	Mrs Setches	Mr Wilton
Mr Gavin	Mr McDonald	Mr Sheehan	Tellers
Mr Gray	Mr Mathews	(<i>Ivanhoe</i>)	Mr Pope
Mr Harrowfield	Mr Micallef	Mr Shell	Mr Sheehan
Mr Hassett	Mr Miller	Mr Sidiropoulos	(<i>Ballarat South</i>)

NOES, 28

Mr Austin	Mr Jasper	Mr Maclellan	Mr Wallace
Mr Brown	Mr Jona	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Leigh	Mr Richardson	
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	
Mr Evans	Mr McGrath	Mrs Sibree	Tellers
(<i>Gippsland East</i>)	Mr McKellar	Mr Tanner	Mr Kempton
Mr Hann	Mr McNamara	Mr Templeton	Mr Steggall

And so it was resolved in the affirmative.

- 9 DIRECTOR-GENERAL OF CONSERVATION, FORESTS AND LANDS BILL—Mr Cathie obtained leave, with Mr Spyker, to bring in a Bill “to provide for the *Appointment of a Director-General of Conservation, Forests and Lands*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 BORDER RAILWAYS BILL—Mr Crabb, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Mathews, to bring in a Bill “to amend the *Border Railways Act 1922* and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 POLICE REGULATION (POLICE RESERVISTS) BILL—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Police Regulation Act 1958’ in respect of payments to police reservists, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 SMALL CLAIMS TRIBUNALS (AMENDMENT) BILL—Mr Spyker, after debate, obtained leave, with Mr Mathews, to bring in a Bill “to amend the ‘Small Claims Tribunals Act 1973’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 MOTOR CAR TRADERS (AMENDMENT) BILL—Mr Spyker, after debate, obtained leave, with Mr Mathews, to bring in a Bill “to amend the ‘Motor Car Traders Act 1973’ with respect to trading in motor cars by wholesale and auction and with respect to motor car traders trading as agents, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 COMMUNITY WELFARE SERVICES (PRE-RELEASE PROGRAMME) BILL—Mrs Toner, pursuant to motion moved on her behalf by Mr Fordham, after debate, obtained leave, with Mr Spyker, to bring in a Bill “to provide for a community-based pre-release programme to better integrate prisoners back into the community during the final portion of their prison sentences, to amend the ‘Community Welfare Services Act 1970’ and the ‘Penalties and Sentences Act 1981’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 16 CONSTITUTION (JUDGES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday, 26 October next.
- 17 LABOUR AND INDUSTRY (SHOP TRADING) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
- Question—put.
- The House divided.

AYES, 51

Mr Cain	Mrs Hill	Mr Newton	Mr Sidiropoulos
Miss Callister	Mr Hill	Mr Norris	Mr Simpson
Dr Coghill	Mr Hockley	Mr Pope	Mr Spyker
Mr Crabb	Mr Ihlein	Mrs Ray	Mr Steggall
Mr Culpin	Mr Jasper	Mr Remington	Mr Stirling
Mr Ernst	Mr Jolly	Mr Roper	Mr Trezise
Mr Evans	Mr Kirkwood	Mr Ross-Edwards	Dr Vaughan
(<i>Gippsland East</i>)	Mr McCutcheon	Mr Rowe	Mr Wallace
Mr Fogarty	Mr McDonald	Mr Seitz	Mr Walsh
Mr Gavin	Mr McGrath	Mr Sheehan	Mr Wilton
Mr Gray	Mr McNamara	(<i>Ivanhoe</i>)	
Mr Hann	Mr Mathews	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Micallef	(<i>Ballarat South</i>)	Mr Kennedy
Mr Hassett	Mr Miller	Mr Shell	Mrs Setches

NOES, 16

Mr Brown	Mr Lieberman	Mrs Sibree	<i>Tellers</i>
Mr Burgin	Mr McKellar	Mr Tanner	Mr Kempton
Mr Dickinson	Mr Maclellan	Mr Templeton	Mr Leigh
Mr Ebery	Mr Ramsay	Mr Williams	
Mr Jona	Mr Richardson		

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Bill further considered in Committee.

And having continued to sit till after Twelve of the clock—

THURSDAY, 13 OCTOBER 1983

Bill reported with an amendment; as amended, considered, and amendment agreed to.

Motion made and question—That this Bill be now read a third time (*Mr Simpson*)—after debate, put.

The House divided.

AYES, 52

Mr Cain	Mrs Hill	Mr Norris	Mr Sidiropoulos
Miss Callister	Mr Hill	Mr Pope	Mr Simmonds
Mr Cathie	Mr Hockley	Mr Ray	Mr Simpson
Dr Coghill	Mr Ihlein	Mr Remington	Mr Spyker
Mr Culpin	Mr Jasper	Mr Roper	Mr Steggall
Mr Ernst	Mr Jolly	Mr Ross-Edwards	Mr Stirling
Mr Evans	Mr Kirkwood	Mr Rowe	Mrs Toner
(<i>Gippsland East</i>)	Mr McCutcheon	Mr Seitz	Dr Vaughan
Mr Fogarty	Mr McDonald	Mrs Setches	Mr Wallace
Mr Fordham	Mr McGrath	Mr Sheehan	Mr Walsh
Mr Gavin	Mr Mathews	(<i>Ivanhoe</i>)	Mr Wilton
Mr Gray	Mr Micallef	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Miller	(<i>Ballarat South</i>)	Mr Kennedy
Mr Hassett	Mr Newton	Mr Shell	Mr McNamara

NOES, 20

Mr Austin	Mr Ebery	Mrs Patrick	Mr Tanner
Mr Brown	Mr Jona	Mr Ramsay	Mr Templeton
Mr Burgin	Mr Lieberman	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr McKellar	Mr Richardson	<i>Tellers</i>
Mr Dickinson	Mr Maclellan	Mrs Sibree	Mr Kempton
			Mr Leigh

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

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

18 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

19 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty-four minutes past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 92—Thursday, 13 October 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS (Pursuant to Standing Order No. 124).

- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

SHOP TRADING HOURS LEGISLATION—Seeking that the present shop trading hours legislation be maintained and enforced, bearing 7925 signatures (*by Mr Sheehan, Ballarat South*).

RETAIL SHOPPING HOURS—Seeking that the House take action to ensure that trading hours for retail shopping not be increased, bearing 13 511 and 238 signatures, respectively (*by Mr Sheehan, Ballarat South, and Mr Shell*).

SHOP TRADING HOURS—Seeking that the Government's policies supporting small business and the non-extension of shop trading hours be strengthened and that penalties for breaches of the *Labour and Industry Act 1958* be enforced, bearing 60, 370 and 59 signatures, respectively (*by Mrs Hill, Mr Reynolds and Mr Ihlein*).

WEEKEND TRADING HOURS—Seeking that the Government will not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 250 signatures (*by Mrs Hill*).

ST. ALBANS SOUTH PRIMARY SCHOOL—Seeking that the Treasurer provide funds to the Minister of Education to meet the salaries of a teacher/programme aide and a community liaison officer so that services may be continued at the St. Albans South Primary School, bearing 177 signatures (*by Mr Seitz*).

WARRANTYTE ROADS CONSTRUCTION—Seeking that a review of classification and construction of the roads in Warrandyte be conducted to protect the character of Warrandyte as a riverside township, bearing 600 signatures (*by Mr Hill*).

Severally ordered to lie on the Table.

- 4 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Alpine Resorts Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 5 GRAIN TRANSPORT POLICY—CENSURE OF MINISTER OF TRANSPORT—Motion made and question—That this House expresses a lack of confidence in the ability of the Minister of Transport to efficiently implement the new grain receivable policy because of—(a) insufficient serviceable locomotives in the V/line fleet; (b) the large outflow of grain to South Australia by road; (c) the substantial added cost to growers who will be required to double their cartage costs compared to previous harvests; and (d) the consequent cost to municipalities for road maintenance caused as a direct result of the Minister's action; and deplores the action of the Minister in penalizing the grain industry through unrealistic rail freight increases, namely 27 per cent in the past two years, in spite of the twelve months wage and prices pause (*Mr McGrath*)—after debate, put.

The House divided.

AYES, 29

Mr Austin
Mr Brown
Mr Burgin
Mr Delzoppo
Mr Dickinson
Mr Ebery
Mr Evans
(*Ballarat North*)

Mr Evans
(*Gippsland East*)
Mr Jasper
Mr Jona
Mr Kennett
Mr Leigh
Mr Lieberman
Mr McGrath

Mr McKellar
Mr McNamara
Mr Maclellan
Mrs Patrick
Mr Ramsay
Mr Reynolds
Mr Richardson
Mr Ross-Edwards

Mrs Sibree
Mr Tanner
Mr Templeton
Mr Wallace
Mr Williams
Tellers
Mr Kempton
Mr Steggall

NOES, 45

Mr Cain	Mr Hassett	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Hill	Mr Remington	Mr Stirling
Dr Coghill	Mr Hockley	Mr Roper	Mrs Toner
Mr Crabb	Mr Ihlein	Mr Rowe	Mr Trezise
Mr Culpin	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fordham	Mr Mathews	Mr Sheehan	Mr Wilton
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Shell	Mr Micallef
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	Mr Seitz

And so it passed in the negative.

- 6 COUNTY COURT (JURISDICTION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 25 October instant.
- 7 DIRECTOR-GENERAL OF CONSERVATION, FORESTS AND LANDS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 25 October instant.
- 8 BORDER RAILWAYS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 27 October instant.
- 9 POLICE REGULATION (POLICE RESERVISTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 25 October instant.
- 10 SMALL CLAIMS TRIBUNALS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Spyker*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 25 October instant.
- 11 MOTOR CAR TRADERS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Spyker*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 25 October instant.
- 12 COMMUNITY WELFARE SERVICES (PRE-RELEASE PROGRAMME) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 27 October instant.

- 13 BUSINESS FRANCHISE ACTS (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 25 October instant.
- 14 ZOOLOGICAL PARKS AND GARDENS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 CHATTEL SECURITIES (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith, after debate.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 EMPLOYMENT AGENTS BILL—Order read for resuming debate on question—That this Bill be now read a second; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again tomorrow.
- 17 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Spyer*)—put and agreed to.
- 18 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at twenty-nine minutes past Five o'clock adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 93, 94, and 95

No. 93—Tuesday, 18 October 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS (Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - TRADING HOURS ANOMALIES—Seeking that the House take immediate action to introduce legislation to eliminate existing anomalies in the *Labour and Industry Act 1958* which presently permits supermarkets to trade on Saturday afternoon and Sunday, bearing 1344 signatures (*by Mr Lieberman*).
 - RETAIL SHOPPING HOURS—Seeking that the House take action to ensure that trading hours for retail shopping not be increased, bearing 147 and 225 signatures, respectively (*by Mr Shell and Mrs Setches*).
 - WEEKEND TRADING HOURS—Seeking that the Government not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 583 and 421 signatures, respectively (*by Mr Newton and Mr Micallef*).
 - LURG PRIMARY SCHOOL—Seeking that Lurg Primary School be restaffed, bearing 103 signatures (*by Mr McNamara*).
 - GUIDELINES FOR RESTRUCTURING SCHOOL COUNCILS—Seeking that the matter of guidelines for restructuring school councils be introduced as legislation so that a full and proper debate may ensue, bearing 156 signatures (*by Mr Jona*).
 - EDUCATION DEPARTMENT HOSTELS—Seeking that the House reverse the decision to close down the Education Department hostels, bearing 109 signatures (*by Mr Kempton*).

Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Dietitians Registration Board—Report and statement of accounts for the year 1982–83.
 - Environment Protection Authority—Report for the year 1982–83—Ordered to be printed.
 - Equal Opportunity Act 1977—Report of the Commissioner for Equal Opportunity for the year 1982–83—Ordered to be printed.
 - Equal Opportunity Board—Report for the year 1982–83—Ordered to be printed.
 - Land Conservation Council—Report for the year 1982–83—Ordered to be printed.
 - National Museum of Victoria Council—Report for the year 1982–83.
 - Public Account Act 1958—Report on the Victorian Development Fund for the year 1982–83.

Town and Country Planning Act 1961:

- Camberwell—City of Camberwell Planning Scheme 1954, Amendment No. 51 (1979).
- Cobram—Shire of Cobram Planning Scheme 1979, Amendment No. 7 (1983).
- Maffra—Shire of Maffra (Heyfield Township) Planning Scheme, Amendment No. 13.
- Melbourne Metropolitan Planning Scheme, Amendment Nos. 192 (Part 1), 246 (two papers).
- Mildura—City of Mildura Planning Scheme, Amendment No. 62 (1983).
- Mornington—Shire of Mornington Planning Scheme 1959, Amendment No. 142 (1981).
- Portland Planning Scheme 1960 (Town of Portland), Amendment No. 38 (1982).
- Traralgon—City of Traralgon Planning Scheme 1957, Amendment No. 34 (1982).

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 147)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Local Authorities Superannuation (Amendment) Bill (No. 2).
 - Vermin and Noxious Weeds (Re-organization) Bill.
- 6 TATTERSALL CONSULTATIONS BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Tattersall Consultations Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 SALINITY COMMITTEE—EXTENSION OF INQUIRY—Motion made, by leave, and question—That the resolution of the House of 8 December 1982 providing that the Salinity Committee inquire into and report on the quantity, control and usage of water and the allocation of water rights in Northern Victoria by 31 December 1983, be amended so far as to require the Committee to report by 31 December 1984 (*Mr Fordham*)—put and agreed to.
- Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 148)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Business Franchise Acts (Further Amendment) Bill.
- 9 APPROPRIATION (1983–84, NO. 1) BILL AND WORKS AND SERVICES APPROPRIATION BILL (NO. 2)—Order read for resuming debate on question—That these Bills be now read a second time; debate resumed.
- Business having been interrupted at 10.30 p.m.—
- Motion made and question—That the sitting be continued (*Mr Cathie*)—put and agreed to.
- Debate resumed on question—That these Bills be now read a second time.
- And the House having continued to sit till after Twelve of the clock—

WEDNESDAY, 19 OCTOBER 1983

- Motion made and question—That the debate be now adjourned (*Mr Hann*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.

10 MESSAGES FROM THE LEGISLATIVE COUNCIL—

Agreeing to the Zoological Parks and Gardens (Amendment) Bill without amendment.

Acquainting the Assembly that they have concurred with the Assembly and have amended the Resolution of the Council of 9 December 1982, providing that the Salinity Committee inquire into and report on the quantity, control and usage of water and the allocation of water rights in Northern Victoria by 31 December 1983, so far as to now require the Committee to report to the Parliament by 31 December 1984.

11 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Community Welfare Services (Director-General of Corrections) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Latrobe Regional Commission Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Environment Protection Act 1970'*".

14 ENVIRONMENT PROTECTION (AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

15 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

16 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at twenty-two minutes past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 94—Wednesday, 19 October 1983

1 Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS (Pursuant to Standing Order No. 124).

3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

WEEKEND TRADING HOURS—Seeking that the Government not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 2215, 118, 1198, 43, 630 and 334 signatures, respectively (*by Mr Hassett, Mr McDonald, Mr Richardson, Mr Shell, Mr Ihlein and Mr Gray*).

RETAIL SHOPPING HOURS—Seeking that the House take action to ensure that trading hours for retail shopping not be increased, bearing 1422 and 76 signatures, respectively (*by Mr Ernst and Mr Ihlein*).

COLLINGWOOD COMMUNITY HEALTH CENTRE—Seeking that the Government restore funding cuts made in respect of staff and supplies at the Collingwood Community Health Centre, bearing 21 signatures (*by Mr Saltmarsh*).

Severally ordered to lie on the Table.

- 4 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (NOS. 149 AND 150)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
Police Regulation (Police Reservists) Bill.
Director-General of Conservation, Forests and Lands Bill.
- 5 STATE CO-ORDINATION COUNCIL (REPEAL) BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill "*to repeal the 'State Co-ordination Council Act 1975' and to amend the 'Town and Country Planning Act 1961' and the 'Upper Yarra Valley and Dandenong Ranges Authority Act 1976' and for other purposes'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—Mr Cain obtained leave, with Mr Fordham, 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, ordered to be printed and read a second time tomorrow.
- 7 TRANSFER OF LAND (AMENDMENT) BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Transfer of Land Act 1958' and for other purposes'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 PAROLE ORDERS (TRANSFER) BILL—Mrs Toner obtained leave, with Mr Mathews, to bring in a Bill "*relating to the reciprocal Enforcement of Parole Orders'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL (NO. 2)—Mr Wilkes obtained leave, with Mr Roper, to bring in a Bill "*to make further provision with respect to Municipal Council Powers, to amend the 'Local Government Act 1958', to make consequential amendments to certain other Acts and for other purposes'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 GRIEVANCE DEBATE LIMITATION—Motion made and question—That so much of Standing Order No. 59 as permits four hours debate on "Grievances" be suspended for tomorrow and the debate on the question that Grievances be noted be concluded at 1 p.m. (*Mr Fordham*)—put, after debate, and agreed to.
- 11 TATTERSALL CONSULTATIONS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 12 ENVIRONMENT PROTECTION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday, 2 November next.
- 13 APPROPRIATION (1983-84, NO. 1) BILL AND WORKS AND SERVICES APPROPRIATION BILL (NO. 2)—Order read for resuming debate on question—That these Bills be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Debate resumed on question—That these Bills be now read a second time.

And the House having continued to sit till after Twelve of the clock—

THURSDAY, 20 OCTOBER 1983

Bills severally read a second time and committed.

Severally ordered—That the Bills be considered in Committee later this day.

14 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

15 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-five minutes past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 95—Thursday, 20 October 1983

1 Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS (Pursuant to Standing Order No. 124).

3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

WEEKEND TRADING HOURS—Seeking that the Government will not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 856 and 122 signatures, respectively (*by Mr Wilton and Mrs Setches*).

RETAIL SHOPPING HOURS—Seeking that the House take action to ensure that trading hours for retail shopping not be increased, bearing 586 and 72 signatures, respectively (*by Mr Rowe and Mrs Setches*).

4 ECONOMIC AND BUDGET REVIEW COMMITTEE—Mr Rowe, Chairman, brought up a Report from the Economic and Budget Review Committee upon the Proposals contained in the State Employees Retirement Benefits (Amendment) Bill, together with Appendices.

Ordered to lie on the Table and the Report and Appendices to be printed.

5 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.

6 PAPER—Mr Deputy-Speaker presented:

Auditor-General—Second Report for the year ended 30 June 1983.

Ordered to lie on the Table and to be printed.

7 STATE CO-ORDINATION COUNCIL (REPEAL) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.

Ordered—That the debate be adjourned until Thursday, 3 November next.

- 8 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 3 November next.
- 9 TRANSFER OF LAND (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 3 November next.
- 10 PAROLE ORDERS (TRANSFER) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
Motion made and question—That the debate be now adjourned (*Mr Saltmarsh*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 3 November next.
- 11 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 10 November next.
- 12 APPROPRIATION (1983-84, NO. 1) BILL—Bill committed; considered in Committee. Committee reported progress.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Further considered in Committee.
Committee reported progress; to sit again tomorrow.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Labour and Industry (Shop Trading) Bill without amendment.
- 14 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
And the House having continued to sit till after Twelve of the clock—

FRIDAY, 21 OCTOBER 1983

- 15 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty minutes past Twelve o'clock in the morning, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 96, 97, and 98

No. 96—Tuesday, 25 October 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS (Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

RETAIL SHOPPING HOURS—Seeking that the House take action to ensure that trading hours for retail shopping not be increased, bearing 26 and 309 signatures, respectively (*by Miss Callister and Mr Stirling*).

WEEKEND TRADING HOURS—Seeking that the Government not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 691 signatures (*by Mr Sheehan, Ivanhoe*).

SMALL BUSINESS SECTOR—Seeking that the House take immediate action to introduce or amend legislation in order to protect the livelihood of the small business sector and its associated suppliers, bearing 163 signatures (*by Mr Sheehan, Ivanhoe*).

NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-Government schools recognizes the fundamental right of all children to an equitable share of Government funds for education, bearing 228 signatures (*by Mr Evans, Ballarat North*).

RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 477 signatures (*by Mr Sheehan, Ivanhoe*).

FIRE AUTHORITIES INTEGRATION—Seeking that no integration of the Metropolitan Fire Brigade and the Country Fire Authority take place, bearing 5592 signatures (*by Mr Ebery*).

EMERGENCY TEACHERS—Seeking that the Minister of Education reinstate the previous arrangements for the employment of emergency teachers in Government schools, bearing 93 signatures (*by Mr Kempton*).

Severally ordered to lie on the Table.

- 4 **SOCIAL DEVELOPMENT COMMITTEE**—Mr Ernst, Chairman, brought up an Interim Report from the Social Development Committee on Complaints Procedures against Health Services, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

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

Ethnic Affairs Commission Act 1982—Report of the Ethnic Affairs Commission for the period 15 March to 30 June 1983.

Town and Country Planning Act 1961—

Alberton—Shire of Alberton (Coastal) Planning Scheme, Amendment No. 22 (1982).

Flinders—Shire of Flinders Planning Scheme 1962, Amendment No 154 (1982).

Hastings—Shire of Hastings Planning Scheme, Amendment No. 7.

Melbourne Metropolitan Planning Scheme, Amendment Nos. 150 (Part 1), 259 (two papers).

Moe—City of Moe Planning Scheme 1966, Amendment No. 75.

Morwell—Shire of Morwell Planning Scheme 1977, Amendment No. 20.

Port Fairy Planning Scheme 1959, Amendment No. 24 (1983).

Rosedale—Shire of Rosedale Planning Scheme (Part 2), Amendment No. 12.

Seymour Planning Scheme, Amendment No. 77.

Shepparton—City of Shepparton Planning Scheme 1953, Amendment No. 77.

- 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 151)—ASSENT TO BILLS—
Informing the Assembly that he had, on 21 October instant, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
Labour and Industry (Shop Trading) Bill.
Zoological Parks and Gardens (Amendment) Bill.
- 7 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (NOS. 152, 153, 154)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
Legal Profession Practice (Amendment) Bill.
Transfer of Land (Amendment) Bill.
Parole Orders (Transfer) Bill.
- 8 APPROPRIATION (1983–84, NO. 1) BILL—Further considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Chattel Securities (Amendment) Bill without amendment.
- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Water Act 1958' and the 'Water Resources Act 1975' to permit the delegation of certain powers*".
- 11 WATER (DELEGATION OF POWERS) BILL—On the motion of Mr Mathews, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 12 WORKS AND SERVICES (APPROPRIATION) BILL (NO. 2)—Bill committed; considered in Committee.
Committee reported progress.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Further considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to Legislative Council and their concurrence desired therein.

- 13 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 155)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Criminal Injuries Compensation Bill.
- 14 CRIMINAL INJURIES COMPENSATION BILL—Mr Cain, pursuant to Standing Order No. 169, obtained leave, with Mr Jolly, to bring in a Bill "*to Re-enact with Amendments the Law relating to Compensation for Persons injured by Criminal Acts and Compensation for Dependants of Persons killed by Criminal Acts, to repeal the 'Criminal Injuries Compensation Act 1972' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 16 ADJOURNMENT—Motion made and question proposed—That the House do now adjourn (*Mr Fordham*)—and, after debate—
And the House having continued to sit till after Twelve of the clock—

WEDNESDAY, 26 OCTOBER 1983

Question—put and agreed to.

And then the House, at one minute past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 97—Wednesday, 26 October 1983

- 1 Mr Speaker took the chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- CHILDREN'S PROTECTION SOCIETY—Seeking that funds be allocated for the establishment of a protective unit of the Children's Protection Society in the Bendigo, Loddon and Campaspe Region, bearing 3145 signatures (*by Mr Ebery*).
- NON-GOVERNMENT SCHOOLS' FUNDING—Seeking that any change in the funding system for non-government schools recognizes the fundamental right of all children to an equitable share of Government funds for education, bearing 536 signatures (*by Mr Gray*).
- EDUCATION DEPARTMENT HOSTELS—Seeking that the House will reverse the decision to close down the Education Department hostels, bearing 128 signatures (*by Mr Kempton*).
- Severally ordered to lie on the Table.
- 4 NATURAL RESOURCES AND ENVIRONMENT COMMITTEE—Mr Burgin brought up a Report from the Natural Resources and Environment Committee upon Radio Masts, together with Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report and Appendices to be printed.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the following Acts:

- Abattoir and Meat Inspection Act 1973—No. 263.
- Constitution Act Amendment Act 1958—No. 266.
- Freedom of Information Act 1982—No. 252.
- Friendly Societies Act 1958—No. 245.
- Human Tissue Act 1982—No. 249.
- Industrial Relations Act 1979—No. 254.
- Lifts and Cranes Act 1967—No. 267.
- Local Government Act 1958—Nos. 236, 260, 272.
- Mines Act 1958—Nos. 256 to 258.
- Motor Boating Act 1961—No. 251.
- National Gallery of Victoria Act 1966—No. 247.
- Pipelines Act 1967—No. 265.
- Police Regulation Act 1958—No. 253.
- Port of Melbourne Authority Act 1958—No. 248.
- Port of Portland Authority Act 1958—No. 261.
- Public Service Act 1974—PSD Nos. 69, 70.
- Registration of Births Deaths and Marriages Act 1959—No. 264.
- Supreme Court Act 1958—No. 269.
- Supreme Court Act 1958—Transport Act 1983—No. 268.
- Transport Act 1983—Nos. 270, 275.
- Valuation of Land Act 1960—No. 274.
- Workers Compensation Act 1958—No. 246.

Victorian Solar Energy Council—Report for the year 1982–83.

- 6 PAY-ROLL TAX (AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Pay-roll Tax Act 1971’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 LAND TAX BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Land Tax Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 156)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Tattersall Consultations Bill.
- 9 LIQUOR CONTROL (BOOTH LICENCES) BILL—Mr Cathie obtained leave, with Mr Mathews, to bring in a Bill “to amend the ‘Liquor Control Act 1968’ with respect to Booth Licences and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 LAND (AMENDMENT) BILL (No. 2)—Mr Cathie obtained leave, with Mr Wilkes, to bring in a Bill “to amend the ‘Land Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 FISHERIES (FURTHER AMENDMENT) BILL—Mr Cathie obtained leave, with Mr Wilkes, to bring in a Bill “to further amend the ‘Fisheries Act 1968’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 FIREARMS (FURTHER AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Cathie, to bring in a Bill “to further amend the ‘Firearms Act 1958’, to amend the ‘Firearms (Amendment) Act 1983’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 13 MENTAL HEALTH (FURTHER AMENDMENT) BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill “to further amend the ‘Mental Health Act 1959’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 CONSUMER AFFAIRS (PRODUCT SAFETY) BILL—Mr Spyker obtained leave, with Mr Simpson, to bring in a Bill “to amend the ‘Consumer Affairs Act 1972’ to provide for the Making by the Minister of Orders prohibiting the Supply of certain Goods and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 CONSUMER AFFAIRS (ITEM PRICING) BILL—Mr Spyker obtained leave, with Mr Simpson, to bring in a Bill “to amend the ‘Consumer Affairs Act 1972’ with respect to the marking of prices on certain goods and the display of prices of goods, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 RACING (FURTHER AMENDMENT) BILL—Mr Trezise obtained leave, with Mr Wilkes, to bring in a Bill “to amend the ‘Racing Act 1958’ with respect to the membership of the Totalizator Agency Board and the appointment of the principal administrative officers and other officers of the Harness Racing Board, the Greyhound Racing Control Board and the Totalizator Agency Board, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 PUBLIC LANDS AND WORKS (AMENDMENT) BILL—Mr Simpson obtained leave, with Mr Spyker, to bring in a Bill “to amend the ‘Public Lands and Works Act 1964’ to extend the powers of delegation of the Minister of Public Works; to enable other Ministers of the Crown to authorize repairs to buildings for which they are responsible, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 WATER (DELEGATION OF POWERS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 8 November next.
- 19 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 20 BUSINESS FRANCHISE ACTS (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted to include a provision allowing for special licence fees in border areas as foreshadowed by the Honourable the Treasurer in his Second Reading speech” (*Mr Ramsay*)—and, after debate—
Question—That the words proposed to be omitted stand part of the question—put.
The House divided.

AYES, 39

Mr Cain
Miss Callister
Mr Crabb
Mr Culpin
Mr Fogarty
Mr Fordham
Mr Gray
Mr Harrowfield
Mr Hassett
Mrs Hill
Mr Hill

Mr Hockley
Mr Ihlein
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr Mathews
Mr Miller
Mr Newton
Mr Norris

Mr Pope
Mr Remington
Mr Roper
Mr Seitz
Mrs Setches
Mr Sheehan
(*Ivanhoe*)
Mr Shell
Mr Sidiropoulos
Mr Simpson
Mr Stirling

Mrs Toner
Mr Trezise
Dr Vaughan
Mr Wilkes
Mr Wilton

Tellers
Mr Micallef
Mr Sheehan
(*Ballarat South*)

NOES, 29

Mr Austin	Mr Evans	Mr McKellar	Mrs Sibree
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner
Mr Burgin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Delzoppo	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Dickinson	Mr Jona	Mr Reynolds	Mr Williams
Mr Ebery	Mr Kennett	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr Leigh
(<i>Ballarat North</i>)	Mr McGrath	Mr Saltmarsh	Mr Steggall

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 21 TATTERSALL CONSULTATIONS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 22 DIRECTOR—GENERAL OF CONSERVATION, FORESTS AND LANDS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 23 SMALL CLAIMS TRIBUNALS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 24 COUNTY COURT (JURISDICTION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 25 CONSTITUTION (JUDGES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read the third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Director-General of Conservation, Forests and Lands Bill without amendment.

- 27 EQUAL OPPORTUNITY BILL—Further considered in Committee.
Committee reported progress.

Business having been interrupted at 10.35 p.m.

- 28 ADJOURNMENT—Question—That the House do now adjourn—proposed and Mr Speaker left the chair at thirty-six minutes past Ten o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 98—Thursday 27 October 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 ABSENCE OF THE CLERK—Mr Speaker announced that he had given leave to the Clerk to attend the Seventeenth Australasian and Pacific Regional Conference of the Commonwealth Parliamentary Association in Tasmania from 7 to 14 November 1983, and that he had directed the Deputy Clerk to perform the duties of the Clerk during that period.
- 4 PETITIONS—The Clerk announced that the following petitions has been lodged for presentation:
 - NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-government schools recognises the fundamental right of all children to an equitable share of Government funds for education, bearing 219, 301 and 997 signatures, respectively (*by Mr Ross-Edwards, Mr Hassett and Mr Templeton*).
 Severally ordered to lie on the Table.
- 5 SALINITY COMMITTEE—Mr Fogarty, Chairman, brought up a Report from the Salinity Committee on the Activities of the Salinity Committee, together with Appendices. Ordered to lie on the Table and to be printed.
- 6 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Gas and Fuel Corporation—Report for the year 1982–83—Ordered to be printed.
 - State Board of Education Act 1983—Report of the Board to the Minister of Education on the Role of School Councils in the Selection of Principals.
- 7 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Small Claims Tribunals (Amendment) Bill without amendment.
- 8 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Estate Agents Act 1980’, the ‘Trustee Companies Act 1958’ and the ‘Estate Agents (Reconstitution) Act 1983’ and for other purposes*”.
- 9 ESTATE AGENTS (AMENDMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 10 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until Tuesday, 8 November next (*Mr Fordham*)—put and agreed to.
- 11 PUBLIC WORKS DEPARTMENT—COMMITTEE REVIEW—Motion made and question proposed—That the Public Works Department be referred to the Public Bodies Review Committee for review (*Mr Evans, Gippsland East*)—and, after debate—General Business having been interrupted at 2.00 p.m. pursuant to Sessional Orders—

- 12 ADVICE RE HONOURABLE W. A. LANDERYOU, M.L.C.—Motion made, by leave, and question—That there be presented to this House a copy of Advice tendered to the Honourable the Premier by Mr. M. E. J. Black, Q.C., in the matter of the Honourable W. A. Landeryou, M.L.C.'s resignation from Offices in the Federated Storemen and Packers' Union and associated organizations dated 25 October 1983 (*Mr Cain*)—put and agreed to.
- 13 PAPER—Mr Cain presented—
Honourable W. A. Landeryou, M.L.C.—Advice to the Honourable the Premier by Mr M. E. J. Black, Q.C., concerning the Honourable W. A. Landeryou, M.L.C.'s resignation from Offices in the Federated Storemen and Packers' Union and associated organizations—Return to the foregoing Order.
Ordered to lie on the Table and to be printed.
- 14 LIQUOR CONTROL (BOOTH LICENCES) BILL—Motion made and question proposed—
That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 8 November next.
- 15 LAND (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 8 November next.
- 16 FIREARMS (FURTHER AMENDMENT) BILL—Motion made and question proposed—
That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 8 November next.
- 17 CONSUMER AFFAIRS (PRODUCT SAFETY) BILL—Motion made and question proposed—
That this Bill be now read a second time (*Mr Spyker*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 8 November next.
- 18 CONSUMER AFFAIRS (ITEM PRICING) BILL—Motion made and question proposed—
That this Bill be now read a second time (*Mr Spyker*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Motion made and question proposed—That the debate be adjourned until Tuesday, 8 November next (*Mr Spyker*)—and, after debate—
Motion, by leave, withdrawn.
Ordered—That the debate be adjourned until Tuesday, 15 November next.
- 19 RACING (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Trezise*).
Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
Motion made and question proposed—That the debate be adjourned until Tuesday, 8 November next (*Mr Trezise*)—and, after debate—
Motion, by leave, withdrawn.
Ordered—That the debate be adjourned until Tuesday, 15 November next.

- 20 PUBLIC LANDS AND WORKS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 8 November next.
- 21 MENTAL HEALTH (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 10 November next.
- 22 FISHERIES (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 8 November next.
- 23 PAY-ROLL TAX (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 8 November next.
- 24 LAND TAX BILL—Motion made and question proposed—That the debate be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 8 November next.
- 25 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 12, be postponed until later this day.
- 26 BORDER RAILWAYS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 27 SUMMER TIME (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Question—put.
The House divided.

AYES, 59

Mr Austin	Mr Ihlein	Mrs Patrick	Mr Sidiropoulos
Mr Brown	Mr Jona	Mr Ramsay	Mr Simpson
Mr Burgin	Mr Kempton	Mrs Ray	Mr Spyker
Miss Callister	Mr Kennedy	Mr Remington	Mr Stirling
Mr Cathie	Mr Kennett	Mr Reynolds	Mr Tanner
Mr Delzoppo	Mr Kirkwood	Mr Richardson	Mr Templeton
Mr Dickinson	Mr Leigh	Mr Rowe	Mr Trezise
Mr Ebery	Mr Lieberman	Mr Saltmarsh	Dr Vaughan
Mr Ernest	Mr McCutcheon	Mr Seitz	Mr Walsh
Mr Fogarty	Mr McKellar	Mrs Setches	Mr Williams
Mr Fordham	Mr Maclellan	Mr Sheehan	Mr Wilton
Mr Gavin	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Harrowfield	Mr Micallef	Mr Sheehan	
Mrs Hill	Mr Miller	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Hill	Mr Newton	Mr Shell	Mr Hassett
Mr Hockley	Mr Norris	Mrs Sibree	Mr Pope

NOES, 7

Mr Evans (<i>Gippsland East</i>)	Mr Jasper Mr McGrath	Mr Mc Namara Mr Ross-Edwards	<i>Tellers</i> Mr Steggall Mr Wallace
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And so it was resolved in the affirmative.

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

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

Health Commission—Report for the year 1982–83—Ordered to be printed.

- 29 HOUSING BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Motion made, by leave, and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow and that Mr Brown have leave to continue his speech when the debate is resumed.

- 30 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 31 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at five minutes past Six o'clock adjourned until Tuesday, 8 November next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 99, 100, and 101

No. 99—Tuesday, 8 November 1983

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
 - 2 QUESTIONS—(Pursuant to Standing Order No. 124).
 - 3 PETITIONS—The Acting Clerk announced that the following petitions had been lodged for presentation:
 - NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-Government schools recognizes the fundamental right of all children to an equitable share of Government funds for education, bearing 1004, 532, 558 and 609 signatures respectively (*by Mr Ramsay, Mr Newton, Mr Tanner and Mr Richardson*).
 - EDUCATION DEPARTMENT HOSTELS—Seeking that the House reverse the decision to close down the Education Department hostels, bearing 126 and 17 signatures, respectively (*by Mr Shell and Mr Kempton*).
 - STUDENT HOSTELS—Seeking that the Education Department reconsider the decision to close student hostels and keep these hostels open for tertiary country students, bearing 20 signatures (*by Mr Steggall*).
 - FIRE AUTHORITIES INTEGRATION—Seeking that no integration of the Metropolitan Fire Brigade and the Country Fire Authority take place, bearing 251 signatures (*by Mr Evans, Ballarat North*).
 - WEEKEND TRADING HOURS—Seeking that the Government not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 1462 signatures (*by Mr Rowe*).
 - GRAIN RAIL CHARGES—Seeking that the Government reconsider the increases in charges imposed on grain growers who must use the regulated rail system, bearing 1636 signatures (*by Mr Austin*).
 - GRAIN ELEVATORS BOARD DIVIDEND PAYMENT—Seeking that the Government reconsider the proposal to claim a Public Authority Dividend Payment from the Grain Elevators Board, bearing 1589 signatures (*by Mr Austin*).
 - EMPLOYMENT OF EMERGENCY TEACHERS—Seeking that the Minister of Education reinstate the previous arrangements for the employment of emergency teachers in Government schools, bearing 273 signatures (*by Mr Kempton*).
- Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:
 - Adult Education—Report of the Council of Adult Education for the year 1982–83.
 - Forests Commission—Report for the year 1982–83—Ordered to be printed.
 - National Parks Advisory Council—Report for the year 1982–83.
 - Pharmacy Board—Report and Statement of accounts for the year 1982.
 - Post-Secondary Education Commission—Report for the year 1982–83—Ordered to be printed.

Statutory Rules under the following Acts:

- Environment Protection Act 1970—No. 277.
- Fisheries Act 1968—No. 271.
- Health Act 1958—No. 276.
- Public Service Act 1974—PSD Nos. 71 to 73.
- Seeds Act 1982—No. 250.

Totalizator Agency Board—Report and Statement of accounts for the year ended 31 July 1983.

Town and Country Planning Act 1961:

Sale—City of Sale Planning Scheme 1975, Amendment No. 19 (1983).

Young Farmers' Finance Council—Report for the year 1982–83.

- 5 ADMINISTRATIVE ARRANGEMENTS ORDERS—Motion made, by leave, and question—That there be presented to this House a copy of the Orders in Council made pursuant to the *Administrative Arrangements Act* 1983 relating to—(a) the establishment of the Department of Conservation, Forests and Lands; and (b) the establishment of the Department of Industry, Commerce and Technology (*Mr Cain*)—put and agreed to.
- 6 PAPERS—Mr Cain presented:
- Administrative Arrangements Act 1983—Orders in Council relating to the establishment of the Department of Conservation, Forests and Lands and the Department of Industry, Commerce and Technology—Return to the foregoing Order.
- Ordered to lie on the Table.
- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 157)—ASSENT TO BILLS—Informing the Assembly that he had, on 2 November last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Chattel Securities (Amendment) Bill.
 - Small Claims Tribunals (Amendment) Bill.
 - Director-General of Conservation, Forests and Lands Bill.
- 8 BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr. Cain, to bring in a Bill “to make provision for fees in border areas of Victoria, to amend the ‘Business Franchise (Tobacco) Act 1974’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 PUBLIC AUTHORITIES (DIVIDENDS) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr. Cain, to bring in a Bill “to require certain Public Authorities to pay Dividends to the State, to amend the ‘Public Authorities (Contributions) Act 1966’, the ‘Public Authorities (Contributions) (Amendment) Act 1983’ and the ‘Port of Melbourne Authority Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (NOS. 158, 159, 160)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Land (Amendment) Bill (No. 2).
 - Land Tax Bill.
 - Pay-roll Tax (Amendment) Bill (No. 2).

- 11 INDUSTRIAL RELATIONS (FURTHER AMENDMENT) BILL—Mr Crabb obtained leave, with Mr Jolly, to bring in a Bill "*to further amend the 'Industrial Relations Act 1979' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 ENERGY CONSUMPTION LEVY (AMENDMENT) BILL—Mr Jolly obtained leave, with Mr Crabb, to bring in a Bill "*relating to assessments under the 'Energy Consumption Levy Act 1982' and interest rates under that Act and for those purposes to amend that Act and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 CRIMINAL INJURIES COMPENSATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 14 ESTATE AGENTS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.
- 15 COMMUNITY WELFARE SERVICES (DIRECTOR-GENERAL OF CORRECTIONS) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 16 LIQUOR CONTROL (BOOTH LICENCES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.
- 18 COMMUNITY WELFARE SERVICES (PRE-RELEASE PROGRAMME) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Business Franchise Acts (Further Amendment) Bill without amendment.
- 20 EMPLOYMENT AGENTS BILL—Further considered in Committee.
Committee reported progress; to sit again later this day.
- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Tattersall Consultations Bill without amendment.
- 22 EQUAL OPPORTUNITY BILL—Further considered in Committee.
Committee reported progress; to sit again later this day.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Constitution (Judges) Bill with an amendment.
Ordered—That the said amendment be printed and taken into consideration tomorrow.

- 24 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the County Court (Jurisdiction) Bill with an amendment.
Ordered—That the said amendment be printed and taken into consideration tomorrow.
- 25 EMPLOYMENT AGENTS BILL—Further considered in Committee.
Committee reported progress; to sit again tomorrow.
- 26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Liquor Control (Booth Licences) Bill without amendment.
- 27 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act relating to the Standard of Care owed by Occupiers and Landlords of Premises to Persons on the Premises, to amend the ‘Wrongs Act 1958’ and for other purposes.*”
- 28 OCCUPIERS’ LIABILITY BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 29 EQUAL OPPORTUNITY BILL—Further considered in Committee.
Committee reported progress.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Further considered in Committee.
Committee reported progress; to sit again tomorrow.
- 30 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 31 ADJOURNMENT—Motion made and question proposed—That the House do now adjourn (*Mr Fordham*)—and, after debate—
And the House having continued to sit till after Twelve of the clock—
WEDNESDAY, 9 NOVEMBER 1983
Question—put and agreed to.

And then the House, at seventeen minutes past Twelve o’clock in the morning, adjourned until later this day.

R. K. BOYES
Acting Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 100—Wednesday, 9 November 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Acting Clerk announced that the following petitions had been lodged for presentation:
 - RETAIL SHOPPING HOURS—Seeking that the House take action to ensure that trading hours for retail shopping not be increased, bearing 14 and 37 signatures, respectively (*by Mr Shell and Mr Pope*).

NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-Government schools recognizes the fundamental right of all children to an equitable share of Government funds for education, bearing 496 and 746 signatures, respectively (*by Mrs Sibree and Mr Ihlein*).

EDUCATION DEPARTMENT HOSTELS—Seeking that the House reverse the decision to close down the Education Department hostels, bearing 14 732 signatures (*by Miss Callister*).

FIRE AUTHORITIES INTEGRATION—Seeking that no integration of the Metropolitan Fire Brigade and the Country Fire Authority take place, bearing 655 signatures (*by Mr McKellar*).

Severally ordered to lie on the Table.

- 4 NATURAL RESOURCES AND ENVIRONMENT COMMITTEE—Mr McKellar brought up the Second Report from the Natural Resources and Environment Committee upon Transmission Lines serving Melbourne, 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 to be printed.

- 5 ECONOMIC AND BUDGET REVIEW COMMITTEE—Mr Rowe, Chairman, brought up a Report from the Economic and Budget Review Committee upon The Proposals Contained in the Hospitals Superannuation (Amendment) Bill (No. 2), together with Appendices.

Ordered to lie on the Table and the Report and Appendices to be printed.

- 6 PAPERS—The following Papers, pursuant to the direction of several Acts of Parliament, were laid upon the Table by the Acting Clerk:

Statutory Rules under the following Acts:

Building Control Act 1981—No. 282.

Mines Act 1958—No. 255.

Second-hand Dealers Act 1958—No. 259.

Transport Act 1983—No. 279.

- 7 LIQUOR CONTROL (FEES) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Cain, to bring in a Bill “to amend provisions of the ‘Liquor Control Act 1968’ relating to certain licences and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 8 TRANSPORT (BORROWING AGENCY) BILL—Mr Crabb obtained leave, with Mr Jolly, to bring in a Bill “to amend the ‘Transport Act 1983’ to empower the Victoria Transport Borrowing Agency to borrow Money as Principal or as Agent for certain Authorities and to purchase certain Land and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—Mr Mathews obtained leave, with Mr Simpson, to bring in a Bill “to amend the ‘Country Fire Authority Act 1958’ in relation to fire suppression and prevention, lighting fires during fire danger periods and compensation to casual fire-fighters, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 LABOUR AND INDUSTRY (FEES) BILL—Mr Simpson obtained leave, with Mrs Toner, to bring in a Bill “to amend the ‘Labour and Industry Act 1958’ with respect to Fees and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 WATER (AMENDMENT) BILL—Mr Simpson obtained leave, with Mrs Toner, to bring in a Bill “to amend the ‘Water Act 1958’ in relation to the Powers of the State Rivers and Water Supply Commission and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 12 EGG INDUSTRY STABILIZATION BILL—Mr Wilkes obtained leave, with Mr Cathie, to bring in a Bill “to re-enact with Amendments the Law relating to and providing for the Stabilization of the Egg Industry, to repeal the ‘Egg Industry Stabilization Act 1973’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 CONSTITUTION (JUDGES) BILL—Order read for the consideration of the amendment made by the Legislative Council.
And the said amendment was read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, after debate, agreed to.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.
- 14 COUNTY COURT (JURISDICTION) BILL—Order read for the consideration of the amendment made by the Legislative Council.
And the said amendment was read a second time and, after debate, agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.
- 15 PENALTY INTEREST RATES BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 16 ALPINE RESORTS BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time.
On the motion of Mr Cathie and, after debate—Amendment Nos. 1 to 10 inclusive agreed to.
On the motion of Mr Cathie, and after debate—Amendment No. 11 agreed to with an amendment.
On the motion of Mr Cathie—Amendment No. 12 agreed to with an amendment.
On the motion of Mr Cathie—Amendment No. 13 agreed to with amendments.
On the motion of Mr Cathie and, after debate—Amendment Nos. 14 to 25 inclusive agreed to.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 17 INDUSTRIAL RELATIONS (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 18 ENERGY CONSUMPTION LEVY (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 19 BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).

- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 20 PUBLIC AUTHORITIES (DIVIDENDS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—that the debate be adjourned until Tuesday, 22 November instant.
- 21 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 9 to 15 inclusive, be postponed until after No. 16.
- 22 PAROLE ORDERS (TRANSFER) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 OCCUPIERS' LIABILITY BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 24 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 10, be postponed until later this day.
- 25 PUBLIC LANDS AND WORKS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
 Committee reported progress; to sit again later this day.
- 26 STATE CO-ORDINATION COUNCIL (REPEAL) BILL—Order read for resuming debate on question—That this Bill be now read a second time; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 27 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 13, be postponed until later this day.
- 28 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 29 PUBLIC LANDS AND WORKS (AMENDMENT) BILL—Further considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 30 **TRANSFER OF LAND (AMENDMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time after debate.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 31 **MESSAGES FROM THE LEGISLATIVE COUNCIL**—Agreeing to the following Bills without amendment:
Summer Time (Amendment) Bill.
Community Welfare Services (Pre-Release Programme) Bill.
- 32 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Transmitting a Bill for “*An Act to facilitate the Hearing of Trials in the Supreme Court and County Court, for that purpose to amend the ‘Crimes Act 1958’ and for other purposes*”.
- 33 **CRIMES (PROCEDURE) BILL**—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 34 **POSTPONEMENT OF ORDER OF THE DAY**—Ordered—That the consideration of Order of the Day, Government Business, No. 17, be postponed until later this day.
- 35 **CONSUMER AFFAIRS (PRODUCT SAFETY) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 36 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Transmitting a Bill for “*An Act to amend the ‘Trustee Companies Act 1958’ and for other purposes*”.
- 37 **TRUSTEE COMPANIES (AMENDMENT) BILL**—On the motion of Mr Fordham, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 38 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Agreeing to the Border Railways Bill without amendment.
- 39 **LAND TAX BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 40 **POSTPONEMENT OF ORDERS OF THE DAY**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 19 to 23 inclusive, be postponed until later this day.
- 41 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 161)**—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Housing Bill.
- 42 **HOUSING BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

43 MESSAGES FROM THE LEGISLATIVE COUNCIL—

Agreeing to the following Bills without amendment:

State Co-ordination Council (Repeal) Bill.

Parole Orders (Transfer) Bill.

Consumer Affairs (Product Safety) Bill.

Agreeing to the amendments made by the Assembly on the amendments of the Council to the Alpine Resorts Bill.

44 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question— That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

45 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-seven minutes past Ten o'clock adjourned until tomorrow.

R. K. BOYES

Acting Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 101—Thursday, 10 November 1983

1 Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS—(Pursuant to Standing Order No. 124).

3 PETITIONS—The Acting Clerk announced that the following petitions had been lodged for presentation:

WEEKEND TRADING HOURS—Seeking that the Government not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 18 signatures (*by Mrs Hill*).

NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-Government schools recognizes the fundamental right of all children to an equitable share of Government funds for education, bearing 480 and 1222 signatures, respectively (*by Mrs Hill and Mrs Setches*).

T.E.A. (1983) LTD. SHAREHOLDERS' RESERVE LIABILITY—Seeking that consideration be given to enacting legislation to relieve your petitioners and all shareholders of T.E.A. (1983) Limited of a reserve liability to contribute 66½ cents per share to the liabilities of the said company, bearing 11 signatures (*by Mr Steggall*).

Severally ordered to lie on the Table.

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

Crimes Compensation Tribunal—Report for the year 1982–83.

Small Business Development Corporation—Report for the year 1982–83.
Statutory Rule under the following Act:

Building Control Act 1981—No. 273.

Town and Country Planning Act 1961:

Bass—Shire of Bass Planning Scheme, Amendment No. 5.

Cobram—Shire of Cobram Planning Scheme 1979, Amendment Nos. 8, 9 (1983) (two papers).

Flinders—Shire of Flinders Planning Scheme 1962, Amendment No. 162.

Knox—City of Knox Planning Scheme 1965, Amendment No. 262 (1983).

Korumburra—Shire of Korumburra Planning Scheme, Amendment No. 22 (1983).

Kyabram—Town of Kyabram Planning Scheme 1963, Amendment No. 26.

Melbourne Metropolitan Planning Scheme, Amendment Nos. 226, 228 (Part A), 229 (Part 1), 265 (four papers).

Morwell—Shire of Morwell Planning Scheme 1977, Amendment No. 21.

Pakenham—Shire of Pakenham Planning Scheme Part 1, Amendment Nos. 7, 15 (two papers).

Seymour Planning Scheme, Amendment No. 78.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas), Amendment No. 7 (1982).

Swan Hill—City of Swan Hill Planning Scheme 1981, Amendment No. 1 (Part A).

Traralgon—City of Traralgon Planning Scheme 1957, Amendment No. 35 (1983).

- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Appropriation (1983–84, No. 1) Bill without amendment.
- 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 162)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Business Franchise (Tobacco) (Amendment) Bill.
- 7 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.
- 9 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 10 EGG INDUSTRY STABILIZATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 11 TRANSPORT (BORROWING AGENCY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 22 November instant.

- 12 LIQUOR CONTROL (FEES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 22 November instant.
- 13 LABOUR AND INDUSTRY (FEES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 14 WATER (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 15 CRIMES (PROCEDURE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 16 TRUSTEE COMPANIES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 22 November instant.
- 17 STATE EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL—Bill committed; considered in Committee.
Committee reported progress; to sit again tomorrow.
- 18 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 10, be postponed until later this day.
- 19 POLICE REGULATION (POLICE RESERVISTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 MOTOR CAR TRADERS (AMENDMENT) BILL—Second Reading—Resumption of Debate.
Ordered—That the consideration of this Order of the Day be postponed until later this day.

21 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Mathews*)—put and agreed to.

22 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-three minutes past Five o'clock, adjourned until Tuesday next.

R. K. BOYES

Acting Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS**Nos. 102, 103, and 104****No. 102—Tuesday, 15 November 1983**

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-Government schools recognizes the fundamental right of all children to an equitable share of Government funds for education, bearing 478 signatures (*by Mr Wallace*).

Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Co-operative Housing Societies—Report of the Registrar for the year 1981–82—Ordered to be printed.

Police Regulation Act 1958—Determination No. 387 of the Police Service Board.

Statutory Rules under the following Acts:

 - Boilers and Pressure Vessels Act 1970—Nos. 290 to 292.
 - Financial Institutions Duty Act 1982—No. 307.
 - Firearms Act 1958—No. 285.
 - Freedom of Information Act 1982—No. 280.
 - Hospitals and Charities Act 1958—No. 305.
 - Lifts and Cranes Act 1967—Nos. 293, 294.
 - Liquor Control Act 1968—No. 281.
 - Marine Act 1958—Nos. 298 to 304.
 - Melbourne and Metropolitan Board of Works Act 1958—No. 308.
 - Parliamentary Salaries and Superannuation Act 1968—No. 289.
 - Police Regulation Act 1958—No. 287.
 - Private Agents Act 1966—No. 286.
 - Public Service Act 1974—PSD Nos. 71 to 73.
 - Scaffolding Act 1971—Nos. 295 to 297.
 - Sunday Entertainment Act 1967—No. 284.
 - Transport Act 1983—Nos. 283, 288.
 - Valuation of Land Act 1960—No. 278.
- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 163)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
 - Border Railways Bill.
 - County Court (Jurisdiction) Bill.

- 6 STAMPS (FURTHER AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Crabb, to bring in a Bill “to amend the ‘Stamps Act 1958’, section 21B of the ‘Motor Car Act 1958’, the ‘Stamps (Amendment) Act 1978’ and the ‘Motor Car (Mass and Dimension Limits) Act 1981’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 164)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Liquor Control (Fees) Bill.
- 8 STATE EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 HOSPITALS SUPERANNUATION (AMENDMENT) BILL (NO. 2)—Bill committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 MENTAL HEALTH (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill now be read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 11 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.
- 12 APPROPRIATION (1983–84, NO. 1) BILL—Mr Speaker announced that he had, that day, presented to His Excellency the Governor the Appropriation (1983–84, No. 1) Bill to which His Excellency was pleased to give the Royal Assent.
- 13 FISHERIES (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7 be postponed until later this day.
- 15 EMPLOYMENT AGENTS BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Works and Services Appropriation Bill (No. 2).
Land Tax Bill.
Legal Profession Practice (Amendment) Bill.
Public Lands and Works (Amendment) Bill.

- 17 FIREARMS (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 MOTOR CAR TRADERS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Debate resumed on question—That this Bill be now read a second time.
Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 165)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Probate Duty (Amendment) Bill.
- 20 PROBATE DUTY (AMENDMENT) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill '*to make further amendment to the 'Probate Duty Act 1962' consequential on the abolition of probate duty and for other purposes*'; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 21 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 22 ADJOURNMENT—Motion made and question proposed—That the House do now adjourn (*Mr Fordham*)—and, after debate—
And the House having continued to sit till after Twelve of the clock—

WEDNESDAY, 16 NOVEMBER 1983.

Question—put and agreed to.

And then the House, at twenty-one minutes past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 103—Wednesday, 16 November 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).

- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

THIRD PARTY PROPERTY INSURANCE LEGISLATION—Seeking the introduction of legislation to provide for comprehensive third party property insurance, bearing 149 signatures (*by Mr Williams*).

KINDERGARTEN CHILDREN'S WELFARE AND FAMILY SUPPORT SERVICES FUNDING—Seeking that the Government immediately cease all withdrawals of subsidies that would result in the closure of extended hours kindergartens and kindergarten sessions for 3-year-olds and provide funding in the 1984 Budget to maintain children's welfare and family support services, bearing 20 signatures (*by Mrs Sibree*).

KINDERGARTEN SUBSIDIES—Seeking that the Government reconsider its policy to end the much needed subsidies to kindergartens and appreciate the necessity for 3-year-old groups to continue attending at kindergartens, bearing 1261 signatures (*by Mr McKellar*).

EDUCATION GRANTS TO NON-GOVERNMENT SCHOOLS—Seeking that no action be taken to implement the recommendations of the State Board of Education on grants to non-Government schools for 1984 and 1985, per capita education grants to non-Government schools be maintained at the 1983 academic year level pending a review and no changes be made to the basis of funding non-Government schools without consultation, bearing 24 signatures (*by Mr Dickinson*).

Severally ordered to lie on the Table.

- 4 LEGAL AND CONSTITUTIONAL COMMITTEE—Mr Whiting, Chairman, brought up a Report from the Legal and Constitutional Committee upon the Proposals contained in the *Interpretation Bill 1982*, together with Extracts from the Proceedings of the Committee, Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report, Extracts and Appendices to be printed.

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

Rural Finance Commission—Report and statement of accounts for the year 1982–83—Ordered to be printed.

- 6 SOUTH MELBOURNE LAND BILL—Mr Cathie obtained leave, with Mr Wilkes, to bring in a Bill "*to make provision for the redevelopment and beautification of part of the South Bank of the Yarra River and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 7 EDUCATION (AMENDMENT) BILL—Mr Fordham obtained leave, with Mr Jolly, to bring in a Bill "*to amend the 'Education Act 1958', the 'Education (Amendment) Act 1981' the 'Forests Act 1958' and the 'Workers Compensation Act 1958', and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 8 TEACHING SERVICE BILL—Mr Fordham obtained leave, with Mr Crabb, to bring in a Bill "*to establish the Teaching Service, to amend the 'Education Service Act 1981', the 'Post-Secondary Education Act 1978', the 'Education Act 1958', the 'Constitution Act 1975', the Constitution Act Amendment Act 1958', the 'Public Service Act 1974' and certain other Acts, and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 STATE ELECTRICITY COMMISSION (BROWN COAL ROYALTY) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'State Electricity Commission Act 1958' with respect to the Payments to be Transferred to the Consolidated Fund by the State Electricity Commission in respect of Coal produced from Brown Coal Workings or State Coal Mines and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 HEALTH COMMISSION (AMENDMENT) BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Health Commission Act 1977’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 OCCUPATIONAL HEALTH AND SAFETY BILL—Mr Simmonds obtained leave, with Mr Wilkes, to bring in a Bill “to promote and improve standards for Occupational Health, Safety and Welfare, to establish the Occupational Health and Safety Commission, to repeal the ‘Industrial Safety, Health and Welfare Act 1981’ and certain other Acts, to amend certain other Acts and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL—Mr Simpson obtained leave, with Mr Spyker, to bring in a Bill “to amend the ‘Melbourne and Metropolitan Board of Works Act 1958’ generally in relation to the extent and effectiveness of the operations of the Melbourne and Metropolitan Board of Works, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 WATER (BORROWING POWERS) BILL—Mr Simpson obtained leave, with Mr Spyker, to bring in a Bill “to amend the ‘Water Act 1958’ with respect to Borrowings”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 15 PROBATE DUTY (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question —That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday next.
- 16 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That consideration of Order of the Day, Government Business, No.3, be postponed until later this day.
- 17 RACING (FURTHER AMENDMENT) BILL—Order read for resuming debate on question— That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 LATROBE REGIONAL COMMISSION BILL—Order read for the consideration of amendments made by the Legislative Council.
And the said amendments were read a second time.
On the motion of Mr Cathie and, after debate—Amendment No. 1 agreed to.
Motion made and question—That Amendment No. 2 be disagreed with (*Mr Cathie*)— after debate, put.
The House divided.

AYES, 41

Miss Callister
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Ernst
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Gray
Mr Hassett

Mrs Hill
Mr Hill
Mr Hockley
Mr Ihlein
Mr Jolly
Mr Kennedy
Mr McDonald
Mr Mathews
Mr Micallef
Mr Miller
Mr Norris

Mr Pope
Mrs Ray
Mr Roper
Mr Rowe
Mr Seitz
Mrs Setches
Mr Sheehan
(*Ivanhoe*)
Mr Shell
Mr Sidiropoulos
Mr Simmonds

Mr Simpson
Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise
Mr Walsh
Mr Wilkes

Tellers
Mr McCutcheon
Dr Vaughan

NOES, 29

Mr Austin	Mr Hann	Mr Maclellan	Mr Tanner
Mr Brown	Mr Jasper	Mrs Patrick	Mr Templeton
Mr Burgin	Mr Jona	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Kempton	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Kennett	Mr Richardson	
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Leigh
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	Mr McGrath

And so it was resolved in the affirmative—Amendment No. 2 disagreed with.

On the motion of Mr Cathie—Amendment No. 3 disagreed with.

Motion made and question—That Amendment No. 4 be disagreed with (*Mr Cathie*)—put.

The House divided.

AYES, 43

Miss Callister	Mr Hill	Mrs Ray	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Rowe	Mr Trezise
Mr Crabb	Mr Jolly	Mr Seitz	Mr Walsh
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Wilkes
Mr Ernst	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Fordham	Mr Micallef	Mr Shell	
Mr Gavin	Mr Miller	Mr Sidiropoulos	
Mr Gray	Mr Newton	Mr Simmonds	<i>Tellers</i>
Mr Hassett	Mr Norris	Mr Simpson	Mr McCutcheon
Mrs Hill	Mr Pope	Mr Spyker	Dr Vaughan

NOES, 29

Mr Austin	Mr Hann	Mr Maclellan	Mr Tanner
Mr Brown	Mr Jasper	Mrs Patrick	Mr Templeton
Mr Burgin	Mr Jona	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Kempton	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Kennett	Mr Richardson	
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Leigh
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	Mr McGrath

And so it was resolved in the affirmative—Amendment No. 4 disagreed with.

On the motion of Mr Cathie—Amendments Nos. 5 to 9 inclusive disagreed with.

Motion made and question—That Amendment No. 10 be disagreed with (*Mr Cathie*)—after debate, put.

The House divided.

AYES, 41

Miss Callister	Mr Hill	Mr Pope	Mr Simpson
Mr Cathie	Mr Hockley	Mrs Ray	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Roper	Mr Stirling
Mr Culpin	Mr Jolly	Mr Rowe	Mrs Toner
Mr Ernst	Mr Kennedy	Mr Seitz	Mr Trezise
Mr Fogarty	Mr McDonald	Mrs Setches	Mr Walsh
Mr Fordham	Mr Mathews	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Micallef	(<i>Ivanhoe</i>)	
Mr Gray	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Newton	Mr Sidiropoulos	Mr McCutcheon
Mrs Hill	Mr Norris	Mr Simmonds	Dr Vaughan

NOES, 28

Mr Austin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Brown	Mr Jasper	Mrs Patrick	Mr Wallace
Mr Burgin	Mr Jona	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Reynolds	
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr Lieberman	Mrs Sibree	Mr Leigh
Mr Evans	Mr McKellar	Mr Steggall	Mr McGrath
(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner	

And so it was resolved in the affirmative—Amendment No. 10 disagreed with.

Motion made and question—That Amendment No. 11 be disagreed with (*Mr Cathie*)—after debate, put.

The House divided.

AYES, 41

Miss Callister	Mr Hockley	Mr Roper	Mr Stirling
Mr Cathie	Mr Ihlein	Mr Rowe	Mrs Toner
Dr Coghill	Mr Jolly	Mr Seitz	Mr Trezise
Mr Culpin	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fordham	Mr Micallef	Mr Shell	Mr Wilton
Mr Gavin	Mr Miller	Mr Sidiropoulos	
Mr Gray	Mr Norris	Mr Simmonds	<i>Tellers</i>
Mr Hassett	Mr Pope	Mr Simpson	Mr Hill
Mrs Hill	Mrs Ray	Mr Spyker	Mr Newton

NOES, 30

Mr Austin	Mr Hann	Mr McNamara	Mrs Sibree
Mr Brown	Mr Jasper	Mr Maclellan	Mr Steggall
Mr Burgin	Mr Jona	Mrs Patrick	Mr Tanner
Mr Delzoppo	Mr Kennett	Mr Ramsay	Mr Templeton
Mr Dickinson	Mr Leigh	Mr Reynolds	Mr Williams
Mr Ebery	Mr Leiberman	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Ross-Edwards	Mr Kempton
(<i>Gippsland East</i>)	Mr McKellar	Mr Saltmarsh	Mr Wallace

And so it was resolved in the affirmative—Amendment No. 11 disagreed with.

On the motion of Mr Cathie—Amendments Nos. 12 to 14 inclusive agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 19 LAND (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time, after debate.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to provide for the vesting in the Crown of certain land abutting the wharf on the Moyne River at Port Fairy*”.

- 21 PORT FAIRY LAND BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 22 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 23 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 Transfer of Land (Amendment) Bill.
 Hospitals Superannuation (Amendment) Bill.
 Mental Health (Further Amendment) Bill.
 Police Regulation (Police Reservists) Bill.
- 24 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day. Government Business, Nos. 7 and 8 be postponed until later this day.
- 25 EQUAL OPPORTUNITY BILL—Further considered in Committee.
 Committee reported progress.
 Business having been interrupted at 10.30 p.m.—
 Motion made and question—That the sitting be continued (*Mr Cain*)—put and agreed to.
 Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 26 STAMPS (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 29 November instant.
- 27 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Roper*)—put and agreed to.
- 28 ADJOURNMENT—Resolved—That the House do now adjourn.
 And then the House, at thirty-four minutes past Eleven o'clock adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 104—Thursday, 17 November 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 3 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 404, 1124, 294, 231, 924, 900, 279, 371, 1264, 838, 193, 367, 1738, 341 and 2353 signatures respectively (*by Mr Walsh, Mrs Ray, Mrs Patrick, Mr Wilton, Mr Culpin, Mr Seitz, Mr McGrath, Mr Leigh, Mr Templeton, Mr Delzoppo, Mr Simpson, Mr Wilkes, Mr Burgin, Mr McKellar and Mr Kempton*).
- Severally ordered to lie on the Table.

- 4 ETHNIC AFFAIRS—REPORT OF THE REVIEW GROUP—Motion made, by leave, and question—That there be presented to this House a copy of the report of a Review Group to the Minister of Ethnic Affairs on Access and Equity: The development of Victoria's ethnic affairs policies (*Mr Spyker*)—put and agreed to.
- 5 PAPER—Mr Spyker presented:
 Report to the Minister of Ethnic Affairs—Access and Equity: The development of Victoria's ethnic affairs policies—Return to the foregoing Order.
 Ordered to lie on the Table.
- 6 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 166, 167)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
 Stamps (Further Amendment) Bill.
 Transport (Borrowing Agency) Bill.
- 7 WORKERS COMPENSATION—Motion made and question—That this House expresses deep concern at the high cost of and anomalies in the system of workers compensation in Victoria, and calls on the Government, as an incentive to employment, to take urgent action to reduce workers compensation costs to employers (*Mr Jasper*)—and, after debate—
 General Business having been interrupted at 2.00 p.m. pursuant to Sessional Orders—
- 8 SOUTH MELBOURNE LAND BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
 Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday next.
- 9 STATE ELECTRICITY COMMISSION (BROWN COAL ROYALTY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday next.
- 10 OCCUPATIONAL HEALTH AND SAFETY BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simmonds*).
 Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
 Ordered—That the debate be adjourned until Wednesday, 1 February next.
- 11 MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday next.
- 12 WATER (BORROWING POWERS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Thursday next.

- 13 PORT FAIRY LAND BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
 Motion made and question—That the debate be now adjourned (*Mr Kempton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday next.
- 14 EDUCATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
 Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until Thursday next.
- 15 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 8, be postponed until later this day.
- 16 HEALTH COMMISSION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
 Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 29 November instant.
- 17 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AS DEPUTY FOR THE GOVERNOR (No. 168)—Mr Speaker announced the presentation of a Message from His Excellency the Lieutenant-Governor as Deputy for the Governor recommending a further appropriation for the purposes of the Pay-roll Tax (Amendment) Bill (No. 2).
- 18 PAY-ROLL TAX (AMENDMENT) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
 Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House, whilst supporting measures to overcome contrived tax avoidance schemes, refuses to read this Bill a second time until full and adequate discussions have been held between the Government and representatives of industry on the negative effects of the provisions of the Bill on job opportunities and small businesses” (*Mr Ramsay*)—and, after debate—
 Question—That the words proposed to be omitted stand part of the question—put.
 The House divided.

AYES, 39

Mr Cain	Mr Ihlein	Mr Rowe	Mrs Toner
Miss Callister	Mr Jolly	Mrs Setches	Mr Trezise
Mr Cathie	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Dr Coghill	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Walsh
Mr Crabb	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Culpin	Mr Micallef	(<i>Ballarat South</i>)	Mr Wilton
Mr Ernst	Mr Miller	Mr Shell	
Mr Fogarty	Mr Newton	Mr Sidiropoulos	
Mrs Hill	Mr Pope	Mr Simpson	<i>Tellers</i>
Mr Hill	Mrs Ray	Mr Spyker	Mr Norris
Mr Hockley	Mr Roper	Mr Stirling	Mr Seitz

NOES, 22

Mr Austin	Mr Jasper	Mrs Patrick	Mr Tanner
Mr Brown	Mr Jona	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Reynolds	
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr McKellar	Mr Saltmarsh	Mr Kempton
Mr Hann	Mr Maclellan	Mrs Sibree	Mr McNamara

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress; to sit again tomorrow.

19 TEACHING SERVICE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).

Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until Thursday next.

20 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Wilkes*)—put and agreed to.

21 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at fifty-three minutes past Six o'clock adjourned until Tuesday next.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

VOTES AND PROCEEDINGS

Nos. 105, 106, and 107

No. 105—Tuesday, 22 November 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 522, 862, 663, 544 and 455 signatures, respectively (*by Mr Maclellan, Mr Hockley, Mr Miller, Mr Dickinson, and Mr Saltmarsh*).
 - EMERGENCY TEACHERS—Seeking that the House take immediate action to introduce legislation or amend the Minister of Education's decision to reduce the availability of emergency teachers in order to protect the rights of children to the best education that schools can provide, bearing 102 signatures (*by Miss Callister*).

Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Land Conservation Act 1970—Final Recommendations of the Land Conservation Council for the Alpine Area Special Investigation.
 - State Electricity Commission—Report for the year 1982–83—Ordered to be printed.
 - State Rivers and Water Supply Commission—Report for the year 1982–83 (two volumes)—Ordered to be printed.
 - Town and Country Planning Act 1961—
 - Bendigo—City of Bendigo Planning Scheme 1962, Amendment No. 37.
 - Buninyong—Shire of Buninyong Planning Scheme, Amendment No. 15.
 - Lake Glenmaggie—Lake Glenmaggie Planning Scheme, Amendment No. 4.
 - Maryborough—Maryborough Planning Scheme 1962, Amendment No. 9.
 - Moe—City of Moe Planning Scheme 1966, Amendment No. 71 (1982).
 - Myrtleford—Shire of Myrtleford (Myrtleford Township) Planning Scheme 1966, Amendment No. 9.
 - Pakenham—Shire of Pakenham Planning Scheme (Part 1), Amendment No. 16.
 - Portland—Town of Portland Planning Scheme, Amendment No. 41 (1982).
 - Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Rural Areas), Amendment No. 5 (1982).
 - Traralgon—City of Traralgon Planning Scheme 1957, Amendment No. 40.
 - Transport Act 1983—Order for Transfer of Assets and Liabilities from the State Transport Authority to the Metropolitan Transit Authority.
- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 169)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Constitution (Judges) Bill.
 Parole Orders (Transfer) Bill.
 Consumer Affairs (Product Safety) Bill.
 Summer Time (Amendment) Bill.
 State Co-ordination Council (Repeal) Bill.
 Liquor Control (Booth Licences) Bill.
 Business Franchise Acts (Further Amendment) Bill.
 Community Welfare Services (Director-General of Corrections) Bill.
 Penalty Interest Rates Bill.
 Community Welfare Services (Pre-Release Programme) Bill.
 Land Tax Bill.
 Public Lands and Works (Amendment) Bill.
 Works and Services Appropriation Bill.
 Tattersall Consultations Bill.
 Legal Profession Practice (Amendment) Bill.

- 6 MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—Motion made, by leave, and question—That this House grant leave to permit the Mortuary Industry and Cemeteries Administration Committee to meet during the sitting of the House on Thursday, 24 November instant (*Mr Fordham*)—put and agreed to.

- 7 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 170, 171, 172, 173, 174, 175)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Water (Borrowing Powers) Bill.
 South Melbourne Land Bill.
 Melbourne and Metropolitan Board of Works (Amendment) Bill.
 Teaching Service Bill.
 Occupational Health and Safety Bill.
 Health Commission (Amendment) Bill.

- 8 HOSPITALS SUPERANNUATION (AMENDMENT) BILL—CLERK OF PARLIAMENTS' CORRECTIONS—Mr Speaker announced that he had received a communication from the Clerk of Parliaments reporting, in conformity with Joint Standing Order No. 21, that the following clerical errors had been discovered in this Bill:

- 1 In clause 9, paragraph (*d*), the word "section" has been inserted instead of the word "sub-section".
- 2 In clause 9, paragraph (*d*), the number of the sub-section as proposed to be inserted, (i.e. "(9)") has been omitted.
- 3 In clause 11, the number of the section proposed to be inserted, (i.e. "35M") has been omitted.

On the motion of Mr Jolly, the House agreed that the errors be corrected as follows:

- 1 In clause 9 (*d*), omit the word "section" and insert "sub-section".
- 2 In clause 9 (*d*), insert the expression "(9)" at the start of the proposed sub-section.
- 3 In clause 11, insert the expression "35M" at the start of the proposed section.

Ordered—That the communication from the Clerk of the Parliaments be transmitted to the Legislative Council with a Message requesting their concurrence in the correction of the foregoing errors.

- 9 STATE DISASTERS BILL—Mr Mathews, pursuant to amended notice of motion, obtained leave, with Mr Fordham, to bring in a Bill "to make Provision with respect to the Co-ordination of the functions of all Government Agencies and Officers in relation to the Combating of Disasters, to amend the 'Country Fire Authority Act 1958', the 'Metropolitan Fire Brigades Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 PAY-ROLL TAX (AMENDMENT) BILL (NO. 2)—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.

Committee reported progress.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Further considered in Committee and reported with amendments and with an amended title, which title is as follows:

“A Bill to amend the ‘Drugs Poisons and Controlled Substances Act 1981’, the ‘Alcoholics and Drug Dependent Persons (Amendment) Act 1981’, the ‘Medical Practitioners Act 1970’ the ‘Bail Act 1977’ and the ‘Vagrancy Act 1966’ to make further Provision with respect to Offences involving Drugs of Dependence and other Matters.”

Bill, as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 VACANCIES IN MEMBERSHIP OF THE MONASH UNIVERSITY COUNCIL—Mr Speaker announced that he had received the following communication:

The Honourable C. T. Edmunds, M.P.

7 November 1983

Speaker of the Legislative Assembly,

Parliament House,

Melbourne. 3002.

Dear Mr. Speaker,

Section 7 of the Monash University Act 1958 provides that three members of the Council of Monash University shall be Members of the Parliament of Victoria who have been recommended for appointment by a joint sitting of the Members of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by the Members present at the sitting.

The term of office of the Members appointed pursuant to this provision—The Honourable James Vincent Chester Guest, M.L.C., The Honourable William Robert Baxter, M.L.C., and Dr. Gerard Marshall Vaughan, M.P.—expires on 11th December, 1983 and I should be grateful if you could arrange a joint sitting before the end of the current Session of the Members of the Legislative Council and the Members of the Legislative Assembly to recommend three members for appointment to the University Council for the four year term from 12 December 1983.

I have addressed a similar letter to the President of the Legislative Council.

Yours sincerely,

ROBERT C. FORDHAM, M.P.

Minister of Education.

Motion made and question—That this House meets the Legislative Council for the purpose of sitting and voting together to choose three members of the Parliament of Victoria to be recommended for appointment to the Council of Monash University, and proposes that the place and time of such meeting be the Legislative Assembly Chamber on Thursday next at 2 p.m. (*Mr Fordham*)—put and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.

- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘County Court Act 1958’, the ‘Supreme Court Act 1958’ and the ‘Magistrates’ Courts Act 1971’ to authorize the Investment of Moneys held by the Courts under those Acts and to provide for the Payment of Interest into the Consolidated Fund and for other purposes*”.
- 14 COURTS (POWERS OF INVESTMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to make further provision with respect to Warrants of Distress, to amend the ‘Magistrates (Summary Proceedings) Act 1975’ and for other purposes*”.
- 16 MAGISTRATES (SUMMARY PROCEEDINGS) (WARRANTS OF DISTRESS) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 17 MESSAGES FROM THE LEGISLATIVE COUNCIL—
 Agreeing to the following Bills without amendment:
 State Employees Retirement Benefits (Amendment) Bill.
 Firearms (Further Amendment) Bill.
 Acquainting the Assembly that they have concurred with the Assembly in correcting the clerical errors reported by the Clerk of Parliaments in the Hospitals Superannuation (Amendment) Bill (No. 2).
- 18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Racing (Further Amendment) Bill with amendments.
 Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Fisheries (Further Amendment) Bill with amendments.
 Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 20 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 21 ADJOURNMENT—Motion made and question proposed—That the House do now adjourn (*Mr Fordham*)—and, after debate—
 And the House having continued to sit till after Twelve of the clock—

WEDNESDAY, 23 NOVEMBER 1983

Question—put and agreed to.

And then the House, at four minutes past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 106—Wednesday, 23 November 1983

- 1 Mr Speaker took the Chair and read the Prayer.
 2 QUESTIONS—(Pursuant to Standing Order No. 124).

- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 647 and 412 signatures, respectively (*by Mr Tanner and Mr Ihlein*).
- KINDERGARTEN SUBSIDIES—Seeking that the Government reconsider its policy to end the much needed subsidies to kindergartens and appreciate the necessity for 3 year old groups to continue attending at kindergartens, bearing 23 signatures (*by Mr McKellar*).
- ROLLING HILLS ESTATE (MOOROOLBARK)—NEW PRIMARY SCHOOL—Seeking that the Government provide a new primary school on the existing site in the Rolling Hills Estate, Mooroolbark, bearing 1165 signatures (*by Mr Hill*).
- Severally ordered to lie on the Table.
- 4 MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL (NO. 2)—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Medical Practitioners Act 1970', to make provision with respect to Private Hospitals in which a Medical Practitioner has a Notifiable Interest, to amend the 'Health Act 1958', and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 5 PENSIONERS RATES REMISSION BILL—Mr Wilkes obtained leave, with Mrs Toner, to bring in a Bill "*relating to the Calculation of the Entitlement to the Remission of Rates for certain Pensioners, to amend the 'Health Act 1958', the 'Local Government Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to meet with the Assembly for the purpose of sitting and voting together to recommend three Members of the Parliament of Victoria for appointment to the Council of the Monash University and, as proposed by the Assembly, concur with the place and time of such meeting.
- 7 PARLIAMENTARY SALARIES AND SUPERANNUATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
- Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday next.
- 8 COURTS (POWERS OF INVESTMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday next.
- 9 MAGISTRATES (SUMMARY PROCEEDINGS) (WARRANTS OF DISTRESS) BILL —Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday next.
- 10 PENSIONERS RATES REMISSION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
- Motion made and question—That the debate be now adjourned (*Mrs Patrick*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday next.

- 11 **WATER (AMENDMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 **LABOUR AND INDUSTRY (FEES) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 **PROBATE DUTY (AMENDMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 **TRANSPORT (BORROWING AGENCY) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 **BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 **ENERGY CONSUMPTION LEVY (AMENDMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 **MESSAGES FROM THE LEGISLATIVE COUNCIL**—Agreeing to the following Bills without amendment:
Local Government (General Amendment) Bill (No. 2).
Probate Duty (Amendment) Bill.
- 18 **POSTPONEMENT OF ORDER OF THE DAY**—Ordered—That the consideration of Order of the Day, Government Business, No. 11, be postponed until later this day.
- 19 **CRIMINAL INJURIES COMPENSATION BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 **POSTPONEMENT OF ORDERS OF THE DAY**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 12 to 14 inclusive, be postponed until later this day.
- 21 **CONSUMER AFFAIRS (ITEM PRICING) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Question—put.

The House divided.

AYES, 46

Mr Cain	Mrs Hill	Mr Roper	Mr Stirling
Miss Callister	Mr Hill	Mr Rowe	Mrs Toner
Mr Cathie	Mr Hockley	Mr Seitz	Mr Trezise
Dr Coghill	Mr Jolly	Mrs Setches	Dr Vaughan
Mr Crabb	Mr Kennedy	Mr Sheehan	Mr Walsh
Mr Culpin	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr McDonald	(<i>Ballarat South</i>)	
Mr Fordham	Mr Mathews	Mr Shell	
Mr Gavin	Mr Miller	Mr Sidiropoulos	
Mr Gray	Mr Newton	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Simpson	Mr Ihlein
Mr Hassett	Mr Pope	Mr Spyker	Mr Micallef

NOES, 29

Mr Austin	Mr Evans	Mr McGrath	Mr Saltmarsh
Mr Brown	(<i>Gippsland East</i>)	Mr McKellar	Mr Steggall
Mr Burgin	Mr Hann	Mr McNamara	Mr Tanner
Mr Delzoppo	Mr Jasper	Mr Maclellan	Mr Whiting
Mr Dickinson	Mr Jona	Mrs Patrick	Mr Williams
Mr Ebery	Mr Kennett	Mr Ramsay	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Richardson	Mr Kempton
(<i>Ballarat North</i>)	Mr Lieberman	Mr Ross-Edwards	Mr Wallace

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress; to sit again tomorrow.

- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Labour and Industry (Fees) Bill without amendment.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘State Electricity Commission Act 1958’ to require occupiers of land and other persons to maintain electric lines and to keep trees clear of those lines, for that purpose to provide for a Code of Practice and for other purposes.*”
- 24 STATE ELECTRICITY COMMISSION (CLEARANCE OF LINES) BILL—On the motion of Mr Mathews, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 25 INDUSTRIAL RELATIONS (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Debate resumed on question—That this Bill be now read a second time.

Bill read a second time and committed; considered in Committee.

And having continued to sit till after Twelve of the clock—

THURSDAY, 24 NOVEMBER 1983

Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.

Motion made and question—That this Bill be now read a third time (*Mr Crabb*)—after debate, put.

The House divided.

AYES, 40

Mr Cain	Mr Hassett	Mr Pope	Mr Stirling
Miss Callister	Mrs Hill	Mr Roper	Mrs Toner
Mr Cathie	Mr Hockley	Mr Rowe	Dr Vaughan
Dr Coghill	Mr Ihlein	Mr Seitz	Mr Walsh
Mr Crabb	Mr Jolly	Mrs Setches	Mr Wilkes
Mr Culpin	Mr Kennedy	Mr Sheehan	Mr Wilton
Mr Ernst	Mr Kirkwood	(<i>Ivanhoe</i>)	
Mr Fogarty	Mr McDonald	Mr Shell	<i>Tellers</i>
Mr Fordham	Mr Mathews	Mr Sidiropoulos	Mr McCutcheon
Mr Gavin	Mr Micallef	Mr Simpson	Mr Sheehan
Mr Gray	Mr Newton	Mr Spyker	(<i>Ballarat South</i>)

NOES, 23

Mr Brown	Mr Jasper	Mr McNamara	Mr Tanner
Mr Burgin	Mr Kempton	Mr Maclellan	Mr Wallace
Mr Delzoppo	Mr Kennett	Mrs Patrick	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr McGrath	Mr Ross-Edwards	Mr Leigh
Mr Hann	Mr McKellar	Mr Saltmarsh	Mr Steggall

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

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 26 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again tomorrow.
- 27 STATE DISASTERS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Wednesday next.
- 28 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 29 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at fifty-six minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 107—Thursday, 24 November 1983

- Mr Speaker took the Chair and read the Prayer.
- QUESTIONS—(Pursuant to Standing Order No. 124).
- PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-Government schools recognises the fundamental right of all children for an equitable share of Government funds for education, bearing 312 signatures (*by Mr McDonald*).

REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 735 signatures (*by Mr Reynolds*).

POINT IMPOSSIBLE AND POINT ADDIS—NUDE BATHING—Seeking that no beaches in the Torquay and Anglesea districts, and more particularly the beaches in the vicinity of Point Impossible and Point Addis be declared prescribed areas under the *Nudity (Prescribed Areas) Act 1983*, bearing 535 signatures (*by Mr Dickinson*).

Severally ordered to lie on the Table.

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

Statutory Rules under the following Acts:

Agricultural Chemicals Act 1958—Nos. 322, 326.

Farm Produce Merchants and Commission Agents Act 1965—No. 323.

Forests Act 1958—No. 319.

Health Act 1958—Nos. 315 to 317.

Milk and Dairy Supervision Act 1958—No. 325.

Port of Melbourne Authority Act 1958—No. 306.

Poultry Processing Act 1968—No. 327.

Protection of Animals Act 1966—No. 328.

Public Service Act 1974—PSD Nos. 74, 75.

Registration of Births Deaths and Marriages Act 1959—No. 264 (in lieu of Statutory Rule tabled on 26 October, 1983).

Rural Finance and Settlement Commission Act 1961—No. 314.

Stock (Artificial Breeding) Act 1962—No. 309.

Stock Diseases Act 1968—No. 310.

Stock Foods Act 1958—No. 311.

Stock Medicines Act 1958—No. 312.

Taxation Appeals Act 1972—No. 320.

Vegetation and Vine Diseases Act 1958—No. 313.

- 5 PRIVATE AGENTS ACT 1966 REVIEW—REPORT OF WORKING PARTY—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the Working Party to Review the Operation of the *Private Agents Act 1966*, August 1983 (*Mr Mathews*)—put and agreed to.

- 6 PAPER—Mr Mathews presented:

Private Agents Act 1966 Review—Report of Working Party—Return to the foregoing Order.

Ordered to lie on the Table.

- 7 ORDER OF THE DAY DISCHARGED—Motion made, by leave, and question—That the following Order of the Day, Government Business, be read and discharged:

Food Bill—to be further considered in Committee—
and that the Bill be withdrawn (*Mr Roper*)—put and agreed to.

- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 176)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Parliamentary Salaries and Superannuation Bill.

- 9 APPRENTICESHIP TRAINING—Motion made and question proposed—That this House condemns the Government for its abject failure to support adequately the training of apprentices in Victoria and calls on it to take immediate action to re-establish the high levels of training in the years prior to its assuming office (*Mr Ramsay*)—and, after debate—

General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.

- 10 VACANCIES IN MEMBERSHIP OF MONASH UNIVERSITY COUNCIL—Mr Speaker reported that the House had, that day met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to choose three Members of the Parliament of Victoria to be recommended for appointment to the Council of the Monash University and that The Honourable William Robert Baxter, M.L.C., The Honourable James Vincent Chester Guest, M.L.C., and Dr. Gerard Marshall Vaughan, M.P. had been recommended for appointment to the Council of the Monash University.
- 11 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 Business Franchise (Tobacco) (Amendment) Bill.
 Transport (Borrowing Agency) Bill.
- 12 MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
 Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
 Ordered—That the debate be adjourned until Wednesday, 1 February next.
- 13 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 PUBLIC AUTHORITIES (DIVIDENDS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time, after debate.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Land (Amendment) Bill (No. 2) with amendments.
 Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Housing Bill without amendment.
- 17 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.
- 18 LIQUOR CONTROL (FEES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
 Committee reported progress.
 Business having been interrupted at 10.30 p.m.—
 Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
 Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Films Act 1971' to provide for the classification of video films, and the regulation of the distribution of films, to amend the 'Police Offences Act 1958', and for other purposes*".
- 20 FILMS (AMENDMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Not insisting on some of their amendments with which the Assembly have disagreed in the Latrobe Regional Commission Bill, insisting on some of their amendments and insisting on others of the said amendments with further amendments made in the Bill.
Ordered—That the Message be taken into consideration later this day.
- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Motor Car Traders (Amendment) Bill with an amendment.
Ordered—That the said amendment be printed and taken into consideration tomorrow.
- 23 MOTOR CAR PENALTIES BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments and with an amended title, which title is as follows:
"A Bill to enable the Admission in certain Proceedings of Evidence of the recording of Demerit Points, to provide for Mandatory Suspension of Licence in relation to certain Speeding Offences and to remove Doubt as to Penalties for certain other Offences, and for those Purposes to amend the 'Motor Car Act 1958' and the 'Motor Act (Penalties) Act 1982' and for other purposes."
Bill, as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 24 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Employment Agents Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 25 EGG INDUSTRY STABILIZATION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
And the House having continued to sit till after Twelve of the clock—

FRIDAY, 25 NOVEMBER 1983

- Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again tomorrow.
- 26 STATE ELECTRICITY COMMISSION (CLEARANCE OF LINES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 27 FILMS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.

- 28 LATROBE REGIONAL COMMISSION BILL—Order read for the consideration of the Message of the Legislative Council.
- Amendment No. 4—Motion made and question—That this House do not insist on disagreeing with this amendment made and insisted on by the Council and agree to the amendment now made in the Bill (*Mr Cathie*)—put and agreed to.
- Amendment No. 5—Motion made and question—That this House do not insist on disagreeing with this amendment made and insisted on by the Council (*Mr Cathie*)—put and agreed to.
- Amendment No. 6—Motion made and question—That this House do not insist on disagreeing with this amendment made and insisted on by the Council and agree to the amendment now made in the Bill (*Mr Cathie*)—put and agreed to.
- Amendments Nos. 7 and 8—Motion made and question—That this House do not insist on disagreeing with these amendments made and insisted on by the Council (*Mr Cathie*)—put and agreed to.
- Amendment No. 11—Motion made and question—That this House do not insist on disagreeing with this amendment made and insisted on by the Council (*Mr Cathie*)—put and agreed to.
- Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.
- 29 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 8 and 9, be postponed until tomorrow.
- 30 WERRIBEE SHIRE HALL BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 31 ELTHAM LAND (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 32 ENVIRONMENT PROTECTION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 33 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 34 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at forty-two minutes past One o'clock in the morning, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 108, 109, 110, and 111

No. 108—Tuesday, 29 November 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-Government schools recognizes the fundamental right of all children for an equitable share of Government funds for education, bearing 489, 220 and 393 signatures, respectively (*by Mr Kennett, Mrs Ray and Mr Sheehan, Ivanhoe*).
 - REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 1383 and 589 signatures, respectively (*by Mr Sheehan, Ivanhoe, and Mr McCutcheon*).
 - MUNICIPAL LIBRARIES SUBSIDY—Seeking that the Government honour its pre-election promise of 50:50 State/Municipal subsidy for municipal libraries, bearing 1788 signatures (*by Mr McCutcheon*).
 - EDUCATION (AMENDMENT) LEGISLATION—Seeking that the House reject the Education (Amendment) Bill, bearing 126 signatures (*by Mr Whiting*).
 - BIRREGURRA HOSPITAL CLOSURE—Seeking that the recommendation for the closure of the Birregurra Hospital be disregarded, bearing 458 signatures (*by Mr Dickinson*).
 - LILYDALE STATION—RAIL TRANSPORT HOURS—Seeking that action be taken to provide rail transport from Lilydale Station between the hours of 6.30 p.m. and 7.15 a.m. on week-days; 12.30 p.m. Saturday and 7.15 a.m. Monday and on public holidays, bearing 748 signatures (*by Mr Maclellan*).

Severally ordered to lie on the Table.
- 4 SOCIAL DEVELOPMENT COMMITTEE—Mr Ernst, Chairman, brought up an Interim Report from the Social Development Committee on Road Safety in Victoria, together with Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report and Appendices to be printed.
- 5 PAPERS—Mr Mathews presented, by Command of His Excellency the Governor:
 - Police Department Report for the year 1982.
Ordered to lie on the Table and to be printed.

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

 - Economic Development—Report of the Ministry for the year 1982–83.
 - Geelong Waterworks and Sewerage Trust—Statement of accounts for the year 1982–83.
 - Law Reform Commissioner—Report for the year 1982–83—Ordered to be printed.
 - Melbourne Wholesale Fruit and Vegetable Market Trust—Report for the year 1982–83.
 - Planning Appeals Board—Report for the year 1982–83.
 - Police Regulation Act 1958—Determination Nos. 388, 389 and 390 (three papers).

Statutory Rules under the following Acts:

Fertilizers Act 1974—No. 324.

Health Act 1958—No. 318.

Marine Act 1958—No. 321.

Stock (Artificial Breeding) Act 1962—Nos. 329, 330.

Urban Land Authority—Report for the year 1982–83.

Victorian Economic Development Corporation—Report for the year 1982–83.

- 6 CORPORATE AFFAIRS OFFICE REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the Corporate Affairs Office for the period 1 January 1982 to 30 June 1983 (*Mr Cain*)—put and agreed to.
- 7 PAPER—Mr Cain presented:
Corporate Affairs Office—Report of the Commissioner for the period 1 January 1982 to 30 June 1983—Return to the foregoing Order.
Ordered to lie on the Table.
- 8 LEGAL AND CONSTITUTIONAL COMMITTEE—Motion made, by leave, and question—That this House grant leave to permit the Legal and Constitutional Committee to meet during the sitting of the House on Wednesday, 30 November instant, and Thursday, 1 December next (*Mr Fordham*)—put, after debate, and agreed to.
- 9 VACANCIES IN MEMBERSHIP OF MELBOURNE UNIVERSITY COUNCIL—Mr Speaker announced that he had received the following communication:

24 November 1983

The Hon. Cyril Thomas Edmunds, M.P.,
The Speaker of the Legislative Assembly,
Parliament House,
Melbourne, 3002.

Dear Mr Speaker:

Section 5 (1) of the Melbourne University Act 1958 sets the membership of the Council of the Melbourne University and provides that seven members shall be appointed by the Governor in Council; of this number two shall be Members of the Legislative Assembly recommended for appointment by the Members thereof.

The term of Office of the two Members of the Legislative Assembly presently appointed viz: Mr. T. Sidiropoulos and Mrs J. T. Patrick, will expire on 16th December 1983.

I should be grateful if you could arrange for the Members of the Legislative Assembly to recommend two of their number for appointment to the Council of the Melbourne University for the four-year term ending on 16th December 1987.

Yours sincerely

ROBERT C. FORDHAM, M.P.,
Minister of Education

Motion made, by leave, and question—That Mrs Sibree and Mr Sidiropoulos be recommended to the Governor in Council for appointment to the Council of the Melbourne University (*Mr Fordham*)—put and agreed to.

- 10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 177)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Alpine Resorts Bill.
 Police Regulation (Police Reservists) Bill.
 Transfer of Land (Amendment) Bill.
 Mental Health (Further Amendment) Bill.
 State Employees Retirement Benefits (Amendment) Bill.
 Hospitals Superannuation (Amendment) Bill (No. 2).
 Labour and Industry (Fees) Bill.
 Firearms (Further Amendment) Bill.
 Business Franchise (Tobacco) (Amendment) Bill.

- 11 FOOD BILL (NO. 2)—Mr Roper, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Spyker, to bring in a Bill “to consolidate and amend the Law relating to the Preparation and Sale of Food, to make Provision for securing the Wholesomeness and Purity of and fixing Standards for Food, to prevent false or misleading packaging and labelling of Food and false or misleading advertising in connexion with Food, to amend the ‘Health Act 1958’, the ‘Magistrates (Summary Proceedings) Act 1975’, and the ‘Health Commission Act 1977’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 EGG INDUSTRY STABILIZATION BILL—Futher considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 EDUCATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
 Motion made and question—That the debate be now adjourned (*Mr Jona*)—after debate, put.
 The House divided.

AYES, 21

Mr Austin	Mr Jona	Mr Reynolds	Mr Williams
Mr Brown	Mr Kempton	Mr Richardson	
Mr Burgin	Mr Kennett	Mr Saltmarsh	
Mr Delzoppo	Mr McKellar	Mrs Sibree	<i>Tellers</i>
Mr Ebery	Mr Maclellan	Mr Tanner	Mr Dickinson
Mr Evans	Mrs Patrick	Mr Templeton	Mr Leigh
(<i>Ballarat North</i>)			

NOES, 49

Miss Callister	Mrs Hill	Mr Remington	Mr Steggall
Mr Cathie	Mr Hockley	Mr Ross-Edwards	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Rowe	Mrs Toner
Mr Crabb	Mr Jasper	Mr Seitz	Dr Vaughan
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Whiting
Mr Evans	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilkes
(<i>Gippsland East</i>)	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr McGrath	(<i>Ballarat South</i>)	
Mr Fordham	Mr Mathews	Mr Shell	
Mr Gray	Mr Micallef	Mr Sidiropoulos	
Mr Hann	Mr Miller	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Simpson	Mr Pope
Mr Hassett	Mr Norris	Mr Spyker	Mrs Ray

And so it was passed in the negative.

Debate resumed on the question—That this Bill be now read a second time.

Bill read a second time and committed; considered in Committee.

Committee reported progress.

Business having being interrupted at 10.30 p.m.—

- Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
- Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 178)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the State Bank (Amendment) Bill (No. 2).
- 15 STATE BANK (AMENDMENT) BILL (NO. 2)—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham to bring in a Bill "*to amend the 'State Bank Act 1958' with respect to the Borrowing Powers of The Commissioners of the State Bank of Victoria and the Payment by the Commissioners of Contributions in aid of the Consolidated Fund, to amend the 'Stamps Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Legal Profession Practice Act 1958' and the 'Summary Offences Act 1966' with respect to moneys collected under those Acts and for other purposes*".
- 17 LEGAL PROFESSION PRACTICE (FURTHER AMENDMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Energy Consumption Levy (Amendment) Bill without amendment.
- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Pay-roll Tax (Amendment) Bill (No. 2) and suggesting amendments.
- Ordered—That the suggested amendments be printed and taken into consideration tomorrow.
- 20 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act relating to a Ground known as the Melbourne Cricket Ground and to the Trustees of the Melbourne Cricket Ground and to amend the 'Melbourne Cricket Ground Act 1933'*".
- 21 MELBOURNE CRICKET GROUND BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 22 STATE ELECTRICITY COMMISSION (BROWN COAL ROYALTY) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
- And the House having continued to sit till after Twelve of the clock—
- WEDNESDAY, 30 NOVEMBER 1983
- Bill read a second time and, by leave, read third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Criminal Injuries Compensation Bill without amendment.
- 24 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 25 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at seven minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 109—Wednesday, 30 November 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-Government schools recognizes the fundamental right of all children for an equitable share of Government funds for education, bearing 372 and 182 signatures, respectively (*by Mr Maclellan and Mr Sheehan, Ballarat South*).
 - LEGAL AID—PETER J. LAWLESS—Seeking that legal aid be granted in order to pursue legitimate avenues of appeal for Peter J. Lawless, bearing 86 signatures (*by Mr Walsh*).
 - REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 195 signatures (*by Mr Hockley*).
 - STATE BOARD OF EDUCATION RECOMMENDATIONS—Seeking that (a) no action be taken to implement the recommendations of the State Board of Education on grants to non-Government schools for 1984 and 1985; (b) per capita education grants to non-Government schools be maintained at the 1983 academic year level pending a review; and (c) no changes be made to the basis of funding non-Government schools without consultation, bearing 78 signatures (*by Mr Kennedy*).
 - PLAYNE STREET, FRANKSTON—TRAFFIC SIGNALS—Seeking that the House take appropriate action to immediately ensure that traffic signals are installed at the intersection of Playne Street and Nepean Highway, Frankston, bearing 138 signatures (*by Mrs Hill*).
 - BUNDOORA EXTENDED CARE CENTRE—Seeking that the Government take immediate steps to allocate funds for staffing the Bundoora Extended Care Centre in its entirety during the second half of the current financial year, bearing 1026 signatures (*by Mr Reynolds*).
 - CHILDREN'S SERVICES POLICY—Seeking that the Government, in conjunction with the Federal Government, work towards a comprehensive policy for all children's services which integrates and co-ordinates these services, bearing 23 signatures (*by Mrs Sibree*).
 - KINDERGARTEN PROGRAM—Seeking that the House take action to withdraw the Ministerial decision to cut subsidies for three-year-old children attending kindergartens, extended hours program and the supply of milk, bearing 82 signatures (*by Mr Harrowfield*).
 - WINE LICENCE FEE INCREASE—Seeking that the House take action to ensure that the proposed increase in State licence fees on all wines be abandoned as it discriminates against drinkers of wine in Victoria, bearing 7479 signatures (*by Mr Jasper*).

KEW HIGH EVENING SCHOOL CLOSURE—Expressing deep concern about the possible closure of Kew High Evening School at Burke Road, East Kew before the commencement of the 1984 academic year, bearing 717 signatures (*by Mr Pope*).

Severally ordered to lie on the Table.

- 4 **PAPERS**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Egg Marketing Board—Report for the year 1982–83—Ordered to be printed.
 - Government Employee Housing Authority—Report for the year 1982–83.
 - Historic Buildings Council—Report for the year 1982–83.
 - Legal Aid Commission—Report for the year 1982–83.
 - Ombudsman—Report for the year 1982–83—Ordered to be printed.
 - Victoria Grants Commission—Report for the year ended 31 August 1983—Ordered to be printed.
- 5 **FIRE AND EMERGENCY SERVICES**—Motion made, by leave, and question—That there be presented to this House a copy of the Final Report of the Public Service Board's Management Consultancy and Organizational Studies Division on the Proposed Organization and Funding Arrangements for Fire and Emergency Services in Victoria, November 1983 (*Mr Mathews*)—put and agreed to.
- 6 **PAPER**—Mr Mathews presented:
 - Fire and Emergency Services—Report on Proposed Organization and Funding Arrangements in Victoria—Return to the foregoing Order.
 Ordered to lie on the Table.
- 7 **PUBLIC SERVICE (AMENDMENT) BILL**—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill "to amend the 'Public Service Act 1974' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **GEELONG MARKET SITE BILL**—Mr Cathie obtained leave, with Mr Wilkes, to bring in a Bill "to facilitate the redevelopment of the market site in Geelong, to repeal certain Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 9 **GRIEVANCE DEBATE LIMITATION**—Motion made and question—That so much of Standing Order No. 59 as permits four hours debate on "Grievances" be suspended for tomorrow and the debate on the question that "Grievances" be noted be concluded at 1 p.m. (*Mr Fordham*)—put and agreed to.
- 10 **FOOD BILL (NO. 2)**—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
 - Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 - Ordered, after debate—That the debate be adjourned until Tuesday, 28 February next.
- 11 **LEGAL PROFESSION PRACTICE (FURTHER AMENDMENT) BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
 - Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 - Ordered—That the debate be adjourned until tomorrow.

- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Forwarding a fair print of a Bill to make provision for adequate, effective and co-ordinated processes in the preparation and making of subordinate legislation which enable consultation, evaluation and review of subordinate legislation, to reduce the volume of subordinate legislation, to ensure that there is adequate scrutiny of subordinate legislation, to amend the 'Subordinate Legislation Act 1962' and the 'Parliamentary Committees Act 1968' and for other purposes, and acquainting the Assembly that during the consideration of the Bill the Council agreed to the following Resolution:

That the proposals contained in the Subordinate Legislation (Deregulation) Bill be referred to the Legal and Constitutional Committee for inquiry, consideration and report within four months.

—with which they desire the concurrence of the Legislative Assembly.

Motion made and question—That this House concur with the Legislative Council and resolve that the proposals contained in the Subordinate Legislation (Deregulation) Bill be referred to the Legal and Constitutional Committee for inquiry, consideration and report within four months (*Mr Cain*)—put and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.

- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Water (Amendment) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 14 STATE BANK (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).

Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.

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

- 15 MELBOURNE CRICKET GROUND BILL—Read a second time, after debate, and, by leave, read the third time forthwith.

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

- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Motor Car (Penalties) Bill (NO. 2) without amendment.

- 17 GEELONG MARKET SITE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.

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

- 18 PAY-ROLL TAX (AMENDMENT) BILL—Order read for the consideration of the amendments suggested by the Legislative Council.

On the motion of Mr Jolly and, after debate—Suggested Amendments made.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 19 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (NOS. 179, 180)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Food Bill (No. 2)

Geelong Market Site Bill.

- 20 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until later this day.

- 21 MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Liquor Control (Fees) Bill without amendment.
- 23 TEACHING SERVICE BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 24 GEELONG MARKET SITE BILL—Order read for resuming debate on question—That this Bill be now read a second time.
Mr Speaker ruled the Bill to be a Private Bill.
Motion made and question—That this Bill be treated as a Public Bill and that fees be dispensed with (*Mr Cathie*)—put and agreed to.
Debate resumed on question—That this Bill be now read a second time; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 25 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the State Electricity Commission (Brown Coal Royalty) Bill without amendment.
- 26 STAMPS (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 27 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Drugs Poisons and Controlled Substances (Amendment) Bill (No. 2) with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 28 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Pay-roll Tax (Amendment) Bill (No. 2) (including the amendments made by the Assembly which were suggested by the Council) without amendment.
- 29 RACING (FURTHER AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time.
On the motion of Mr Trezise and, after debate—Amendment No. 1 disagreed with.
On the motion of Mr Trezise and, after debate—Amendment No. 2 agreed to with amendments.
On the motion of Mr Trezise—Amendment No. 3 disagreed with.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 30 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Public Authorities (Dividends) Bill without amendment.

- 31 PENSIONERS RATES REMISSION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 32 STATE DISASTERS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Wilkes*)—put and agreed to.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 33 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Country Fire Authority (Amendment) Bill without amendment.

- 34 HEALTH COMMISSION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 35 WATER (BORROWING POWERS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

And the House having continued to sit till after Twelve of the clock—

THURSDAY, 1 DECEMBER 1983

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 36 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 14 to 16 inclusive, be postponed until tomorrow.

- 37 MOTOR CAR TRADERS (AMENDMENT) BILL—Order read for the consideration of the amendment made by the Legislative Council.

And the said amendment was read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.

- 38 EMPLOYMENT AGENTS BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 39 LAND (AMENDMENT) BILL (No. 2)—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 40 FISHERIES (FURTHER AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 41 OCCUPIERS' LIABILITY BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered and amendment agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with an amendment with which they desire the concurrence of the Legislative Council.

- 42 CRIMES (PROCEDURE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered and amendments agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

- 43 PORT FAIRY LAND BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 44 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 45 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty-five minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 110—Thursday, 1 December 1983

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - RIGHTS OF NON-GOVERNMENT SCHOOLS—Seeking that the existing rights in respect to non-Government schools be maintained, bearing 38 signatures (*by Mr Kennett*).

REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 204, 109 and 1314 signatures, respectively (*by Mr Newton, Mr Richardson and Dr Coghill*).

SHOPKEEPERS BUSINESS HOURS—Seeking that the law be changed to allow shopkeepers to transact their business without interference from the Government, bearing 6275 signatures (*by Dr Coghill*).

Severally ordered to lie on the Table.

- 4 NATURAL RESOURCES AND ENVIRONMENT COMMITTEE—Dr Vaughan brought up a Report from the Natural Resources and Environment Committee upon the Diversion of the Morwell River, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

- 5 MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—Mr Kirkwood, Chairman, brought up the First Report from the Mortuary Industry and Cemeteries Administration Committee upon Metropolitan Cemetery Land Needs and a Crematorium at Geelong, together with Appendices.

Ordered to lie on the Table and to be printed.

- 6 PAPERS—Mr Speaker presented:

Auditor-General—Third Report for the year 1982–83.

Ordered to lie on the Table and to be printed.

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

Education Act 1958—Resumption of land at Endeavour Hills, City of Berwick, Frankston and Wangaratta—Certificates of the Minister of Education (three papers).

Explosives Act 1960—Report of the Chief Inspector of Explosives for the year 1982.

Inflammable Liquids Act 1966—Report of the Chief Inspector of Inflammable Liquids for the year 1982.

Liquefied Gases Act 1968—Report of the Chief Inspector of Liquefied Gases for the year 1982.

Minerals and Energy Department—Report for the year 1982.

Parliamentary Committees Act 1968—Report of the Minister of Transport as to action taken by the Government with respect to the recommendations made by the Social Development Committee on Freeway Speed Limits.

Public Service Board—Report for the year 1982–83—Ordered to be printed.

Soil Conservation Authority—Report for the year 1982–83—Ordered to be printed.

Town and Country Planning Act 1961:

Maldon—Shire of Maldon Planning Scheme 1980.

Victorian Council of the Arts—Report for the year 1982–83.

- 7 FISHERIES (ABALONE LICENCES) BILL—Mr Cathie, by leave, obtained leave, with Mr Wilkes, to bring in a Bill “to amend the ‘Fisheries Act 1968’ with respect to Abalone Licences and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 8 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.

- 9 MESSAGES FROM THE LEGISLATIVE COUNCIL—

Not insisting on their amendments with which the Assembly have disagreed, and agreeing to the amendments made by the Assembly in the Racing (Further Amendment) Bill.

Agreeing to the amendments made by the Assembly in the Crimes (Procedure) Bill.

Agreeing to the amendment made by the Assembly in the Occupiers' Liability Bill.

Agreeing to the following Bills without amendment:

Geelong Market Site Bill.

Melbourne and Metropolitan Board of Works (Amendment) Bill.

Water (Borrowing Powers) Bill.

Pensioners Rates Remission Bill.

- 10 PAPER—Mr Cain presented, by Command of His Excellency the Governor:
Poker Machines—Report of the Board of Inquiry into Poker Machines—November 1983.
Ordered to lie on the Table and to be printed.
- 11 MINISTERIAL STATEMENT—POKER MACHINES—BOARD OF INQUIRY REPORT—Mr Cain made a Ministerial Statement relating to the Inquiry into Poker Machines.
Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement and the Report of the Board of Inquiry (*Mr Cain*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 12 PUBLIC SERVICE (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday, 1 February next.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Health Commission (Amendment) Bill without amendment.
- 14 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Industrial Relations (Further Amendment) Bill with an amendment.
Ordered—That the said amendment be printed and taken into consideration later this day.
- 15 FISHERIES (ABALONE LICENCES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday, 1 February next.
- 16 STATE BANK (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 INDUSTRIAL RELATIONS (FURTHER AMENDMENT) BILL—Order read for the consideration of the amendment made by the Legislative Council.
And the said amendment was read a second time and agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.
- 18 WATER (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

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

20 WATER (DELEGATION OF POWERS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

21 TRUSTEE COMPANIES (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

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

Greyhound Racing Control Board—Report for the year ended 31 July 1983.

Harness Racing Board—Report for the year ended 31 July 1983.

National Parks Service—Report for the year 1982–83—Ordered to be printed.

Nurses Act 1958—Report and Statement of accounts of the Victorian Nursing Council for the year 1982–83.

Youth, Sport and Recreation Department—Report for the year 1982–83—Ordered to be printed.

23 ESTATE AGENTS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

24 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 7, be postponed until later this day.

25 DRUGS POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL (NO. 2)—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time.

On the motion of Mr Roper and, after debate—Amendments Nos. 1 and 2 agreed to.

On the motion of Mr Roper and, after debate—Amendments Nos. 3 and 4 disagreed with.

On the motion of Mr Roper—Amendment No. 5 agreed to.

On the motion of Mr Roper—Amendment No. 6 agreed to with an amendment.

On the motion of Mr Roper and, after debate—Amendment No. 7 agreed to with an amendment.

On the motion of Mr Roper—Amendment No. 8 disagreed with.

On the motion of Mr Roper and, after debate—Amendment No. 9 agreed to with an amendment.

On the motion of Mr Roper—Amendments Nos. 10 and 11 disagreed with.

On the motion of Mr Roper and, after debate—Amendment No. 12 agreed to with an amendment.

- On the motion of Mr Roper—Amendment Nos. 13 and 14 disagreed with.
- On the motion of Mr Roper—Amendment No. 15 agreed to with an amendment.
- On the motion of Mr Roper and, after debate—Amendments Nos. 16 to 19 inclusive disagreed with.
- On the motion of Mr Roper and, after debate—Amendment No. 20 agreed to with an amendment.
- On the motion of Mr Roper and, after debate—Amendment No. 21 agreed to with an amendment.
- On the motion of Mr Roper—Amendments Nos. 22 and 23 disagreed with.
- Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 26 DEPARTMENTAL FINANCIAL STATEMENTS—Motion made, by leave, and question—That there be presented to this House a copy of the Departmental Financial Statements for the year ended 30 June 1983 (*Mr Jolly*)—put and agreed to.
- 27 PAPER—Mr Jolly presented:
 Departmental Financial Statements—Return to the foregoing Order.
 Ordered to lie on the Table and to be printed.
- 28 COURTS (POWERS OF INVESTMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 29 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 9, be postponed until later this day.
- 30 FILMS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith, after debate.
 Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 31 MAGISTRATES (SUMMARY PROCEEDINGS) (WARRANTS OF DISTRESS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 32 LEGAL PROFESSION PRACTICE (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time, after debate.
 Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 33 STATE ELECTRICITY COMMISSION (CLEARANCE OF LINES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
 Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 34 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the State Bank (Amendment) Bill (No. 2) without amendment.

- 35 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until tomorrow at forty-five minutes past One o'clock (*Mr Fordham*)—put and agreed to.
- 36 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of the remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 37 ADJOURNMENT—Resolved—That the House do now adjourn.
- And then the House, at forty-four minutes past Six o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 111—Friday, 2 December 1983

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation.
- KINDERGARTEN FUNDING AND CHILDREN'S SERVICES POLICY—Seeking that the Government immediately—(i) cease the withdrawal of subsidies that will result in the closure of extended hours kindergartens; (ii) cease the withdrawal of funding from children's welfare services and family support services; (iii) increase funding in the 1984 budget to maintain existing services and to develop new services where areas of need exist; and (iv) work in conjunction with the Federal Government towards a comprehensive policy for all children's services which integrates and co-ordinates these services, bearing 9503 signatures (*by Mrs Sibree*).
- REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government will reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 687 signatures (*by Mr Rowe*).
- Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Statutory Rules under the following Acts:
- County Court Act 1958—No. 331.
Evidence Act 1958—No. 332.
Films Act 1971—No. 333.
Finance Brokers Act 1969—No. 334.
Local Government Act 1958—No. 343.
Marketing of Primary Products Act 1958—No. 342.
Police Offences Act 1958—No. 335.
Sale of Land Act 1962—No. 336.
Status of Children Act 1974—No. 337.
Supreme Court Act 1958—No. 338.
Town and Country Planning Act 1961—No. 340.
- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Education (Amendment) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration later this day.

- 6 **WORKERS COMPENSATION (AMENDMENT) BILL (No. 3)**—Mr Jolly, by leave, obtained leave, with Mr Fordham, to bring in a Bill '*to amend the 'Workers Compensation Act 1958' and for other purposes*'; and the said Bill was read a first time, ordered to be printed and read a second time, by leave, forthwith.

Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).

Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 28 February next.

- 7 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 181)**—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Workers Compensation (Amendment) Bill (No. 3).

- 8 **SOUTH MELBOURNE LAND BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 9 **POSTPONEMENT OF ORDERS OF THE DAY**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 9 inclusive, be postponed until later this day.

- 10 **MINISTERIAL STATEMENT—COMMUNITY HOUSING**—Order read for resuming debate on question—That this House takes note of the Ministerial Statement; debate resumed.

Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Agreeing to the Egg Industry Stabilization Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration later this day.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Agreeing to the Teaching Service Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration later this day.

- 13 **EDUCATION (AMENDMENT) BILL**—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 14 **TEACHING SERVICE BILL**—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time.

On the motion of Mr Fordham and, after debate—Amendments Nos. 1 to 9 inclusive agreed to.

On the motion of Mr Fordham and, after debate—Amendment No. 10 disagreed with.
 On the motion of Mr Fordham—Amendment No. 11 agreed to.
 On the motion of Mr Fordham and, after debate—Amendment No. 12 disagreed with.
 On the motion of Mr Fordham—Amendment No. 13 agreed to.
 Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 15 EGG INDUSTRY STABILIZATION BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time.

On the motion of Mr Wilkes—Amendment No. 1 agreed to with an amendment.

On the motion of Mr Wilkes and, after debate—Amendment No. 2 disagreed with but an amendment made in Bill.

On the motion of Mr Wilkes—Amendment No. 3 agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the State Disasters Bill with amendments.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 17 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified to each member of the House by telegram or letter (*Mr Cain*)—put, after debate, and agreed to.

- 18 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 19 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty-seven minutes past Seven o'clock adjourned until a day and hour to be fixed by Mr Speaker and notified to each Member of the House by telegram or letter, as determined by resolution of the House at this sitting.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 112, 113, 114, and 115

No. 112—Tuesday, 28 February 1984

- 1 The House met pursuant to the terms of the resolution of 2 December last, Mr Speaker having fixed this day at half-past One o'clock as the time of meeting—Mr Speaker took the Chair and read the Prayer.
- 2 DEATH OF THE HONOURABLE THOMAS WALTER MITCHELL, C.M.G.—Motion made and question—That this House expresses its sincere sorrow at the death of the Honourable Thomas Walter Mitchell, C.M.G., 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 Benambra from 1947 to 1976, and as Solicitor-General from 1950 to 1951 and Attorney-General from 1951 to 1952 (*Mr Cain*)—put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion, and Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 ADJOURNMENT—Motion made and question—That, as a further mark of respect to the memory of the late Honourable Thomas Walter Mitchell, C.M.G., the House do now adjourn until Eight o'clock this day (*Mr Cain*)—put and agreed to.

And then the House, at forty-five minutes past Two o'clock, adjourned until Eight o'clock this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 113—Tuesday, 28 February 1984

(EIGHT O'CLOCK)

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124.)
- 3 MINISTERIAL STATEMENT—VICTORIAN ECONOMY—Mr Cain made a Ministerial Statement relating to the Victorian economy.
Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cain*)—and, after debate—
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Debate resumed on question—That this House takes note of the Ministerial Statement.
Motion made and question—That the debate be now adjourned (*Mr Jolly*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.

4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 1088, 797, 380, 1004, 352, 461, 337, 568, 273, 746, 913, 3300, 797, 246, 607, 188 and 787 signatures, respectively (by *Mr Kennett, Mr Ross-Edwards, Mr Hann, Mr Evans (Ballarat North), Mr Ramsay, Mr Gavin, Mr Williams, Mr Evans (Gippsland East), Dr Vaughan, Mr Jona, Mr Pope, Miss Callister, Mr Jasper, Mr Mathews, Mr Austin, Mr Fogarty and Mr Stirling*).

NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-Government schools recognizes the fundamental right of all children for an equitable share of Government funds for Education, bearing 885 signatures (by *Mr Kennett*).

RENT ASSESSMENT OF UNEMPLOYED PERSONS—Seeking that the House take action to ensure that the income of unemployed young homeless persons or their board payments be not taken into account in assessing the rent due to the Ministry of Housing, bearing 159 signatures (by *Mr Shell*).

CHILDREN'S FREE DENTAL SERVICE—Seeking that the House take action to revoke the announced changes to the School Dental Services and introduce a free and comprehensive service to all pre-school and school children, bearing 126 signatures (by *Mr Remington*).

RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 239 signatures (by *Mr Remington*).

KINDERGARTEN, CHILDREN'S WELFARE AND FAMILY SUPPORT SERVICES FUNDING—Seeking that the Government immediately cease all withdrawals of subsidies that would result in the closure of extended hours kindergartens and kindergarten sessions for three year olds and provide funding in the 1984 Budget to maintain children's welfare and family support services, bearing 13 signatures (by *Mr Sidiropoulos*).

RICHMOND POWER LINE—Seeking that if a replacement of the existing power line in Richmond is necessary, that such line be placed underground along the entire route within Richmond, bearing 680 signatures (by *Mr Sidiropoulos*).

EDUCATION BUDGET—Seeking that the Government take immediate action to revoke the announced changes of a two per cent reduction in the Education Budget and to ensure the implementation of the aims and philosophies of the Education Department, bearing 61 signatures (by *Mr Fogarty*).

MT. BEAUTY BLOOD DONOR CAMPAIGN—Seeking that action be taken to retain "Give Blood and Save a Life" donor sessions in Mt. Beauty, bearing 305 signatures (by *Mr Lieberman*).

MORNINGTON BUSH NURSING HOSPITAL—Seeking that the Government considers taking over the Mornington Bush Nursing Hospital with the view of providing Public Hospital facilities for the residents of the community, bearing 146 signatures (by *Mr Hassett*).

BLYTH STREET POLICE STATION, ALTONA—Seeking that the Blyth Street Police Station be re-opened and made fully operational, bearing 1009 signatures (by *Mr Stirling*).

Severally ordered to lie on the Table.

5 PUBLIC BODIES REVIEW COMMITTEE—Mr Miller, Chairman, brought up Reports from the Public Bodies Review Committee upon the—

Albury-Wodonga (Victoria) Corporation; together with Appendices and Minutes of Evidence; and

Small Business Development Corporation; together with an Appendix and Minutes of Evidence.

Severally ordered to lie on the Table and the Reports and Appendices to be printed.

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

Deakin University—Report and statement of accounts of the Council for the year 1982, together with Statutes approved by the Governor in Council for the year 1982.

Education Act 1958—Resumption of Land at Cranbourne North—Certificate of the Minister of Education.

Employment and Training—Report of the Ministry for the year 1982–83.

Geelong Performing Arts Centre Trust—Report for the year 1982–83.

Hospitals Superannuation Board—Report for the year 1982–83—Ordered to be printed.

Industrial Training Commission—Report for the year 1982–83—Ordered to be printed.

Insurance Commissioner—Report for the year 1982–83.

Land Act 1958—Resumption of Land at Melbourne for the purposes of a Remand Centre—Certificate of the Minister for Community Welfare Services.

Latrobe Valley Water and Sewerage Board—Report and statement of accounts for the year 1982–83.

Melbourne and Metropolitan Board of Works—Statement of Accounts for the year 1982–83.

Melbourne University—Report of the Council for the year 1982, together with Statutes approved by His Excellency the Governor during 1982.

Statement of accounts for the year 1982.

Metropolitan Fire Brigades Board—Report for the year 1982–83.

Metropolitan Fire Brigades Superannuation Board—Report for the year 1982–83.

Municipal Association Act 1907—Report of the Auditor for the year 1982–83 on the Local Government Investment Service Fund.

National Gallery of Victoria—Report of the Council of Trustees for the year 1982–83.

State Classification of Publications Board—Report for the year 1982–83—Ordered to be printed.

State Employees Retirement Benefits Board—Report for the year 1982–83—Ordered to be printed.

Statutory Rules under the following Acts:

Abattoir and Meat Inspection Act 1973—No. 3/1984.

Appeal Costs Fund Act 1964—No. 405/1983.

Audit Act 1958—No. 379/1983.

Boilers and Pressure Vessels Act 1970—Nos. 28, 29/1984.

Building Control Act 1981—No. 428/1983.

Business Franchise (Tobacco) Act 1974 and Business Franchise (Petroleum Products) Act 1979—No. 371/1983.

Business Names Act 1962—No. 352/1983.

Chiropractors and Osteopaths Act 1978—No. 407/1983.

Cluster Titles Act 1974—No. 364/1983.

Coal Mines Act 1958—No. 442/1983.

Companies (Acquisition of Shares) (Application of Laws) Act 1981—No. 421/1983.
Companies (Administration) Act 1981—No. 406/1983.
Companies (Application of Laws) Act 1981—No. 422/1983.
Construction Industry Long Service Leave Act 1983—Nos. 367/1983; 30/1984.
Country Fire Authority Act 1958—No. 394/1983.
Dietitians Act 1981—No. 431/1983.
Discharged Servicemen's Preference Act 1943—No. 409/1983.
Dried Fruits Act 1958—No. 439/1983.
Drugs Poisons and Controlled Substances Act 1981—No. 408/1983.
Education Act 1958—No. 20/1984.
Education Service Act 1981—Nos. 35 to 37/1984.
Energy Consumption Levy Act 1982—No. 24/1984.
Environment Protection Act 1970—No. 429/1983.
Extractive Industries Act 1966—No. 410/1983.
Farm Produce Merchants and Commission Agents Act 1965—No. 438/1983.
Firearms Act 1958—No. 23/1984.
Fisheries Act 1968—No. 27/1984.
Forests Act 1958—Nos. 1, 5/1984.
Freedom of Information Act 1982—No. 365/1983.
Friendly Societies Act 1958—No. 376/1983.
Grain Elevators Act 1958—No. 348/1983.
Groundwater Act 1969—No. 411/1983.
Health Act 1958—Nos. 351, 375, 377, 430, 443/1983; 6 to 8, 18, 19/1984.
Health Commission Act 1977—No. 22/1984.
Hospitals Superannuation Act 1965—No. 441/1983.
Industrial Relations Act 1979—Nos. 380, 413/1983; 9, 10/1984.
Industrial Safety, Health and Welfare Act 1981—No. 361/1983.
Industrial Training Act 1975—Nos. 13, 17/1984.
Instruments Act 1958—No. 353/1983.
Juries Act 1967—No. 446/1983.
Land Tax Act 1958—No. 384/1983.
Law Reform Act 1973—No. 412/1983.
Legal Profession Practice Act 1958—No. 349/1983.
Lifts and Cranes Act 1967—No. 31/1984.
Local Government Act 1958—Nos. 345, 346, 393, 397, 427/1983; 21/1984.
Lotteries Gaming and Betting Act 1966—Nos. 398/1983; 15/1984
Magistrates' Courts Act 1971—Nos. 354, 445/1983.
Marine Act 1958—Nos. 385 to 391/1983.
Marketing of Primary Products Act 1958—No. 382/1983.
Melbourne and Metropolitan Board of Works Act 1958—Nos. 347, 374/1983.
Metropolitan Fire Brigades Superannuation Act 1976—No. 12/1984.
Milk and Dairy Supervision Act 1958—No. 437/1983.

- Milk Pasteurization Act 1958—No. 436/1983.
 Mines Act 1958—Nos. 362, 414, 415/1983.
 Money Lenders Act 1958—No. 355/1983.
 Motor Boating Act 1961—Nos. 372, 392/1983; 2, 26, 38/1984.
 Motor Car Act 1958—Nos. 368, 440/1983.
 Motor Car Traders Act 1973—No. 416/1983.
 National Gallery of Victoria Act 1966—No. 378/1983.
 National Parks Act 1975—Nos. 370/1983; 14, 41/1984.
 Pay-roll Tax Act 1971—No. 434/1983.
 Pharmacists Act 1974—No. 363/1983.
 Post-Secondary Education Act 1978—No. 395/1983; 42/1984.
 Printers and Newspapers Act 1958—No. 356/1983.
 Property Law Act 1958—No. 357/1983.
 Public Service Act 1974—Nos. 381, 419, 420/1983; 34/1984 PSD Nos. 76, 79 to 93/1983; 1 to 8/1984.
 Racing Act 1958—Nos. 366, 396, 399 to 403, 425, 432, 433/1983.
 Reference Areas Act 1978—No. 16/1984.
 Religious Successory and Charitable Trusts Act 1958—No. 358/1983.
 Scaffolding Act 1971—No. 32/1984.
 Second-hand Dealers Act 1958—No. 11/1984.
 Securities Industry (Application of Laws) Act 1981—No. 423/1983.
 Stock Medicine Act 1958—No. 435/1983.
 Strata Titles Act 1967—No. 359/1983.
 Supreme Court Act 1958—Nos. 339, 417, 418/1983.
 Survey Co-ordination Act 1958—No. 444/1983
 Tattersall Consultations Act 1958—No. 424/1983.
 Trade Unions Act 1958—No. 369/1983.
 Transfer of Land Act 1958—Nos. 350, 360/1983.
 Transport Act 1983—Nos. 344, 426/1983; 4, 25/1984.
 Valuation of Land Act 1960—No. 447/1983.
 Veterinary Surgeons Act 1958—No. 33/1984.
 Water Act 1958—No. 383/1983.
 Weights and Measures Act 1958—No. 341/1983.
 Wildlife Act 1975—No. 373/1983.
 Youth, Sport and Recreation Act 1972—No. 404/1983.
 Third Party Insurance Premiums Committee—Report for the year 1982–83.
 Town and Country Planning Act 1961:
 Ararat—Shire of Ararat (Willaura) Planning Scheme, Amendment No. 4.
 Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme, Amendment No. 22.
 Benalla—City of Benalla Planning Scheme, Amendment No. 35.
 Bulla—Shire of Bulla Planning Scheme 1959, Amendment No. 92, (1983).
 Colac—City of Colac Planning Scheme 1963, Amendment No. 19.
 Eildon Reservoir Planning Scheme 1959 (Shire of Mansfield), Amendment Nos. 31, 32, 32A, 33 (four papers).

- Flinders—Shire of Flinders Planning Scheme 1962, Amendment Nos. 151, 159, 167 (1983) (three papers).
- Geelong Regional Planning Scheme, Amendment Nos. 38 (Part 3), 45 (Part 1), (Part 2), 48 (Part 1), 62 (Part 2), 72 (Part 1), 73 (1983) (seven papers).
- Hastings—Shire of Hastings Planning Scheme, Amendment No. 11, Part 1.
- Kilmore—Shire of Kilmore Planning Scheme 1973, Amendment No. 50 (1981).
- Knox—City of Knox Planning Scheme 1965, Amendment Nos. 252 (1983), 255 (Part A), 256 (1982), 257 (1982), 259 (1983), 264 (1983) (six papers).
- Korumburra—Shire of Korumburra Planning Scheme, Amendment Nos. 23, 24 (1983) (two papers).
- Kyabram—Town of Kyabram Planning Scheme 1963, Amendment No. 29.
- Lillydale, Shire of Lillydale Planning Scheme 1958, Amendment No. 167.
- Lorne Planning Scheme, Amendment Nos. 5, 8, 9 (three papers).
- Melbourne Metropolitan Planning Scheme, Amendment Nos. 155 (Part 4), 192 (Part 2A), (Part 3), 193 (Part 1B), (Part 2), 214 (Part 1A), 225 (Part 2), 230 (Part 1), 231 (Part 1), 253, 257, 258, 262, 264, 266, 269, 271, (seventeen papers).
- Moe—City of Moe Planning Scheme 1966, Amendment No. 72 (1983).
- Pakenham—Shire of Pakenham Planning Scheme Part 1, Amendment Nos. 21, 24, 26 (three papers).
- Phillip Island Planning Scheme, Amendment No. 18.
- Sale—City of Sale Planning Scheme 1975, Amendment No. 12 (1982).
- Seymour Planning Scheme, Amendment No. 82.
- Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas), Amendment No. 18 (1983).
- South Gippsland—Shire of South Gippsland Planning Scheme, Amendment Nos. 47 (Part A) (1980), 51 (1981), (two papers).
- Stawell—Town of Stawell Planning Scheme, Amendment No. 24.
- Swan Hill—City of Swan Hill Planning Scheme 1981.
- Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme, Amendment Nos. 40, 46 (two papers).
- Traralgon—City of Traralgon Planning Scheme 1957, Amendment Nos. 38, 41, 42 (1983), (three papers).
- Warragul Planning Scheme 1954, Amendment No. 47 (1983).
- Woorayl—Shire of Woorayl Planning Scheme, Amendment Nos. 62 (Part A), 63 (two papers).
- Victoria Law Foundation—Report for the year ended 30 September, 1983.
- Victorian Arts Centre Trust—Report for the year 1982–83.
- Victorian Council of the Arts—Report for the year 1982–83 (*In substitution for report tabled on 1 December 1983*).
- Victorian Dairy Industry Authority—Report for the year 1982–83.
- Victorian Fishing Industry Council—Report for the year 1982–83.
- Victorian Institute of Secondary Education—Report for the year 1982.
- Victorian Public Offices Corporation—
Report for the year 1982–83.
Report on the exercise of powers in relation to property transactions.

West Moorabool Water Board—Report and statement of accounts for the year 1982–83.

Youth Parole Board—Report for the year 1981–82—Ordered to be printed.

- 7 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the Report and Financial Statements of the National Companies and Securities Commission for the year 1982–83 (*Mr Cain*)—put and agreed to.
- 8 PAPER—Mr Cain presented:
National Companies and Securities Commission Report—Report and Financial Statements for the year, 1982–83—Return to the foregoing Order.
Ordered to lie on the table.
- 9 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year ended 30 June, 1983. (*Mr Jolly*)—put, and agreed to.
- 10 PAPER—Mr Jolly presented:
Parliamentary Contributory Superannuation Fund—Report of the Trustees for the year, 1982–83—Return to the foregoing order.
Ordered to lie on the table and to be printed.
- 11 MESSAGES FROM THE LEGISLATIVE COUNCIL—
Not insisting on their amendments in the Drugs Poisons and Controlled Substances (Amendment) Bill (No. 2) with which the Assembly have disagreed and agreeing to the amendments made by the Assembly in the Bill.
Not insisting on their amendments in the Teaching Service Bill with which the Assembly have disagreed.
Not insisting on their amendment in the Egg Industry Stabilization Bill with which the Assembly have disagreed and agreeing to the amendments made by the Assembly in the Bill.
Agreeing to the Stamps (Further Amendment) Bill without amendment.
- 12 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 182)—ASSENT TO BILLS—
Informing the Assembly that he had, on 6 December last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
Latrobe Regional Commission Bill.
Transport (Borrowing Agency) Bill.
Werribee Shire Hall Bill.
Probate Duty (Amendment) Bill.
Eltham Land (Amendment) Bill.
Environment Protection (Amendment) Bill.
Energy Consumption Levy (Amendment) Bill.
Melbourne Cricket Ground Bill.
- 13 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 183)—ASSENT TO BILLS—
Informing the Assembly that he had, on 9 December last, given the Royal Assent to the following Bill, presented to him by the Clerk of the Parliaments:
Stamps (Further Amendment) Bill.
- 14 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 184)—ASSENT TO BILLS—
Informing the Assembly that he had, on 13 December last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
Criminal Injuries Compensation Bill.

Education (Amendment) Bill.
 Water (Delegation of Powers) Bill.
 Occupiers' Liability Bill.
 Water (Amendment) Bill.
 Films (Amendment) Bill.
 Motor Car Traders (Amendment) Bill.
 Melbourne and Metropolitan Board of Works (Amendment) Bill.
 Industrial Relations (Further Amendment) Bill.
 State Electricity Commission (Clearance of Lines) Bill.
 Drugs Poisons and Controlled Substances (Amendment) Bill (No. 2).
 Public Authorities (Dividends) Bill.
 Country Fire Authority (Amendment) Bill.
 State Bank (Amendment) Bill.
 Fisheries (Further Amendment) Bill.
 Magistrates (Summary Proceedings) (Warrants of Distress) Bill.
 Port Fairy Land Bill.
 Pay-roll Tax (Amendment) Bill (No. 2).
 State Disasters Bill.
 Land (Amendment) Bill (No. 2).
 Legal Profession Practice (Further Amendment) Bill.
 Courts (Powers of Investment) Bill.
 Racing (Further Amendment) Bill.
 Liquor Control (Fees) Bill.
 Pensioners Rates Remission Bill.
 Water (Borrowing Powers) Bill.
 Employment Agents Bill.
 Local Government (General Amendment) Bill (No. 2).
 Housing Bill.
 State Electricity Commission (Brown Coal Royalty) Bill.
 Health Commission (Amendment) Bill.
 Motor Car (Penalties) Bill (No. 2).
 Egg Industry Stabilization Bill.

- 15 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 185)—ASSENT TO BILLS—
 Informing the Assembly that he had, on 20 December last, given the Royal Assent
 to the following Bills, presented to him by the Clerk of the Parliaments:
- Geelong Market Site Bill.
 Crimes (Procedure) Bill.
 Trustee Companies (Amendment) Bill.
 Estate Agents (Amendment) Bill.
 Teaching Service Bill.
- 16 ORDER OF THE DAY DISCHARGED—Motion made, by leave, and question—That the
 following Order of the Day, Government Business, be read and discharged:
Interpretation Bill—Second reading—Resumption of debate
 —and that the Bill be withdrawn (*Mr Fordham*)—put, after debate, and agreed to.
- 17 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the
 consideration of remaining business be postponed (*Mr Fordham*)—put and agreed
 to.

- 18 ADJOURNMENT—Motion made and question proposed—That the House do now adjourn (*Mr Fordham*)—and, after debate—

And the House having continued to sit till after Twelve of the clock—

WEDNESDAY, 29 FEBRUARY 1984

(*Notice having been taken that a quorum of Members was not present*)

Mr Speaker, pursuant to Standing Order No. 19, adjourned the House at twenty-nine minutes past Twelve o'clock in the morning until later this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 114—Wednesday, 29 February 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124.)
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- ABORIGINAL LAND CLAIMS LEGISLATION—Seeking that the Aboriginal Land Claims Bill 1983 be not passed into law without the prior approval of the electors of Victoria, by referendum, bearing 1520 signatures (*by Mr Ross-Edwards*).
- KINDERGARTEN, CHILDREN'S WELFARE AND FAMILY SUPPORT SERVICES FUNDING—Seeking that the Government immediately cease all withdrawals of subsidies that would result in the closure of extended hours kindergartens and kindergarten sessions for 3 year olds and provide funding in the 1984 Budget to maintain childrens' welfare and family support services, bearing 286 and 453 signatures respectively (*by Mr Williams and Mrs Sibree*).
- BATTERY EGG PRODUCTION AND PIG HUSBANDRY—Seeking that the Government take action to abolish and prohibit the battery cage method of egg production and the husbandry system which involves the tethering of pigs or their confinement in cages, bearing 243 signatures (*by Mr Williams*).
- ROYAL CHILDREN'S HOSPITAL PSYCHIATRIC UNIT—Expressing concern at the closure of the residential psychiatric unit at the Royal Children's Hospital, bearing 63 signatures (*by Mr Reynolds*).
- CAPITAL PUNISHMENT REFERENDUM—Calling for a referendum to allow people to vote on the reintroduction of capital punishment, bearing 1435 signatures (*by Mr Ebery*).
- REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 188 signatures (*by Mr Stirling*).
- Severally ordered to lie on the Table.
- 4 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
- Victorian Tourism Commission—Report for the year 1982–83.
- 5 POLICE REGULATION (AMENDMENT) BILL (NO. 2)—Mr Mathews obtained leave, with Mr Wilkes, to bring in a Bill "to amend section 4 (2) of the Police Regulation Act 1958"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 6 LOCAL GOVERNMENT (MUNICIPAL COUNCILS TRIENNIAL ELECTIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Question—put.

The House divided.

AYES, 39

Miss Callister	Mrs Hill	Mr Remington	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Trezise
Dr Coghill	Mr Jolly	Mr Seitz	Dr Vaughan
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Fordham	Mr Micallef	Mr Shell	
Mr Gavin	Mr Miller	Mr Sidiropoulos	
Mr Gray	Mr Newton	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Spyker	Mr McCutcheon
Mr Hassett	Mr Pope	Mr Stirling	Mr McDonald

NOES, 24

Mr Austin	Mr Hann	Mr McNamara	Mr Wallace
Mr Brown	Mr Jasper	Mr Maclellan	Mr Whiting
Mr Delzoppo	Mr Jona	Mr Ramsay	
Mr Ebery	Mr Kennett	Mr Richardson	
Mr Evans	Mr Lieberman	Mr Steggall	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McGrath	Mr Tanner	Mr Kempton
Mr Evans	Mr McKeller	Mr Templeton	Mr Leigh
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress; to sit again tomorrow.

- 7 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Equal Opportunity Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 8 OCCUPATIONAL HEALTH AND SAFETY BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and redrafted to provide for a positive co-operative scheme of occupational health and safety involving employers and employees and in particular to provide for formal and funded election of a single safety officer by employees in the work place” (*Mr Kennett*)—and, after debate—

Business having been interrupted at 10.30 p.m.

- 9 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the Chair at thirteen minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 115—Thursday, 1 March 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).

- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government will reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 641, 617 and 807 signatures, respectively (*by Mr Kennedy, Mrs Setches and Mr Brown.*)

WEIGHTS AND MEASURES (PRE-PACKED ARTICLES) ACT—Seeking that the Government amend the uniform model Weights and Measures (Pre-Packed Articles) Act and the relevant regulations to remove from the standardization list the items referred to and allow freedom of choice to individuals in this matter, bearing 1129 signatures (*by Mr Kennedy.*)

SCHOOL CROSSING—KOOKABURRA AVENUE, WERRIBEE—Seeking that a school crossing supervisor be appointed to control the school crossing on Kookaburra Avenue for the use of pupils of Glen Ordon Primary School No. 5187 Werribee, bearing 310 signatures (*by Dr Coghill.*)

SOMERVILLE POLICE STATION—Seeking that the Government take immediate action to establish a police station in Somerville or alternatively, increase the strength of the force located as Hastings, bearing 838 signatures (*by Mr Brown.*)

Severally ordered to lie on the Table.

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

Education Act 1958—Resumption of Land at Boort—Certificate of the Minister of Education.

Statutory Rules under the following Act:

Public Service Act 1974—PSD Nos. 94/1983; 10/1984.

- 5 ADJOURNMENT—MOTION FOR PURPOSE OF DISCUSSION—Mr Lieberman rose in his place, and said that he proposed to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, “The failure of the Government, following the introduction of Medicare and its agreement to the terms of the scheme, to ensure adequate hospital, nursing home, domiciliary care services and financial support facilities for the elderly, chronically-ill, and persons suffering from psychiatric or drug and alcohol related illnesses”.

Mr Speaker having ascertained that twelve Members approved of the proposed discussion—

Motion made and question—That the House do now adjourn (*Mr Lieberman*)—after debate, put.

The House divided.

AYES, 31

Mr Austin	Mr Hann	Mrs Patrick	Mr Wallace
Mr Brown	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Jona	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Richardson	
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mr Saltmarsh	
Mr Evans	Mr McKellar	Mrs Sibree	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McNamara	Mr Tanner	Mr Leigh
Mr Evans	Mr Maclellan	Mr Templeton	Mr Steggall
(<i>Gippsland East</i>)			

NOES. 46

Mr Cain	Mr Hill	Mrs Ray	Mr Spyker
Miss Callister	Mr Hockley	Mr Remington	Mr Stirling
Mr Cathie	Mr Ihlein	Mr Roper	Mrs Toner
Dr Coghill	Mr Jolly	Mr Rowe	Mr Trezise
Mr Culpin	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilton
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gray	Mr Miller	Mr Shell	
Mr Harrowfield	Mr Newton	Mr Sidiropoulos	<i>Tellers</i>
Mr Hassett	Mr Norris	Mr Simmonds	Mr Micallef
Mrs Hill	Mr Pope	Mr Simpson	Mr Seitz

And so it passed in the negative.

- 6 POLICE REGULATION (AMENDMENT) BILL (No. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).

Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.

Ordered—That the debate be adjourned until Thursday next.

- 7 LOCAL GOVERNMENT (MUNICIPAL COUNCILS TRIENNIAL ELECTIONS) BILL—Further considered in Committee.

Committee reported progress; to sit again tomorrow.

- 8 OCCUPATIONAL HEALTH AND SAFETY BILL—Order read for resuming debate on 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 the words “this Bill will be withdrawn and redrafted to provide for a positive co-operative scheme of occupational health and safety involving employers and employees and in particular to provide for formal and funded election of a single safety officer by employees in the work place”: debate resumed.

Motion made and question—That the debate be now adjourned (*Mr Leigh*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 9 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Simmonds*)—put and agreed to.

- 10 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at fifty-nine minutes past Five o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 116, 117, and 118

No. 116—Tuesday, 6 March 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 574 signatures (*by Mr. Harrowfield*).

Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Community Welfare Services—Report of the Department for the year 1982–83—Ordered to be printed.

Liquor Control Commission—Report for the year 1982–83—Ordered to be printed.

Water and Sewerage Authorities (Restructuring) Act 1983—Reasons of Minister of Water Supply for making a recommendation to the Governor in Council to make an Order constituting the Mitchell Water Board and abolishing the Bairnsdale Waterworks Trust, Bairnsdale Sewerage Authority, Paynesville Waterworks Trust, Lindenow Waterworks Trust and Paynesville and Lindenow Sewerage Authority.
- 5 ECONOMIC AND BUDGET REVIEW COMMITTEE—Motion made, by leave, and question—That Mr Richardson be discharged from attendance on the Economic and Budget Review Committee and that Mr. Ramsay be appointed in his stead. (*Mr Fordham*)—put and agreed to.
- 6 SALINITY COMMITTEE—Motion made, by leave, and question—That Mr. Ramsay be discharged from attendance on the Salinity Committee and that Mr. Dickinson be appointed in his stead. (*Mr Fordham*)—put and agreed to.
- 7 CORRECTION OF BILLS—Motion made, by leave, and question—That where a Bill has passed through both Houses and the citation of the Bill includes a reference to a calendar year earlier than that in which the passage of the Bill was completed, the Clerk of the Parliaments be empowered to alter the calendar year reference in the citation of the Bill and any corresponding citation within the Bill itself to the year in which the passage of the Bill was so completed (*Mr Fordham*)—put, after debate and agreed to.
- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 186)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purpose of the Police Regulation (Amendment) Bill (No. 2).
- 9 WORKERS COMPENSATION (AMENDMENT) BILL (No. 3)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until—(a) the Government has received the Cooney Report; (b) the recommendations of the Report have been made available to the general public for comment; and (c) the comments of the general public have been considered by the Government”. (*Mr Tanner*)—and, after debate—

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

AYES, 42

Miss Callister	Mr Hockley	Mrs Ray	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Remington	Mr Toner
Mr Crabb	Mr Jolly	Mr Roper	Mr Trezise
Mr Culpin	Mr Kennedy	Mr Rowe	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Mathews	Mr Sheehan	
Mr Gray	Mr Micallef	(<i>Ballarat South</i>)	
Mr Hassett	Mr Miller	Mr Shell	<i>Tellers</i>
Mrs Hill	Mr Norris	Mr Sidiropoulos	Mr Harrowfield
Mr Hill	Mr Pope	Mr Simpson	Mr Seitz

NOES, 31

Mr Austin	Mr Hann	Mr Ramsay	Mr Wallace
Mr Brown	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	
Mr Evans	Mr McKellar	Mr Steggall	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McNamara	Mr Tanner	Mr Kempton
Mr Evans	Mr Maclellan	Mr Templeton	Mr Leigh
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative.

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

The House Divided.

AYES, 42

Miss Callister	Mr Hockley	Mrs Ray	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Remington	Mr Toner
Mr Crabb	Mr Jolly	Mr Roper	Mr Trezise
Mr Culpin	Mr Kennedy	Mr Rowe	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Mathews	Mr Sheehan	
Mr Gray	Mr Micallef	(<i>Ballarat South</i>)	
Mr Hassett	Mr Miller	Mr Shell	<i>Tellers</i>
Mrs Hill	Mr Norris	Mr Sidiropoulos	Mr Harrowfield
Mr Hill	Mr Pope	Mr Simpson	Mr Seitz

NOES, 31

Mr Austin	Mr Hann	Mr Ramsay	Mr Wallace
Mr Brown	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	
Mr Evans	Mr McKellar	Mr Steggall	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McNamara	Mr Tanner	Mr Kempton
Mr Evans	Mr Maclellan	Mr Templeton	Mr Leigh
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative.

Bill read a second time and committed, considered in Committee and reported with amendments; as amended, considered and amendments agreed to.

Motion made and question—That this Bill be now read a third time (*Mr Jolly*)—after debate, put.

The House divided.

AYES, 43

Mr Cain	Mrs Hill	Mr Pope	Mr Stirling
Miss Callister	Mr Hill	Mrs Ray	Mrs Toner
Dr Coghill	Mr Hockley	Mr Remington	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Roper	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Rowe	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Seitz	Mr Wilton
Mr Fogarty	Mr Kirkwood	Mrs Setches	
Mr Fordham	Mr McCutcheon	Mr Sheehan	
Mr Gavin	Mr McDonald	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gray	Mr Mathews	Mr Sidiropoulos	Mr Sheehan
Mr Harrowfield	Mr Micallef	Mr Simmonds	(<i>Ballarat South</i>)
Mr Hassett	Mr Miller	Mr Simpson	Mr Shell

NOES, 29

Mr Austin	Mr Evans	Mr McKellar	Mr Tanner
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Templeton
Mr Burgin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Delzoppo	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Dickinson	Mr Jona	Mr Reynolds	Mr Williams
Mr Ebery	Mr Leigh	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr Kempton
(<i>Ballarat North</i>)	Mr McGrath	Mrs Sibree	Mr Steggall

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

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Evidence Act 1958’, and for other purposes*”.
- 11 EVIDENCE (AMENDMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to make fresh provisions with respect to the construction and operation of, and the shortening of the language used in, Acts of Parliament and subordinate instruments, to repeal the ‘Acts Interpretation Act 1958’, to amend the ‘Property Law Act 1958’, the ‘Supreme Court Act 1958’, the ‘Subordinate Legislation Act 1962’, the ‘Constitution Act 1975’, the ‘Penalties and Sentences Act 1981’ and certain other Acts and for other purposes*”.
- 13 INTERPRETATION OF LEGISLATION BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 14 MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 PUBLIC SERVICE (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again tomorrow.

- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the Environment Protection Act 1970*”.
- 17 ENVIRONMENT PROTECTION (UNLEADED PETROL) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
Business having been interrupted at 10.30 p.m.
- 18 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at nineteen minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 117—Wednesday, 7 March 1984

- 1 Mr Speaker took the Chair and read the prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- BATTERY EGG PRODUCTION AND PIG HUSBANDRY—Seeking that the Government take action to abolish and prohibit the battery cage method of egg production and the husbandry system which involves the tethering of pigs or their confinement in cages, bearing 121 signatures (*by Mr Williams*).
- REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 362 signatures (*by Mr Ebery*).
- ROYAL CHILDREN'S HOSPITAL PSYCHIATRIC UNIT—Expressing concern at the closure of the residential psychiatric unit at the Royal Children's Hospital, bearing 237 signatures (*by Mr Del-oppo*).
- GLEN WAVERLEY DISTRICT ACTIVITY CENTRE—Seeking that the Government take no action which would in any way facilitate the proposal of the City of Waverley to redevelop Glen Waverley as a District Activity Centre and to move the Glen Waverley railway station westward without a full public hearing and a plebiscite of all residents, bearing 144 signatures (*by Mr Gray*).
- Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Police Regulation Act 1958—Determination Nos. 391 to 394 (four papers).
- Statutory Rules under the following Acts:
- Drugs Poisons and Controlled Substances Act 1981—No. 44/1984.
Farm Produce Merchants and Commission Agents Act 1965—No. 39/1984.
Health Act 1958—No. 47/1984.
Racing Act 1958—No. 40/1984.
Supreme Court Act 1958—No. 45/1984.
Public Service Act 1974—PSD Nos. 9 and 12/1984.

- 5 ALBURY-WODONGA AGREEMENT (COVENANTS) BILL—Mr Cathie obtained leave, with Mr Fordham, to bring in a Bill “to amend the *Albury-Wodonga Agreement Act 1973* to empower the *Albury-Wodonga (Victoria) Corporation* to impose covenants on land vested in the Corporation, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 FIREARMS (AMENDMENT) BILL (NO. 2)—Mr Mathews obtained leave, with Mr Simpson, to bring in a Bill “to amend the *Firearms Act 1958* to provide for the removal of the waiting period for the issue of a shooter’s licence in some instances and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 WATER (CENTRAL MANAGEMENT RESTRUCTURING) BILL—Mr Simpson obtained leave, with Mr Mathews, to bring in a Bill “to abolish the *State Rivers and Water Supply Commission* and the *Water Resources Council*, to establish a *Rural Water Commission of Victoria*, to make provision with respect to the powers of the Minister for Water Resources, to incorporate the *Director-General of Water Resources*, to amend the *Water Act 1958*, to repeal the *Water Resources Act 1975* and the *Water (Delegation of Powers) Act 1983*, to make consequential amendments to various Acts and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 EVIDENCE (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 20 March instant.
- 9 INTERPRETATION OF LEGISLATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 20 March instant.
- 10 ENVIRONMENT PROTECTION (UNLEADED PETROL) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday, 21 March instant.
- 11 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until after No. 5.
- 12 OCCUPATIONAL HEALTH AND SAFETY BILL—Order read for resuming debate on 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 the words “this Bill be withdrawn and redrafted to provide for a positive co-operative scheme of occupational health and safety involving employers and employees and in particular to provide for formal and funded election of a single safety officer by employees in the work place”; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Spyker*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 13 POSTPONEMENT OF ORDERS OF THE DAY—Motion made and question proposed—That the consideration of Orders of the Day, Government Business, Nos. 4 and 6, be postponed until later this day (*Mr Spyker*) and, after debate—
Motion, by leave, withdrawn.

- 14 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until tomorrow.
- 15 FOOD BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress: to sit again tomorrow.
- 16 CONSUMER AFFAIRS (ITEM PRICING) BILL—Further considered in Committee.
Committee reported progress; to sit again tomorrow.
Business having been interrupted at 10.30 p.m.
- 17 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at nine minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 118—Thursday, 8 March 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:
RICHMOND POWER LINE—Seeking that if a replacement of the existing power line in Richmond is necessary that such line be placed underground along the entire route within Richmond, bearing 89 signatures (*by Mr Sidiropoulos*).
Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Geelong Regional Commission—Report and statement of accounts for the year 1982–83.
Optometrists Registration Board—Report for the year 1982–83.
- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to make special provisions with respect to certain criminal proceedings and for other purposes*”.
- 6 CRIMINAL PROCEEDINGS BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 7 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to create a new National Park and other new parks, to amend the ‘National Parks Act 1975’, the ‘Forests Act 1958’ and the ‘Mt. Hotham Alpine Resort Act 1972’, to validate certain transfers of land made by the Melbourne and Metropolitan Board of Works, and for other purposes*”.
- 8 NATIONAL PARKS (AMENDMENT) BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to read a second time later this day.

- 9 STUDENT HOSTELS CLOSURE—Motion made and question proposed—That, in view of the serious disadvantage imposed upon students from country Victoria, this House—(a) condemns the Government for closing and initiating disposal of student hostels in Melbourne; (b) questions the failure of the Government to widely advertise, prior to the commencement of the academic year, that two hostels were to remain open contrary to earlier advice; (c) rejects its belated attempt to transfer responsibility for student housing to the Commonwealth; and (d) calls for the hostels to be reopened forthwith or for suitable alternative accommodation to be provided by the leasing of migrant hostels or the use of surplus nurses homes and the like (*Mr Hann*)—and, after debate—

General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.

- 10 ORDER OF THE HOUSE RESCINDED—Motion made, by leave, and question—That the Order of the House making the second reading of the Criminal Proceedings Bill an Order of the Day for tomorrow be read and rescinded and that it be made an Order of the Day for this day (*Mr Fordham*)—put and agreed to.
- 11 LOCAL GOVERNMENT (MUNICIPAL COUNCILS TRIENNIAL ELECTIONS) BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 OCCUPATIONAL HEALTH AND SAFETY BILL—Order read for resuming debate on 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 the words “this Bill be withdrawn and redrafted to provide for a positive co-operative scheme of occupational health and safety involving employers and employees and in particular to provide for formal and funded election of a single safety officer by employees in the work place”: debate resumed.

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

The House divided.

AYES, 44

Mr Cain	Mrs Hill	Mrs Ray	Mr Spyker
Miss Callister	Mr Hill	Mr Remington	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Jolly	Mr Rowe	Mr Trezise
Mr Crabb	Mr Kennedy	Mr Sheehan	Dr Vaughan
Mr Culpin	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Walsh
Mr Ernst	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr Micallef	(<i>Ballarat South</i>)	Mr Wilton
Mr Fordham	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr McCutcheon
Mr Harrowfield	Mr Norris	Mr Simmonds	Mrs Setches
Mr Hassett	Mr Pope	Mr Simpson	

NOES, 26

Mr Austin	Mr Hann	Mr Ramsay	Mr Tanner
Mr Brown	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Leigh	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Ebery	Mr McNamara	Mrs Sibree	Mr Kempton
Mr Evans	Mr Maclellan	Mr Steggall	Mr Wallace

(*Gippsland East*)

And so it was resolved in the affirmative.

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

The House divided.

AYES, 44

Mr Cain	Mrs Hill	Mrs Ray	Mr Spyker
Miss Callister	Mr Hill	Mr Remington	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Jolly	Mr Rowe	Mr Trezise
Mr Crabb	Mr Kennedy	Mr Sheehan	Dr Vaughan
Mr Culpin	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Walsh
Mr Ernst	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr Micallef	(<i>Ballarat South</i>)	Mr Wilton
Mr Fordham	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr McCutcheon
Mr Harrowfield	Mr Norris	Mr Simmonds	Mrs Seches
Mr Hassett	Mr Pope	Mr Simpson	

NOES, 26

Mr Austin	Mr Hann	Mr Ramsay	Mr Tanner
Mr Brown	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Leigh	Mr Ross-Edwards	<i>Tellers</i>
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	Mr Kempton
Mr Ebery	Mr McNamara	Mrs Sibree	Mr Wallace
Mr Evans	Mr Maclellan	Mr Steggall	

(*Gippsland East*)

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress; to sit again tomorrow.

- 13 ALBURY-WODONGA AGREEMENT (COVENANTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 20 March instant.
- 14 FIREARMS (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*).
Ordered—That the debate be adjourned until Tuesday, 20 March instant.
- 15 WATER (CENTRAL MANAGEMENT RESTRUCTURING) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 27 March instant.
- 16 NATIONAL PARKS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 20 March instant.
- 17 CRIMINAL PROCEEDINGS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 20 March instant.
- 18 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

19 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty-four minutes past Six o'clock, adjourned until Tuesday, 20 March instant.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 119, 120 and 121

No. 119—Tuesday, 20 March 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

PETER JOHN LAWLESS—Seeking that (a) Peter John Lawless be immediately released from prison on parole; (b) the Honourable the Attorney-General consider the granting of a pardon; (c) Cabinet convene an inquiry to investigate all matters concerning his conviction; and (d) legal aid be granted in order to pursue legitimate avenues of appeal, bearing 162 signatures (*by Mr Walsh*).

LITTER REDUCTION PROGRAMME—Seeking that the Government introduce a controlled litter reduction programme, bearing 20 and 335 signatures, respectively (*by Mr Tanner and Mrs Hill*).

SORRENTO BOAT HARBOUR—Seeking that the Government withdraw the preliminary approval given to David Long and Associates for the proposal of a boat harbour at Sorrento and no construction be permitted that will intrude onto the bathing and picnic areas of the Sorrento front beach, bearing 4317 signatures (*by Mr Hassett*).

RETURNABLE DRINK CONTAINERS—Seeking that legislation be enacted requiring all drink containers to be returnable and to prohibit wasteful and dangerous forms of packaging of goods, bearing 20 signatures (*by Mr McKellar*).

Severally ordered to lie on the Table.

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

Educational Administration—Report of the Institute of Educational Administration for the year 1982–83.

Police Regulation Act 1958—Determination No. 395 of the Police Service Board.
Determination No. 1 of the Police Service Board with respect to the Retired Police Reserve.

Statutory Rules under the following Acts:

Court Security Act 1980—No. 51.

Drugs Poisons and Controlled Substances Act 1981—No. 43.

Health Act 1958—No. 49.

Hospitals and Charities Act 1958—No. 46.

Local Authorities Superannuation Act 1958—No. 52.

Melbourne and Metropolitan Board of Works Act 1958—No. 48.

Public Service Act 1974—P.S.D. No. 11.

State Rivers and Water Supply Commission (Special Projects) Act 1959—No. 50.

Superannuation Board—Report for the year 1982–83—Ordered to be printed.

- 5 ADMINISTRATIVE ARRANGEMENTS ORDER—Motion made, by leave, and question—That there be presented to this House a copy of the Order in Council made pursuant to the *Administrative Arrangements Act 1983* relating to the transfer of certain appropriations from the Ministry for Economic Development to the Department of Industry, Commerce and Technology (*Mr Cain*)—put and agreed to.
- 6 PAPER—Mr Cain presented:
Administrative Arrangements Act 1983—Order in Council relating to the transfer of certain Appropriations from the Ministry for Economic Development to the Department of Industry, Commerce and Technology—Return to the foregoing Order.
Ordered to lie on the Table.
- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 187)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Water (Central Management Restructuring) Bill.
- 8 CRIMINAL PROCEEDINGS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 9 POLICE REGULATION (AMENDMENT) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 FIREARMS (AMENDMENT) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 11 ALBURY-WODONGA AGREEMENT (COVENANTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to modify the law relating to liability for animals straying on to highways and for that purpose to amend the ‘Wrongs Act 1958’ and for other purposes*”.
- 13 WRONGS (ANIMALS STRAYING ON HIGHWAYS) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 14 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Medical Practitioners (Private Hospitals) Bill (No. 2) without amendment.
- 15 FOOD BILL (No. 2)—Further considered in Committee.
Committee reported progress; to sit again tomorrow.
- 16 CONSUMER AFFAIRS (ITEM PRICING) BILL—Further considered in Committee.
Committee reported progress.
Business having been interrupted at 10.32 p.m.

- 17 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at fifteen minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 120—Wednesday, 21 March 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - ROYAL CHILDREN'S HOSPITAL PSYCHIATRIC UNIT—Expressing concern at the closure of the residential psychiatric unit at the Royal Children's Hospital, bearing 4306 and 61 signatures, respectively (*by Mr Remington and Mr Miller*).
 - RE-OPENING OF EDUCATION DEPARTMENT HOSTELS—Seeking that the Government will reconsider the decision to close Education Department Hostels in Melbourne and act to re-open and maintain these hostels for the 1984 academic year, bearing 106 signatures (*by Mr McKellar*).
 Severally ordered to lie on the Table.
- 4 URBAN LAND AUTHORITY (AMENDMENT) BILL—Mr Cathie obtained leave, with Mrs Toner, to bring in a Bill "*to amend the 'Urban Land Authority Act 1979', and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 5 POST-SECONDARY EDUCATION (MISCELLANEOUS AMENDMENTS) BILL—Mr Fordham obtained leave, with Mr Roper, to bring in a Bill "*to amend the 'Post-Secondary Education (Amendment) Act 1981' and the 'Post-Secondary Education (Amendment) Act 1983', and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 STATE INSURANCE OFFICE BILL—Mr Jolly obtained leave, with Mr Roper, to bring in a Bill "*to establish the State Insurance Office as a body corporate under the Management and Control of a Board of Management, to provide for Insurance Business to be undertaken by the State Insurance Office, to repeal the 'State Insurance Act 1975' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 ANNUAL REPORTING (AMENDMENT) BILL—Mr Jolly, pursuant to amended notice of motion, obtained leave, with Mr Roper, to bring in a Bill "*to make further provision for the report to Parliament annually of Ministers in relation to Departments of the Public Service and of Public Bodies, to amend the 'Annual Reporting Act 1983' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 PATHOLOGY SERVICES ACCREDITATION BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill "*to establish the Pathology Services Accreditation Board of Victoria, to provide for the accreditation of pathology services and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 CREDIT BILL—Mr Spyker obtained leave, with Mr Fordham, to bring in a Bill "*relating to the provision of credit and the regulation of contracts providing credit and of matters connected with the provision of credit, to repeal the 'Money Lenders Act 1958' and the 'Credit Act 1981', to amend the 'Hire-Purchase Act 1959', the 'Chattel Securities Act 1981' and certain other Acts and for other purposes'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 CREDIT (ADMINISTRATION) BILL—Mr Spyker obtained leave, with Mr Fordham, to bring in a Bill "*relating to the Administration of the 'Credit Act 1984', to make Provision for the Licensing of certain Persons, for Tribunals and for other matters and for other purposes'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 WRONGS (ANIMALS STRAYING ON HIGHWAYS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 12 FOOD BILL (NO. 2)—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 CONSUMER AFFAIRS (ITEM PRICING) BILL—Further considered in Committee. Committee reported progress; to sit again tomorrow.
- 14 OCCUPATIONAL HEALTH AND SAFETY BILL—Further considered in Committee. Committee reported progress.
Business having been interrupted at 10.30 p.m.
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Further considered in Committee.
Committee reported progress; to sit again tomorrow.
- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend Part I. of the 'Drainage of Land Act 1975' with respect to the Rights and Duties of Occupiers of Land, to amend the 'Water Act 1958' and the 'Planning Appeals Board Act 1980' and for other purposes'*".
- 16 DRAINAGE OF LAND (AMENDMENT) BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 17 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Vagrancy Act 1966'*".
- 18 VAGRANCY (AMENDMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Archaeological and Aboriginal Relics Preservation Act 1972'*".
- 20 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Police Regulation (Amendment) Bill (No. 2) without amendment.

22 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

23 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at twenty-two minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 121—Thursday, 22 March 1984

1 Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS—(Pursuant to Standing Order No. 124).

3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

FREE MEDICAL SERVICES FOR THE MULTIPLE-HANDICAPPED—Seeking that the House take action to ensure that existing medical supplies and services essential for the care and treatment of multiple-handicapped children and adults be retained at Victorian Hospitals at no cost to the patient or their families, bearing 1035 signatures (*by Mr Newton*).

LITTER REDUCTION PROGRAMME—Seeking that the Government introduce a controlled litter reduction programme, bearing 352 signatures (*by Mr Leigh*).

Severally ordered to lie on the Table.

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

Building Industry Long Service Leave Board—Report for the year 1982–83.

5 AUSTRALIAN POLICE MINISTERS' COUNCIL REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the Australian Police Ministers' Council on the Activities of National Common Police Services, 1982–83 (*Mr Mathews*)—put and agreed to.

6 PAPER—Mr Mathews presented:

Australian Police Ministers' Council—Report on the Activities of National Common Police Services 1982–83—Return to the foregoing Order.

Ordered to lie on the Table.

7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 188)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Credit (Administration) Bill.

8 PUBLIC SERVICE BOARD REPORT—INACCURACIES—Motion made and question—That this House notes the inaccuracies in the report of the Public Service Board for the year 1982–83 and requires a full report from the Board correcting the report together with an explanation of the reason for such inaccurate information being included in the report (*Mr Maclellan*)—after debate, put.

The House divided.

AYES, 29

Mr Austin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Brown	Mr Jasper	Mr Reynolds	Mr Wallace
Mr Burgin	Mr Jona	Mr Richardson	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Steggall	Mr Kempton
(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner	Mr Leigh

NOES, 45

Mr Cain	Mrs Hill	Mrs Ray	Mr Simpson
Miss Callister	Mr Hill	Mr Remington	Mr Spyker
Dr Coghill	Mr Hockley	Mr Roper	Mr Stirling
Mr Crabb	Mr Jolly	Mr Seitz	Mrs Toner
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Ernst	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	Mr Wilton
Mr Gray	Mr Newton	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	Mr Ihlein
Mr Hassett	Mr Pope	Mr Simmonds	Mr Micallef

And so it passed in the negative.

- 9 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 10 OCCUPATIONAL HEALTH AND SAFETY BILL—Further considered in Committee. Committee reported progress; to sit again tomorrow.
- 11 RETIREMENT VILLAGES REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the Final Report of the Committee of Inquiry into Resident Funded Retirement Villages, March 1984 (*Mr Roper*)—put and agreed to.
- 12 PAPER—Mr Roper presented:
Committee of Inquiry into Resident Funded Retirement Villages—Final Report—March 1984—Return to the foregoing Order.
Ordered to lie on the Table.
- 13 MINISTERIAL STATEMENT—COMMITTEE OF INQUIRY—REPORT INTO RETIREMENT VILLAGES—Mr Roper made a Ministerial Statement concerning the Report of the Committee of Inquiry into Retirement Villages.
Motion made, by leave, and question—That this House takes note of the Ministerial Statement and the Report (*Mr Roper*)—put, after debate, and agreed to.
- 14 URBAN LAND AUTHORITY (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 3 April next.
- 15 POST-SECONDARY EDUCATION (MISCELLANEOUS AMENDMENTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 3 April next.

- 16 STATE INSURANCE OFFICE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 3 April next.
- 17 ANNUAL REPORTING (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 3 April next.
- 18 PATHOLOGY SERVICES ACCREDITATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 3 April next.
- 19 CREDIT BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Spyker*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 12 April next.
- 20 CREDIT (ADMINISTRATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Spyker*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 12 April next.
- 21 DRAINAGE OF LAND (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 22 VAGRANCY (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 3 April next.
- 23 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 24 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Cathie*)—put and agreed to.

25 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at twenty-four minutes past Six o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 122, 123 and 124

No. 122—Tuesday, 27 March 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - RIGHTS OF HARDWARE RETAILERS—Seeking that the Government take immediate action to resolutely uphold the rights of law-abiding hardware retailers by enforcing the recently amended provisions of the *Labour and Industry Act 1958* relating to trading hours, bearing 115 signatures (*by Mr Ross-Edwards*).
 - REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 98 signatures (*by Mr Remington*).
 - CONTAINER DEPOSIT LEGISLATION—Seeking that no container deposit legislation be introduced for the State of Victoria, bearing 1052 signatures (*by Mr Harrowfield*).

Severally ordered to lie on the Table.
- 4 PAPERS—The following papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Exhibition Trustees—Report for the year 1982–83.
 - Housing Commission—Report for the year 1982–83—Ordered to be printed.
 - Library Council of Victoria—Report for the year 1981–82.
 - Statutory Rules under the following Acts:
 - Mines Act 1958—No. 414/1983 (*In substitution for Rule tabled on 28 February 1984*).
 - Pharmacists Act 1974—No. 54.
 - Transport Act 1983—Nos. 56 and 57.
 - Town and Country Planning Act 1961:
 - Alberton—Shire of Alberton (Coastal) Planning Scheme, Amendment No. 19 (1982).
 - Ararat—Shire of Ararat (Willaura) Planning Scheme, Amendment No. 3.
 - Ballaarat—City of Ballaarat Planning Scheme, Amendment No. 71.
 - Cobram—Shire of Cobram Planning Scheme 1979, Amendment No. 10.
 - Frankston—City of Frankston Planning Scheme, Amendment No. 34.
 - Hastings—Shire of Hastings Planning Scheme, Amendment No. 6 (Part 2).
 - Mildura—City of Mildura Planning Scheme, Amendment No. 58 (1983).
 - Mornington—Shire of Mornington Planning Scheme 1959, Amendment No. 155 (1982).
 - Rosedale—Shire of Rosedale Planning Scheme 1976, Amendment No. 32 (1982).
 - Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Rural Areas), Amendment No. 13.
 - Swan Hill—City of Swan Hill Planning Scheme 1981, Amendment Nos. 2 and 4 (two papers).

Tallangatta—Shire of Tallangatta Planning Scheme 1956, Amendment No. 8.

Traralgon—City of Traralgon Planning Scheme 1957, Amendment No. 39.

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 189)—ASSENT TO BILLS—
Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Criminal Proceedings Bill.

Police Regulation (Amendment) Bill (No. 2).

- 6 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 190, 191, 192)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Urban Land Authority (Amendment) Bill.

State Insurance Office Bill.

Pathology Services Accreditation Bill.

- 7 OCCUPATIONAL HEALTH AND SAFETY BILL—Further considered in Committee. Committee reported progress.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Further considered in Committee.

And having continued to sit till after Twelve of the clock—

WEDNESDAY, 28 MARCH 1984.

Bill reported with amendments; as amended, considered, and amendments agreed to.

Motion made and question—That this Bill be now read a third time (*Mr Simmonds*)—after debate, put.

The House divided.

AYES, 42

Mr Cain
Miss Callister
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Ernst
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Gray
Mr Harrowfield

Mr Hassett
Mrs Hill
Mr Hockley
Mr Ihlein
Mr Kennedy
Mr Kirkwood
Mr Mathews
Mr Micallef
Mr Miller
Mr Newton
Mr Pope
Mrs Ray

Mr Remington
Mr Roper
Mr Rowe
Mr Seitz
Mrs Setches
Mr Sheehan
(*Ivanhoe*)
Mr Sheehan
(*Ballarat South*)
Mr Shell
Mr Sidiropoulos
Mr Simmonds

Mr Simpson
Mr Spyker
Mr Stirling
Dr Vaughan
Mr Walsh
Mr Wilton

Tellers
Mr McDonald
Mr Norris

NOES, 23

Mr Brown
Mr Burgin
Mr Delzoppo
Mr Dickinson
Mr Ebery
Mr Evans
(*Ballarat North*)

Mr Hann
Mr Jasper
Mr Kempton
Mr Kennett
Mr Lieberman
Mr McGrath
Mr McKellar

Mr McNamara
Mr Ramsay
Mr Reynolds
Mr Ross-Edwards
Mr Saltmarsh
Mr Steggall
Mr Tanner

Mr Williams

Tellers
Mr Leigh
Mr Wallace

And so it was resolved in the affirmative. Bill read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 8 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to the following resolution:

That the Resolution of the House of 30 November 1983 referring the proposals contained in the Subordinate Legislation (Deregulation) Bill to the Legal and Constitutional Committee for report within four months be amended so far as to now require the Committee to report by 30 June 1984.

—with which they desire the concurrence of the Legislative Assembly.

Motion made and question—That this House concurs with the Legislative Council and resolves that the resolution of the House of 30 November 1983 referring the proposals contained in the Subordinate Legislation (Deregulation) Bill to the Legal and Constitutional Committee for report within four months be amended so far as to now require the Committee to report by 30 June 1984 (*Mr Fordham*)—put and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.

- 9 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Firearms (Amendment) Bill (No. 2) with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend and codify the law relating to conspiracy and incitement, to amend the ‘Crimes Act 1958’, and for other purposes*”.

- 11 CRIMES (CONSPIRACY AND INCITEMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Forwarding a fair print of a Bill to revise the Statute Law of Victoria, and acquainting the Assembly that during the consideration of the Bill the Council agreed to the following Resolution:

That the proposals contained in the Statute Law Revision Bill (No. 2) be referred to the Legal and Constitutional Committee for inquiry, consideration and report by 1 May 1984.

—with which they desire the concurrence of the Legislative Assembly.

Motion made and question—That this House concurs with the Legislative Council and resolves that the proposals contained in the Statute Law Revision Bill (No. 2) be referred to the Legal and Constitutional Committee for inquiry, consideration and report by 1 May 1984 (*Mr Fordham*)—put and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.

- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the law relating to crimes and criminal law procedure and for that purpose to amend the ‘Crimes Act 1958’ and other Acts and for other purposes.*”

- 14 CRIMES (GENERAL AMENDMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Zoological Parks and Gardens Act 1967’ to make provision for the issue of liquor licences to the Zoological Board of Victoria and for other purposes.*”

- 16 ZOOLOGICAL PARKS AND GARDENS (LIQUOR LICENCE) BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 17 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 18 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirteen minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 123—Wednesday, 28 March 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124.)
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- RIGHTS OF HARDWARE RETAILERS—Seeking that the Government take immediate action to resolutely uphold the rights of law-abiding hardware retailers by enforcing the recently amended provisions of the *Labour and Industry Act 1958* relating to trading hours, bearing 241 signatures (*by Mr Ross-Edwards*).
- LITTER REDUCTION PROGRAMME—Seeking that the Government introduced a controlled litter reduction programme, bearing 259 signatures (*by Mr Hockley*).
- REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 173 signatures (*by Mr Hill*).
- Severally ordered to lie on the Table.
- 4 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
- Department of Planning—Report for the year 1982–83—Ordered to be printed.
- 5 ECONOMIC AND BUDGET REVIEW COMMITTEE—Mr Rowe, Chairman, brought up a Report from the Economic and Budget Review Committee upon the Royal Southern Memorial Hospital; together with Appendices and Minutes of Evidence.
- Ordered to lie on the Table and the Report and Appendices to be printed.
- 6 CONCURRENT DEBATE—CREDIT BILL AND CREDIT (ADMINISTRATION) BILL—Motion made, by leave, and question—That this House authorizes Mr Speaker to permit concurrent debate and to put the questions concurrently upon the second-reading and subsequent stages of the Credit Bill and the Credit (Administration) Bill (*Mr Fordham*)—put, after debate, and agreed to.
- 7 GRAIN HANDLING IMPROVEMENT AUTHORITIES (ABOLITION) BILL—Mr Crabb obtained leave, with Mr Fordham, to bring in a Bill “to abolish the Geelong Grain Handling Improvement Authority, the Portland Grain Handling Improvement Authority and the Country Grain Handling Improvement Authority, to transfer the rights, properties, duties and obligations of those Authorities to the Grain Elevators Board and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 8 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL (NO. 2)—Mr Mathews, after debate, obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Metropolitan Fire Brigades Act 1958’ and the ‘Country Fire Authority Act 1958’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Country Fire Authority Act 1958’ to increase the borrowing powers of the Country Fire Authority”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 WATER AND SEWERAGE AUTHORITIES (FURTHER RESTRUCTURING) BILL—Mr Simpson, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Mathews, to bring in a Bill “to amend the ‘Geelong Waterworks and Sewerage Act 1958’, the ‘Mildura Irrigation and Water Trusts Act 1958’, the ‘Water Act 1958’ and the ‘Water and Sewerage Authorities (Restructuring) Act 1983’ for the purpose of further restructuring Victoria’s Urban Water and Sewerage Authorities, to consequentially amend certain other Acts, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 PUBLIC SERVICE (AMENDMENT) BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time, after debate.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 CRIMES (CONSPIRACY AND INCITEMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 5 April next.
- 13 ZOOLOGICAL PARKS AND GARDENS (LIQUOR LICENCE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 5 April next.
- 14 FIREARMS (AMENDMENT) BILL (NO. 2)—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 15 CONSUMER AFFAIRS (ITEM PRICING) BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 CONSTITUTION (COUNCIL POWERS) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
Motion made and question—That these amendments be disagreed with (*Mr Fordham*)—after debate, put.
The House divided.

AYES, 47

Mr Cain	Mr Hill	Mr Remington	Mr Spyker
Miss Callister	Mr Hockley	Mr Roper	Mr Stirling
Mr Cathie	Mr Ihlein	Mr Rowe	Mrs Toner
Dr Coghill	Mr Jolly	Mr Seitz	Mr Trezise
Mr Crabb	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Culpin	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Ernst	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fogarty	Mr Mathews	Mr Sheehan	Mr Wilton
Mr Fordham	Mr Micallef	(<i>Ballarat South</i>)	
Mr Gavin	Mr Miller	Mr Shell	
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	<i>Tellers</i>
Mr Hassett	Mr Pope	Mr Simmonds	Mr Gray
Mrs Hill	Mrs Ray	Mr Simpson	Mr Newton

NOES, 25

Mr Austin	Mr Jona	Mr Richardson	Mr Williams
Mr Brown	Mr Kempton	Mr Ross-Edwards	
Mr Burgin	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mr Steggall	
Mr Evans	Mr McKellar	Mr Tanner	
(<i>Ballarat North</i>)	Mr McNamara	Mr Templeton	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Wallace	Mr Delzoppo
(<i>Gippsland East</i>)	Mr Reynolds	Mr Whiting	Mr Leigh

And so it was resolved in the affirmative.

Ordered—That the Bill be returned to the Legislative Assembly with a Message acquainting them accordingly.

17 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to the following Resolution:

That there be referred to the Economic and Budget Review Committee for inquiry, consideration and report within four months the implications to the wine industry and the economy of this State of differential taxes imposed by Victoria and its neighbouring States on wine, with power for that purpose to examine insofar as deemed necessary by the Committee—

- (a) Victoria's relative position to other States in terms of the industry's—
 - marketing strategy
 - tourism potential
 - comparative cost structures
 - respective State Government and Federal Government areas of responsibilities;
 - (b) current State Government policies in light of their impact and assistance to the industry;
 - (c) import competition on Victorian premium wine production;
 - (d) price elasticity of demand for Victorian premium wines;
 - (e) the implication of the Industries Assistance Commission Inquiry into Dried Fruits; and
 - (f) the implications of the Government's economic strategy initiatives.
- with which they desire the concurrence of the Legislative Assembly.

Ordered—That the Message be taken into consideration tomorrow.

18 FISHERIES (ABALONE LICENCES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 20 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at fifty-seven minutes past Ten o'clock adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 124—Thursday, 29 March 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- CONTAINER DEPOSIT LEGISLATION—Seeking that no container deposit legislation be introduced for the State of Victoria, bearing 2187 signatures (*by Mr Ernst*).
- WOMEN'S REFUGES FUNDING—Seeking that the Government provide the necessary funding for Victorian women's refuges, bearing 1970 signatures (*by Mr Remington*).
- Severally ordered to lie on the Table.
- 4 LEGAL AND CONSTITUTIONAL COMMITTEE—Mr Whiting, Chairman, brought up a Preliminary Report from the Legal and Constitutional Committee on Delays in Courts; together with Appendices and Minutes of Evidence.
- Ordered to lie on the Table and the Report and Appendices to be printed.
- 5 FORESTS (WOOD PULP AGREEMENT) BILL—Mr Cathie obtained leave, with Mr Crabb, to bring in a Bill "to ratify, validate, approve and otherwise give effect to an Agreement between the Minister for Conservation, Forests and Lands, the Forests Commission and Australian Paper Manufacturers Limited supplemental to the Agreement referred to in the 'Forests (Wood Pulp Agreement) Act 1961' and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 6 GRAIN HANDLING IN VICTORIA—Motion made and question proposed—That this House views with grave concern the waste and financial loss caused by Government mismanagement and policies in the collection, rail transportation and storage of this year's grain harvest and calls upon the Government to institute an inquiry to make recommendations for the appropriate financial structure and for the more efficient and competitive operation of grain handling in Victoria (*Mr Austin*).
- Amendment proposed—That all the words after "of" (where first occurring) be omitted with the view of inserting in place thereof the words "the 1983–84 grain harvest and calls upon the Government to assist the industry to secure a more efficient handling and transport of grain from future harvests" (*Mr McGrath*)—and, after debate—
- General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.
- 7 EQUAL OPPORTUNITY BILL—Order read for the consideration of the amendments made by the Legislative Council.
- And the said amendments were read a second time.

- Motion made and question—That these amendments be disagreed with (*Mr Cain*)—and, after debate—
- Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.
- 8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 6 inclusive, be postponed until later this day.
- 9 CRIMES (GENERAL AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday next.
- 10 GRAIN HANDLING IMPROVEMENT AUTHORITIES (ABOLITION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 17 April next.
- 11 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 17 April next.
- 12 COUNTRY FIRE AUTHORITIES (BORROWING POWERS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 17 April next.
- 13 WATER AND SEWERAGE AUTHORITIES (FURTHER RESTRUCTURING) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 17 April next.
- 14 FORESTS (WOOD PULP AGREEMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 17 April next.
- 15 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Cathie*)—put and agreed to.

16 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at fifty-three minutes past Five o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 125, 126 and 127

No. 125—Tuesday, 3 April 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

CONTROLLED LITTER REDUCTION PROGRAMME—Seeking that the Government introduce a controlled litter reduction programme, bearing 252 signatures (*by Mr Ross-Edwards*).

Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Education Act 1958—Resumption of land at Windsor—Certificates of the Minister of Education (three papers).

Electoral Commission Act 1982—Report of the Electoral Commission on the 1983–84 division of Victoria into electoral provinces and electoral districts; containing a statement on the division of electors agreed upon, together with particulars of the number of electors residing in each electoral province or district, the technical description of electorates, and maps signed by the Commissioners showing the name and boundaries of each electoral province and district— Parts of Report containing statement, the number of electors and technical description of electorates ordered to be printed.

Motor Accidents Board—Report for the year 1982–83—Ordered to be printed.

National Parks Act 1975—Consent of the Minister for Conservation, Forests and Lands to the renewal of Exploration Licence Application No. 918 to Geosearch Pty Ltd in respect of land situated at Chiltern Park.

River Murray Commission—Report for the year 1982–83.

Statutory Rules under the following Acts:

Chiropodists Act 1968—No. 63.

Historic Shipwrecks Act 1981—No. 60.

Medical Practitioners Act 1970—No. 61.

Pharmacists Act 1974—No. 62.

Public Service Act 1974—PSD No. 13.

Racing Act 1958—No. 68.

Victoria State Emergency Service Act 1981—No. 53.

Water Act 1958—No. 64.

Zoological Parks and Gardens Act 1967—No. 67.
- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 193)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Medical Practitioners (Private Hospitals) Bill (No. 2).

Firearms (Amendment) Bill (No. 2).

- 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 194)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Supply (1984–85, No. 1) Bill.
- 7 SUPPLY (1984–85, NO. 1) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave with Mr Cain, to bring in a Bill “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 1984–85”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (NOS. 195, 196, 197)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Water and Sewerage Authorities (Further Restructuring) Bill.
- Metropolitan Fire Brigades (Amendment) Bill (No. 2).
- Country Fire Authority (Borrowing Powers) Bill.
- 9 EQUAL OPPORTUNITY BILL—Order read for resuming debate on question—That this House disagrees with the amendments made by the Legislative Council.

Motion, by leave, withdrawn.

On the motion of Mr Cain and, after debate—Amendment Nos. 1 and 2 agreed to.

Motion made and question—That Amendment No.3 be disagreed with (*Mr Cain*)—after debate, put.

The House divided.

AYES, 44

Mr Cain	Mrs Hill	Mr Norris	Mr Simmonds
Miss Callister	Mr Hill	Mr Pope	Mr Simpson
Mr Cathie	Mr Hockley	Mrs Ray	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Remington	Mr Stirling
Mr Crabb	Mr Jolly	Mr Roper	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Rowe	Mr Trezise
Mr Ernst	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Gavin	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gray	Mr Micallef	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Miller	(<i>Ballarat South</i>)	Mr Setches
Mr Hassett	Mr Newton	Mr Sidiropoulos	Mr Shell

NOES, 30

Mr Austin	Mr Evans	Mr Lieberman	Mrs Sibree
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall
Mr Burgin	Mr Hann	Mr Maclellan	Mr Tanner
Mr Delzoppo	Mr Jasper	Mr Ramsay	Mr Templeton
Mr Dickinson	Mr Jona	Mr Reynolds	Mr Whiting
Mr Ebery	Mr Kempton	Mr Richardson	Mr Williams
Mr Evans	Mr Kennett	Mr Ross-Edwards	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr Leigh	Mr Saltmarsh	Mr McKellar
			Mr Wallace

And so it was resolved in the affirmative—Amendment No. 3 disagreed with.

On the motion of Mr Cain and, after debate—Amendment No. 4 agreed to.

Motion made and question—That Amendment Nos. 5 to 16 inclusive be disagreed with (*Mr Cain*)—after debate, put.

The House divided.

AYES, 43

Mr Cain	Mr Hill	Mrs Ray	Mr Simpson
Miss Callister	Mr Hockley	Mr Roper	Mr Spyker
Mr Cathie	Mr Jolly	Mr Rowe	Mr Stirling
Dr Coghill	Mr Kennedy	Mr Seitz	Mrs Toner
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Trezise
Mr Ernst	Mr McDonald	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr Mathews	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fordham	Mr Micallef	Mr Sheehan	
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	
Mr Harrowfield	Mr Newton	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Norris	Mr Sidiropoulos	Mr Gray
Mrs Hill	Mr Pope	Mr Simmonds	Mr Ihlein

NOES, 29

Mr Austin	Mr Hann	Mr Maclellan	Mr Tanner
Mr Brown	Mr Jasper	Mr Ramsay	Mr Templeton
Mr Burgin	Mr Jona	Mr Reynolds	Mr Wallace
Mr Ebery	Mr Kempton	Mr Richardson	Mr Whiting
Mr Evans	Mr Leigh	Mr Ross-Edwards	Mr Williams
(<i>Ballarat North</i>)	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Delzoppo
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	Mr Dickinson

And so it was resolved in the affirmative—Amendment Nos. 5 to 16 inclusive disagreed with.

On the motion of Mr Cain and, after debate—Amendment No. 17 agreed to.

Motion made and question—That Amendment Nos. 18 to 20 inclusive be disagreed with (*Mr Cain*)—after debate, put.

The House divided.

AYES, 44

Miss Callister	Mr Hill	Mr Remington	Mr Simpson
Mr Cathie	Mr Hockley	Mr Roper	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Rowe	Mr Stirling
Mr Culpin	Mr Jolly	Mr Seitz	Mrs Toner
Mr Ernst	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	Mr Walsh
Mr Gavin	Mr Mathews	Mr Sheehan	Mr Wilkes
Mr Gray	Mr Miller	(<i>Ballarat South</i>)	
Mr Harrowfield	Mr Newton	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Pope	Mr Sidiropoulos	Mr Micallef
Mrs Hill	Mrs Ray	Mr Simmonds	Mr Norris

NOES, 30

Mr Austin	Mr Evans	Mr McKellar	Mrs Sibree
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner
Mr Burgin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Delzoppo	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Dickinson	Mr Jona	Mr Reynolds	Mr Whiting
Mr Ebery	Mr Kempton	Mr Richardson	Mr Williams
Mr Evans	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McGrath	Mr Saltmarsh	Mr Leigh
			Mr Steggall

And so it was resolved in the affirmative—Amendment Nos. 18 to 20 inclusive disagreed with.

On the motion of Mr Cain and, after debate—Amendment No. 21 agreed to.

Motion made and question—That Amendment No. 22 be disagreed with (*Mr Cain*)—after debate, put.

The House divided.

AYES, 44

Mr Cain	Mrs Hill	Mrs Ray	Mr Simpson
Miss Callister	Mr Hockley	Mr Remington	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Roper	Mr Stirling
Dr Coghill	Mr Jolly	Mr Rowe	Mrs Toner
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Ernst	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fordham	Mr Micallef	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	
Mr Gray	Mr Newton	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	Mr Hill
Mr Hassett	Mr Pope	Mr Simmonds	Mr Seitz

NOES, 28

Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Leigh	Mr Richardson	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McGrath	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Steggall	Mr Kempton
(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner	Mr Saltmarsh
Mr Hann	Mr Maclellan	Mr Templeton	

And so it was resolved in the affirmative—Amendment No. 22 disagreed with.

Motion made and question—That Amendment Nos. 23 to 31 inclusive be disagreed with (*Mr Cain*)—after debate, put.

The House divided.

AYES, 44

Mr Cain	Mr Hill	Mr Remington	Mr Simpson
Miss Callister	Mr Hockley	Mr Roper	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Stirling
Dr Coghill	Mr Jolly	Mr Seitz	Mrs Toner
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Ernst	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr Micallef	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fordham	Mr Miller	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Newton	(<i>Ballarat South</i>)	
Mr Gray	Mr Norris	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Pope	Mr Sidiropoulos	Mr Harrowfield
Mrs Hill	Mrs Ray	Mr Simmonds	Mr McDonald

NOES, 25

Mr Brown	Mr Jona	Mr Richardson	Mr Wallace
Mr Burgin	Mr Kempton	Mr Ross-Edwards	Mr Whiting
Mr Delzoppo	Mr Leigh	Mr Saltmarsh	Mr Williams
Mr Dickinson	Mr Lieberman	Mrs Sibree	
Mr Evans	Mr McKellar	Mr Steggall	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr Maclellan	Mr Tanner	Mr McGrath
Mr Hann	Mr Ramsay	Mr Templeton	Mr Reynolds

And so it was resolved in the affirmative—Amendment Nos. 23 to 31 inclusive disagreed with.

On the motion of Mr Cain—Amendment No. 32 agreed to.

Motion made and question—That Amendment Nos. 33 to 39 inclusive be disagreed with (*Mr Cain*)—after debate, put.

The House divided.

AYES, 44

Mr Cain	Mrs Hill	Mr Pope	Mr Spyker
Miss Callister	Mr Hill	Mr Remington	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Rowe	Mr Trezise
Mr Culpin	Mr Jolly	Mr Seitz	Dr Vaughan
Mr Ernst	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Sidiropoulos	Mrs Ray
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Sheehan
Mr Hassett	Mr Norris	Mr Simpson	(<i>Ballarat South</i>)

NOES, 25

Mr Brown	Mr Leigh	Mr Ross-Edwards	Mr Whiting
Mr Burgin	Mr Lieberman	Mr Saltmarsh	Mr Williams
Mr Delzoppo	Mr McKellar	Mrs Sibree	
Mr Ebery	Mr Maclellan	Mr Steggall	<i>Tellers</i>
Mr Hann	Mr Ramsay	Mr Tanner	
Mr Jona	Mr Reynolds	Mr Templeton	Mr Dickinson
Mr Kempton	Mr Richardson	Mr Wallace	Mr McGrath

And so it was resolved in the affirmative—Amendment Nos. 33 to 39 inclusive disagreed with.

On the motion of Mr Cain and, after debate—Amendment Nos. 40 to 43 inclusive agreed to.

Motion made and question—That Amendment Nos. 44 to 48 inclusive be disagreed with (*Mr Cain*)—after debate, put.

The House divided.

AYES, 43

Mr Cain	Mrs Hill	Mrs Ray	Mr Simpson
Miss Callister	Mr Hill	Mr Remington	Mr Spyker
Mr Cathie	Mr Hockley	Mr Roper	Mr Stirling
Dr Coghill	Mr Jolly	Mr Rowe	Mr Trezise
Mr Culpin	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr Micallef	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Miller	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Newton	(<i>Ballarat South</i>)	
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	Mr Ihlein
Mr Hassett	Mr Pope	Mr Simmonds	Mr Shell

NOES, 26

Mr Brown	Mr Leigh	Mr Richardson	Mr Wallace
Mr Burgin	Mr Lieberman	Mr Ross-Edwards	Mr Whiting
Mr Dickinson	Mr McGrath	Mr Saltmarsh	Mr Williams
Mr Ebery	Mr McKellar	Mrs Sibree	
Mr Hann	Mr Maclellan	Mr Steggall	<i>Tellers</i>
Mr Jona	Mr Ramsay	Mr Tanner	Mr Delzoppo
Mr Kempton	Mr Reynolds	Mr Templeton	Mr McNamara

And so it was resolved in the affirmative—Amendment Nos. 44 to 48 inclusive disagreed with.

On the motion of Mr Cain—Amendment No. 49 agreed to.

Motion made and question—That Amendment Nos. 50 to 53 inclusive be disagreed with (*Mr Cain*)—after debate, put.

The House divided.

AYES, 43

Mr Cain	Mr Hill	Mr Remington	Mr Simpson
Miss Callister	Mr Hockley	Mr Roper	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Stirling
Dr Coghill	Mr Jolly	Mr Seitz	Mr Trezise
Mr Culpin	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fordham	Mr Micallef	Mr Sheehan	
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	
Mr Harrowfield	Mr Newton	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Pope	Mr Sidiropoulos	Mr Gray
Mrs Hill	Mrs Ray	Mr Simmonds	Mr Norris

NOES, 29

Mr Austin	Mr Hann	Mr Reynolds	Mr Whiting
Mr Brown	Mr Jona	Mr Richardson	Mr Williams
Mr Burgin	Mr Kempton	Mr Ross-Edwards	
Mr Delzoppo	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	
Mr Evans	Mr McKellar	Mr Steggall	
(<i>Ballarat North</i>)	Mr McNamara	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Templeton	Mr Dickinson
(<i>Gippsland East</i>)	Mr Ramsay	Mr Wallace	Mr Leigh

And so it was resolved in the affirmative—Amendment Nos. 50 to 53 inclusive disagreed with.

On the motion of Mr Cain—Amendment No. 54 agreed to.

Motion made and question—That Amendment No. 55 be disagreed with (*Mr Cain*)—after debate. put.

The House divided.

AYES, 44

Mr Cain	Mrs Hill	Mrs Ray	Mr Simmonds
Miss Callister	Mr Hill	Mr Remington	Mr Simpson
Mr Cathie	Mr Hockley	Mr Roper	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Rowe	Mr Stirling
Mr Culpin	Mr Jolly	Mr Seitz	Mr Trezise
Mr Ernst	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Gavin	Mr Mathews	Mr Sheehan	
Mr Gray	Mr Miller	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Shell	Mr Micallef
Mr Hassett	Mr Pope	Mr Sidiropoulos	Mr Newton

NOES, 27

Mr Austin	Mr Evans	Mr Maclellan	Mr Wallace
Mr Brown	(<i>Gippsland East</i>)	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Hann	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Jona	Mr Ross-Edwards	
Mr Dickinson	Mr Leigh	Mrs Sibree	
Mr Ebery	Mr Lieberman	Mr Steggall	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Tanner	Mr Kempton
(<i>Ballarat North</i>)	Mr McKellar	Mr Templeton	Mr McNamara

And so it was resolved in the affirmative—Amendment No. 55 disagreed with.

On the motion of Mr Cain—Amendment No. 56 agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 198)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Victorian Public Authorities Finance Bill.

- 11 VICTORIAN PUBLIC AUTHORITIES FINANCE BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “to establish a Victorian Public Authorities Finance Agency to provide financial services for certain Public Authorities in Victoria and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 STATE INSURANCE OFFICE BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “An Act to amend the law relating to the Investigation of Crimes by the Police, to amend the ‘Crimes Act 1958’ and for other purposes”.
- 14 CRIMES (CRIMINAL INVESTIGATIONS) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Albury–Wodonga Agreement (Covenants) Bill without amendment.
- 16 ANNUAL REPORTING (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 PATHOLOGY SERVICES ACCREDITATION BILL—SECOND READING—RESUMPTION OF DEBATE—Ordered. That the consideration of this Order of the Day be postponed until later this day.
- 18 URBAN LAND AUTHORITY (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Fisheries (Abalone Licences) Bill without amendment.
- 20 POST-SECONDARY EDUCATION (MISCELLANEOUS AMENDMENTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time.
Business having been interrupted at 10.30 p.m.
- 21 ADJOURNMENT—Question—That the House do now adjourn—proposed, and Mr Speaker left the chair at half-past Ten o’clock.

No. 126—Wednesday, 4 April 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124.)
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - RE-INTRODUCTION OF MILK BOTTLES—Seeking that the House take action to ensure that the use of milk bottles be re-introduced in Geelong, bearing 444 signatures (*by Mr Shell*).
 - THREE-WHEELED MOTOR CYCLES—Seeking that the Government take the necessary steps to recognize three-wheeled motor cycles and establish a category of limited registration for them within the Motor Car Act, bearing 1229 signatures (*by Mr Delzoppo*).
 - RECYCLING AND CONSERVING OF RESOURCES—Seeking that the Government introduce as an alternative to deposits a community education scheme aimed at improving recycling and conserving resources, bearing 8 signatures (*by Dr Coghill*).
 - CONVEYANCING ALLOWANCE—Seeking that a conveyancing allowance of \$100 per girl per term be reinstated for all girls who travel more than 4·8 kilometres to the Point Gellibrand High School, bearing 725 signatures (*by Dr Coghill*).

Severally ordered to lie on the Table.
- 4 ECONOMIC AND BUDGET REVIEW COMMITTEE—Mr Rowe, Chairman, brought up a Report from the Economic and Budget Review Committee on Matters raised in the Education Department by the Auditor-General of Victoria; together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.
- 5 TRANSPORT (TRAFFIC INFRINGEMENT NOTICES) BILL—Mr Crabb obtained leave, with Mr Mathews, to bring in a Bill "to amend the 'Transport Act 1983' with respect to the traffic infringements for which Traffic Infringement Notices may be issued, and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—Mr Crabb obtained leave, with Mr Simpson, to bring in a Bill "to establish a Victorian Ports Authority, to abolish the Port of Melbourne Authority, the Port of Geelong Authority and the Port of Portland Authority, to provide for the reconstitution of the Marine Board of Victoria, to repeal the 'Port of Melbourne Authority Act 1958', the 'Port of Geelong Authority Act 1958', the 'Port of Portland Authority Act 1958' and the 'Harbor Boards Act 1958', to amend the 'Transport Act 1983', the 'Marine Act 1958' and certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 PUBLIC ACCOUNT (AMENDMENT) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill "to facilitate the enactment of a Supply Act and an Appropriation Act combining recurrent and works appropriations in a program format and for that purpose to modify the 'Audit Act 1958', amend the 'Public Account Act 1958' and consequentially amend the 'Water Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 EXHIBITION (BORROWING POWER) BILL—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill "to amend the 'Exhibition Act 1957' to increase the borrowing power of the Exhibition Trustees"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 GAS AND FUEL CORPORATION (BORROWING POWERS) BILL—Mr Mathews obtained leave, with Mr Jolly, to bring in a Bill “to amend the ‘Gas and Fuel Corporation Act 1958’ to increase the borrowing powers of the Gas and Fuel Corporation of Victoria and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 PSYCHOLOGISTS BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill “to establish the Psychologists Council of Victoria, to make provision for the registration and discipline of persons practising psychology, to make provision in relation to the practice of hypnosis, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 MARKET COURT (AMENDMENT) BILL—Mr Spyker obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Market Court Act 1978’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 13 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith. Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 14 SUPPLY (1984–85, NO. 1) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*). Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to. Ordered—That the debate be adjourned until Tuesday, 17 April instant.
- 15 CRIMES (CRIMINAL INVESTIGATIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*). Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to. Ordered—That the debate be adjourned until Tuesday, 17 April instant.
- 16 ENVIRONMENT PROTECTION (UNLEADED PETROL) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith. Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 17 POST-SECONDARY EDUCATION (MISCELLANEOUS AMENDMENTS) BILL—Bill committed; considered in Committee and reported with amendments and with an amended title, which title is as follows:
“A Bill to amend the ‘Post-Secondary Education Act 1978’, the ‘Post-Secondary Education (Amendment) Act 1981’ and the ‘Post-Secondary Education (Amendment) Act 1983’, and for other purposes.”
 Bill, as amended, considered, and amendments agreed to; read the third time. Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 WATER (CENTRAL MANAGEMENT RESTRUCTURING) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.

Committee reported progress.

Business having been interrupted at 10.30 p.m.

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Further considered in Committee.

Committee reported progress; to sit again tomorrow.

- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Annual Reporting (Amendment) Bill without amendment.
- 20 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to facilitate the construction of floodlight towers and the operation of floodlights at the ground known at the Melbourne Cricket Ground, to amend the ‘Melbourne Cricket Ground Act 1933’, and for other purposes*”.
- 21 MELBOURNE CRICKET GROUND BILL (NO. 2).—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Food Bill (No. 2) with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 23 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 24 ADJOURNMENT—Motion made and question proposed—That the House do now adjourn (*Mr Fordham*)—and, after debate—
And the House having continued to sit till after Twelve of the clock—

THURSDAY, 5 APRIL 1984

Question—put and agreed to.

And then the House, at eleven minutes past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 127—Thursday, 5 April 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
RECYCLING AND CONSERVING RESOURCES—Seeking that the Government introduce as an alternative to deposits a community education scheme aimed at improving recycling and conserving resources, bearing 14 signatures (*by Mr Templeton*).

LOGGING IN NATIONAL PARKS—Seeking that—(a) the Errinundra Plateau, the Rodger River–Gelantipy Plateau–Bowen Range–Yalmy River area; and the Mount Kaye areas be declared National Parks; (b) overcutting of Victoria's native forests cease and forest harvesting be conducted on a long-term sustainable basis; and (c) all logging in National Parks cease forthwith, bearing 60 signatures (*by Miss Callister*).

CONTROLLED LITTER REDUCTION PROGRAMME—Seeking that the Government introduce a controlled litter reduction programme, bearing 255 and 64 signatures, respectively (*by Mr Norris and Mr Steggall*).

Severally ordered to lie on the Table.

- 4 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until Tuesday, 17 April instant (*Mr Fordham*)—put and agreed to.
- 5 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 6 VICTORIAN PUBLIC AUTHORITIES FINANCE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 17 April instant.
- 7 TRANSPORT (TRAFFIC INFRINGEMENT NOTICES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 17 April instant.
- 8 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 9 PUBLIC ACCOUNT (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 17 April instant.
- 10 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 17 April instant.
- 11 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 and 7, be postponed until Tuesday, 17 April instant.
- 12 GAS AND FUEL CORPORATION (BORROWING POWERS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 17 April instant.
- 13 MARKET COURT (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Spyker*).
Motion made and question—That the debate be now adjourned (*Mr Richardson*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 17 April instant.

- 14 MELBOURNE CRICKET GROUND BILL (NO. 2)—Motion made and question proposed—
That this Bill be now read a second time (*Mr Cathie*).

Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 17 April instant.

- 15 WINE INDUSTRY TAX IMPLICATIONS—Order read for the consideration of the Message of the Legislative Council.

Motion made and question—That this House concurs with the Legislative Council and resolves—

That there be referred to the Economic and Budget Review Committee for inquiry, consideration and report within four months the implications to the wine industry and the economy of this State of differential taxes imposed by Victoria and its neighbouring States on wine, with power for that purpose to examine insofar as deemed necessary by the Committee—

(a) Victoria's relative position to other States in terms of the industry's—

- marketing strategy
- tourism potential
- comparative cost structures
- respective State Government and Federal Government area of responsibilities;

(b) Current State Government policies in light of their impact and assistance to the industry;

(c) Import competition on Victorian premium wine production;

(d) Price elasticity of demand for Victorian premium wines;

(e) The implication of the Industries Assistance Commission Inquiry into Dried Fruits; and

(f) The implications of the Government's economic strategy initiatives (*Mr Fordham*)—put, after debate, and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.

- 16 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 17 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-three minutes past Five o'clock, adjourned until Tuesday, 17 April instant.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 128, 129 and 130

No. 128—Tuesday, 17 April 1984

- 1 Mr Speaker took the chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

ESSENDON AND DISTRICT MEMORIAL HOSPITAL—Seeking that Parliament take immediate action to open all services now available for the provision of patient care at the Essendon and District Memorial Hospital, bearing 3811 signatures (*by Mr Lieberman*).

Ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Consumer Affairs—Report of the Director for the year 1982–83—Ordered to be printed.

Dandenong Valley Authority—Report and Statement of accounts for the year ended 30 September 1983.

Decentralized Industry Housing Authority—Report for the year 1982–83.

Dentists Act 1972:

Dental Board—Report and statement of accounts for the year ended 30 September 1983.

Specialist Practitioners Qualifications Committee—Report for the year ended 30 September 1983.

Egg Industry Stabilization Act 1973—Report of the Poultry Farmer Licensing Review Committee for the year ending 28 February 1983.

Friendly Societies and Benefit Associations—Report of the Government Statist for the year 1982–83—Ordered to be printed.

Friendly Societies—Report of the Registrar for the year 1982–83—Ordered to be printed.

Members of Parliament (Register of Interests) Act 1978—Summary of Variations notified to 31 March 1984—Ordered to be printed.

National Parks Act 1975—Consent of the Minister for Conservation, Forests and Lands to the extension of a Miners Right to Clive R. Douglas in respect to land situated in Chiltern Park.

Statutory Rules under the following Acts:

Chattel Securities Act 1981—No. 76.

Environment Protection Act 1970—No. 66.

Estate Agents Act 1980—No. 65.

Groundwater Act 1969—No. 59.

Hospitals and Charities Act 1958—No. 72.

Legal Profession Practice Act 1958—No. 73.

Nurses Act 1958—No. 71.

Public Service Act 1974—P.S.D. Nos. 14 and 17.

Supreme Court Act 1958—Nos. 78 and 79.

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 199)—ASSENT TO BILLS—Informing the Assembly that he had, on 10 April instant, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Albury–Wodonga Agreement (Covenants) Bill.
 - Fisheries (Abalone Licences) Bill.
 - Annual Reporting (Amendment) Bill.
 - Environment Protection (Unleaded Petrol) Bill.
 - Archaeological and Aboriginal Relics Preservation (Amendment) Bill.
- 6 STAMPS BILL—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr. Fordham to bring in a Bill “to amend Subdivisions (4), (4A) and (6) of Part II. of and the Third Schedule to the ‘Stamps Act 1958’, to amend the ‘Cattle Compensation Act 1967’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 200, 201)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Gas and Fuel Corporation (Borrowing Powers) Bill.
 - Transport (Victorian Ports Authority) Bill.
- 8 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 9 PSYCHOLOGISTS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
- Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 10 MELBOURNE CRICKET GROUND BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
- Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until the Government undertakes to pay the *bona fide* costs reasonably incurred in respect of the preparation and presentation of submissions in relation to the planning and environmental aspects of the proposal during 1983” (*Mr Lieberman*)—and, after debate—
- Question—That the words proposed to be omitted stand part of the question—put.
- The House divided.

AYES, 51

Mr Cain	Mr Harrowfield	Mr Newton	Mr Spyker
Miss Callister	Mr Hassett	Mr Norris	Mr Stirling
Mr Cathic	Mrs Hill	Mr Pope	Mrs Toner
Dr Coghill	Mr Hockley	Mrs Ray	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Remington	Dr Vaughan
Mr Culpin	Mr Jasper	Mr Roper	Mr Wallace
Mr Ernst	Mr Jolly	Mr Ross-Edwards	Mr Walsh
Mr Evans	Mr Kennedy	Mr Rowe	Mr Whiting
(<i>Gippsland East</i>)	Mr Kirkwood	Mr Seitz	Mr Wilton
Mr Fogarty	Mr McCutcheon	Mr Sheehan	
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Gavin	Mr McGrath	Mr Shell	<i>Tellers</i>
Mr Gray	Mr McNamara	Mr Sidiropoulos	Mr Micallef
Mr Hann	Mr Mathews	Mr Simpson	Mr Steggall

NOES, 19

Mr Austin	Mr Jona	Mr Reynolds	Mr Templeton
Mr Brown	Mr Kempton	Mr Richardson	Mr Williams
Mr Burgin	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Delzoppo	Mr McKellar	Mrs Sibree	Mr Dickinson
Mr Ebery	Mr Ramsay	Mr Tanner	Mr Leigh

And so it was resolved in the affirmative. Bill read a second time and, by leave, read the third time forthwith.

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

- 11 WATER (CENTRAL MANAGEMENT RESTRUCTURING) BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.

Motion made and question—That this Bill be now read a third time. (*Mr Simpson*)—after debate, put.

The House divided.

AYES, 51

Mr Austin	Mr Hassett	Mr Newton	Mr Simpson
Mr Brown	Mrs Hill	Mr Norris	Mr Spyker
Miss Callister	Mr Hockley	Mr Pope	Mr Stirling
Mr Cathic	Mr Ihlein	Mr Ramsay	Mrs Toner
Dr Coghill	Mr Jolly	Mrs Ray	Mr Trezise
Mr Culpin	Mr Kempton	Mr Remington	Dr Vaughan
Mr Delzoppo	Mr Kennedy	Mr Reynolds	Mr Walsh
Mr Dickinson	Mr Kirkwood	Mr Richardson	Mr Wilton
Mr Ebery	Mr Leigh	Mr Rowe	
Mr Ernst	Mr McCutcheon	Mr Seitz	<i>Tellers</i>
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Micallef
Mr Gavin	Mr McKellar	(<i>Ivanhoe</i>)	Mr Sheehan
Mr Gray	Mr Mathews	Mr Shell	(<i>Ballarat South</i>)
Mr Harrowfield	Mr Miller	Mrs Sibree	

NOES, 6

Mr Hann			<i>Tellers</i>
Mr McGrath	Mr Wallace	Mr Whiting	Mr McNamara
			Mr Steggall

And so it was resolved in the affirmative. Bill read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Public Service (Amendment) Bill without amendment.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to make further provision with respect to the renewal of leases and licences under the ‘Extractive Industries Act 1966’, to amend that Act and for other purposes*”.
- 14 EXTRACTIVE INDUSTRIES (RENEWAL OF LEASES AND LICENCES) BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 15 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 202)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Magistrates’ Courts (Appointment of Magistrates) Bill.

- 16 **MAGISTRATES' COURTS (APPOINTMENT OF MAGISTRATES) BILL**—Mr Fordham, pursuant to Standing Order No. 169, obtained leave, with Mr Simpson, to bring in a Bill “*to make further provision with respect to the appointment and tenure of Stipendiary Magistrates and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 203)**—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Lands (Miscellaneous Matters) Bill.
- 18 **LANDS (MISCELLANEOUS MATTERS) BILL**—Mr Cathie, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill “*to revoke the Permanent Reservations of certain Lands, to revoke the Crown grant of certain Lands, to provide for the sale of certain Lands, and for other purposes*”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **WATER AND SEWERAGE AUTHORITIES (FURTHER RESTRUCTURING) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Agreeing to the Urban Land Authority (Amendment) Bill without amendment.
- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Agreeing to the State Insurance Office Bill with an amendment.
Ordered—That the said amendment be printed and taken into consideration tomorrow.
- 22 **FORESTS (WOOD PULP AGREEMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Transmitting a Bill for “*An Act to amend the ‘Groundwater Act 1969’ to provide for the reservation of groundwater resources for future public use and for other purposes*”.
- 24 **GROUNDWATER (RESERVES) BILL**—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 25 **GRAIN HANDLING IMPROVEMENT AUTHORITIES (ABOLITION) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 26 **METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL (No. 2)**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 27 COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 28 SUPPLY (1984–85, No. 1) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
And the House having continued to sit till after Twelve of the clock—
- WEDNESDAY, 18 APRIL 1984.
- Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 29 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act relating to the status of persons conceived by certain means, to amend the ‘Status of Children Act 1974’ and for other purposes*”.
- 30 STATUS OF CHILDREN (AMENDMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 31 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 32 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at two minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 129—Wednesday, 18 April 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- RE-INTRODUCTION OF MILK BOTTLES—Seeking that the House take action to ensure that the use of milk bottles be re-introduced in Geelong, bearing 638 signatures (*by Mr Shell*).
- CONTAINER DEPOSIT LEGISLATION—Seeking that no container deposit legislation be introduced for the State of Victoria, bearing 515 signatures (*by Dr Vaughan*).
- RE-OPENING OF EDUCATION DEPARTMENT HOSTELS—Seeking that the Government reconsider the decision to close Education Department hostels in Melbourne and act to re-open and maintain these hostels for the 1984 academic year, bearing 1338 signatures (*by Mr McKellar*).

Severally ordered to lie on the Table.

- 4 ECONOMIC AND BUDGET REVIEW COMMITTEE—Mr Rowe, Chairman, brought up a Report from the Economic and Budget Review Committee on A Review of Superannuation in the Victorian Public Sector and a Summary of Victorian Public Sector Superannuation Schemes; together with Appendices, Consultants' Reports and Minutes of Evidence.
Ordered to lie on the Table and the Report, Summary and Appendices to be printed.
- 5 PARLIAMENTARY DOCUMENTS—PUBLICATION—Motion made, by leave, and question—That, in respect of any documents laid before the House more than seventy-five years ago and not ordered to be printed, Mr Speaker be empowered to authorize—(a) access; and (b) under such conditions as may be set down by Mr Speaker on the instrument of authorization, reproduction and/or publication of such documents for educational or historical purposes (*Mr Fordham*)—put, after debate, and agreed to.
- 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 204)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Psychologists Bill.
- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 205)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Transport (Victorian Ports Authority) Bill.
- 8 SUBORDINATE LEGISLATION (REVOCATION) BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill "*to revoke certain classes of Subordinate Legislation made prior to 1 August 1962 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 9 CO-OPERATION (AMENDMENT) BILL—Mr Cathie obtained leave, with Mrs Toner, to bring in a Bill "*to empower the Registrar of Co-operatives to vary common bond requirements of credit societies and to make provision for annual appropriation of profits by credit societies to a reserve fund, and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 10 SALE (LAND DEVELOPMENT) BILL—Mr Crabb obtained leave, with Mr Jolly, to bring in a Bill "*to make further provision with respect to the re-location of Sale Railway Station and the development of the land in and in the vicinity of the former Railway Station and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 11 MOTOR CAR (AMENDMENT) BILL—Mr Crabb obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Motor Car Act 1958'*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 12 MONASH UNIVERSITY (AMENDMENT) BILL—Mr Fordham obtained leave, with Mr Roper, to bring in a Bill "*to amend generally the 'Monash University Act 1958'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 DEAKIN UNIVERSITY (AMENDMENT) BILL—Mr Fordham obtained leave, with Mr Roper, to bring in a Bill "*to amend generally the 'Deakin University Act 1974'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 TEACHING SERVICE (AMENDMENT) BILL—Mr Fordham obtained leave, with Mr Roper, to bring in a Bill "*to amend the 'Teaching Service Act 1981', the 'Education Service (Amendment) Act 1982' and the 'Teaching Service Act 1983', to provide for interim Teaching Service Appeals Boards for the purposes of the 'Teaching Service Act 1981', and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 15 **DAIRY INDUSTRY BILL**—Mr Wilkes, pursuant to motion moved on his behalf by Mr Fordham, and after debate, obtained leave, with Mr Jolly, to bring in a Bill “to Re-enact with amendments the Law relating to the Victorian Dairy Industry, to repeal the ‘Filled Milk Act 1958’, the ‘Milk and Dairy Supervision Act 1958’, the ‘Milk Board Act 1958’, the ‘Milk Pasteurization Act 1958’, the ‘Imitation Milk Act 1969’, the ‘Victorian Dairy Industry Authority Act 1977’, the ‘Dairy Products (Repeal) Act 1978’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **LAND TAX (LANDATA PROJECT) BILL**—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “to make further provision with respect to the use of information in the possession of the Commissioner of Land Tax in connexion with the project known as Landata”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 17 **SUPERANNUATION (AMENDMENT) BILL**—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “to provide for superannuation for part-time officers, to provide further for superannuation for officers on leave, to amend the ‘Superannuation Act 1958’ and the ‘Superannuation (Lump Sum Benefits) Act 1981’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 18 **STATE BANK (AMENDMENT) BILL (No. 3)**—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘State Bank Act 1958’ with respect to the capital of The Commissioners of the State Bank of Victoria and the promotion and formation by the Commissioners of corporations and other bodies and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **PIPELINES (PERMITS) BILL**—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Pipelines Act 1967’ with respect to the procedures to be followed in applications for permits under Part II. of that Act and the manner in which such applications are to be determined and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **MEDICAL PRACTITIONERS (MISCELLANEOUS AMENDMENTS) BILL**—Mr Roper obtained leave, with Mrs Toner, to bring in a Bill “to amend the ‘Medical Practitioners Act 1970’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 21 **WATER (AMENDMENT) BILL (No. 2)**—Mr Simpson obtained leave, with Mr Roper, to bring in a Bill “to amend the ‘Water Act 1958’ to make provision for an alternative system of charging for water supplied to rural districts and to reduce the interest-free period for payment of charges for water and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 **ETHNIC AFFAIRS COMMISSION (AMENDMENT) BILL**—Mr Spyker obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Ethnic Affairs Commission Act 1982’”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 23 **PENALTIES AND SENTENCES (YOUTH ATTENDANCE PROJECTS) BILL**—Mrs Toner obtained leave, with Mr Trezise, to bring in a Bill “to empower courts to order attendance at Youth Attendance Projects as a non-custodial alternative to detention in a youth training centre for young offenders, to amend the ‘Penalties and Sentences Act 1981’, the ‘Community Welfare Services Act 1970’ and other Acts and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 24 **ADOPTION BILL**—Mrs Toner obtained leave, with Mr Trezise, to bring in a Bill “to amend and re-enact the Law relating to Adoption, to repeal the ‘Adoption of Children Act 1964’, to make consequential amendments to certain Acts and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 25 **CHILDREN (GUARDIANSHIP AND CUSTODY) BILL**—Mrs Toner obtained leave, with Mr Trezise, to bring in a Bill “to make provision for certain guardianship and custody orders relating to children and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 26 **PROFESSIONAL BOXING CONTROL (SUSPENSION OF REGISTRATION) BILL**—Mr Trezise obtained leave, with Mrs Toner, to bring in a Bill “to amend the ‘Professional Boxing Control Act 1975’ to make provision for suspension of a boxer’s registration in certain situations and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 27 **EXHIBITION (BORROWING POWER) BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
- Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 1 May next.
- 28 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 206)**—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Pensioner Concessions (Rehabilitation Allowance) Bill.
- 29 **PENSIONER CONCESSIONS (REHABILITATION ALLOWANCE) BILL**—Mrs Toner, pursuant to Standing Order No. 169, obtained leave, with Mr Jolly, to bring in a Bill “to grant concessions to persons receiving the Commonwealth rehabilitation allowance, to amend the ‘Municipalities Assistance Act 1973’ the ‘Motor Car Act 1958’ and the ‘Land Tax Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 30 **STAMPS BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
- Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Tuesday, 1 May next.
- 31 **EXTRACTIVE INDUSTRIES (RENEWAL OF LEASES AND LICENCES) BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 1 May next.
- 32 **STATUS OF CHILDREN (AMENDMENT) BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 1 May next.
- 33 **PUBLIC ACCOUNT (AMENDMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

34 VICTORIAN PUBLIC AUTHORITIES FINANCE BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

35 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to the following Resolution:

That, notwithstanding the recommendations of the Public Bodies Review Committee contained in its Final Report presented to this House on 24 May, 1983, pursuant to section 4P (5) (b) of the 'Parliamentary Committees Act 1968' this House resolves that the bodies listed hereunder shall continue to exist:

- 1 State Rivers and Water Supply Commission
- 2 Ministry of Water Resources and Water Supply
- 3 Latrobe River Improvement Trust
- 4 Macalister River Improvement Trust
- 5 Dandenong Valley Authority
- 6 Longwarry Drainage Trust
- 7 Shire of Korumburra River Improvement Trust
- 8 West Moorabool Water Board
- 9 Bendigo Creek Improvement Trust
- 10 Shire of Alberton River Improvement Trust
- 11 Shire of Alexandra River Improvement Trust
- 12 King Parrot Creek Improvement Trust
- 13 Seymour Shire River Improvement Trust
- 14 Shire of Yea River Improvement Trust
- 15 Avoca River Improvement Trust
- 16 Bullock Creek Improvement Trust
- 17 Pental Island Improvement Trust
- 18 Fifteen Mile Creek Improvement Trust
- 19 Ovens and King River Trust
- 20 Broken River Improvement Trust
- 21 Cann River Improvement Trust
- 22 Glenelg River Improvement Trust
- 23 Strathdownie Drainage Trust
- 24 Kiewa River Improvement Trust
- 25 Mitchell River Improvement Trust
- 26 Mitta Mitta River Improvement Trust
- 27 Snowy River Improvement Trust
- 28 Tambo River Improvement Trust
- 29 Tarwin River Improvement Trust
- 30 Shire of Upper Murray River Improvement Trust
- 31 Lough Calvert Drainage Trust
- 32 Avon River Improvement Trust
- 33 Thomson River Improvement Trust
- 34 Yatchaw Drainage Trust
- 35 Black Dog Creek Improvement Trust

with which they desire the concurrence of the Assembly.

Ordered—That the Message be taken into consideration later this day.

36 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 207)—ASSENT TO BILL—Informing the Assembly that he had, that day, given the Royal Assent to the following Bill, presented to him by the Clerk of the Parliaments:

Melbourne Cricket Ground Bill.

- 37 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Post-Secondary Education (Miscellaneous Amendments) Bill without amendment.
- 38 GAS AND FUEL CORPORATION (BORROWING POWERS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 39 MARKET COURT (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 40 TRANSPORT (TRAFFIC INFRINGEMENT NOTICES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 41 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Public Lands and Works Act 1964’ by extending the powers of delegation of the Minister of Public Works; to enable other Ministers of the Crown to authorize minor works to buildings for which they are responsible, and for other purposes*”.
- 42 PUBLIC LANDS AND WORKS (AMENDMENT) BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 43 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Public Account (Amendment) Bill.
Forests (Wood Pulp Agreement) Bill.
Country Fire Authority (Borrowing Powers) Bill.
Metropolitan Fire Brigades (Amendment) Bill (No. 2).
- 44 MAGISTRATES’ COURTS (APPOINTMENT OF MAGISTRATES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 45 LANDS (MISCELLANEOUS MATTERS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 1 May next.
- 46 GROUNDWATER (RESERVES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 1 May next.

47 TRANSPORT (VICTORIAN PORTS AUTHORITY) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Debate resumed on question—That this Bill be now read a second time.

Question—put.

The House divided.

AYES, 45

Mr Cain	Mrs Hill	Mr Newton	Mr Simmonds
Miss Callister	Mr Hill	Mr Norris	Mr Simpson
Mr Cathie	Mr Hockley	Mr Pope	Mr Spyker
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Crabb	Mr Jolly	Mr Remington	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Rowe	Mr Trezise
Mr Ernst	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Fogarty	Mr McCutcheon	Mr Shechan	Mr Walsh
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilton
Mr Gavin	Mr Mathews	Mr Shechan	<i>Tellers</i>
Mr Gray	Mr Micallef	(<i>Ballarat South</i>)	Mr Hassett
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	Mr Shell

NOES, 26

Mr Austin	Mr Hann	Mr Maclellan	Mr Tanner
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Kempton	Mr Reynolds	Mr Whiting
Mr Dickinson	Mr Lieberman	Mr Richardson	Mr Williams
Mr Ebery	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Saltmarsh	Mr Leigh
(<i>Gippsland East</i>)	Mr McNamara	Mrs Sibree	Mr Steggall

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.

Motion made and question—That this Bill be now read the third time (*Mr Crabb*)—put.

The House divided.

AYES, 45

Miss Callister	Mr Hill	Mr Pope	Mr Simmonds
Mr Cathie	Mr Hockley	Mrs Ray	Mr Simpson
Dr Coghill	Mr Jolly	Mr Remington	Mr Spyker
Mr Crabb	Mr Kennedy	Mr Roper	Mr Stirling
Mr Culpin	Mr Kirkwood	Mr Rowe	Mrs Toner
Mr Ernst	Mr McCutcheon	Mr Seitz	Mr Trezise
Mr Fogarty	Mr McDonald	Mr Shechan	Dr Vaughan
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	Mr Walsh
Mr Gavin	Mr Micallef	Mr Shechan	Mr Wilton
Mr Gray	Mr Miller	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Shell	Mr Hassett
Mrs Hill	Mr Norris	Mr Sidiropoulos	Mr Ihlein

NOES, 25

Mr Austin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Brown	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Kempton	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr McGrath	Mr Saltmarsh	Mr Leigh
Mr Evans	Mr McKellar	Mrs Sibree	Mr Steggall
(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner	

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

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 48 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to provide for the recovery of judgment debts by instalments, to amend the ‘Imprisonment of Fraudulent Debtors Act 1958’, the ‘Supreme Court Act 1958’ and the ‘Magistrates (Summary Proceedings) Act 1975’, and for other purposes*”.
- 49 JUDGMENT DEBT RECOVERY BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

And the House having continued to sit till after Twelve of the clock—

THURSDAY, 19 APRIL 1984

- 50 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Grain Handling Improvement Authorities (Abolition) Bill without amendment.
- 51 SUPPLY (1984–85. No. 1) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 52 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 53 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at fifty-eight minutes past Three o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 130—Thursday, 19 April 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 1380 signatures (*by Mr Sheehan, Ballarat South*).

LOGGING IN NATIONAL PARKS—Seeking that—(a) the Errinundra Plateau, the Rodger River—Gclantipy Plateau—Bowen Range—Yalmy River area; and the Mount Kaye areas, be declared National Parks; (b) overcutting of Victoria's native forests cease and forest harvesting be conducted on a long-term sustainable basis; and (c) all logging in National Parks cease forthwith, bearing 45 signatures (*by Mr Remington*).

CONTROLLED LITTER REDUCTION PROGRAMME—Seeking that the Government introduce a controlled litter reduction programme, bearing 120 signatures (*by Mr Jasper*).

Severally ordered to lie on the Table.

4 PAPERS—Mr Speaker presented:

Auditor-General—Fourth Report of the Auditor-General for the year 1982–83.

Ordered to lie on the Table and to be printed.

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

Police Regulation Act 1958—

Determination No. 396 of the Police Service Board.

Determination No. 2 of the Police Service Board with respect to the Retired Police Reserve.

5 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until Tuesday, 1 May next (*Mr Fordham*)—put and agreed to.

6 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 208, 209)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Exhibition (Borrowing Power) Bill.

Stamps Bill.

7 SECONDARY TEACHER SHORTAGES—Motion made and question proposed—That in view of the disastrous shortage of staff in Victorian secondary schools during February 1984, this House expresses its lack of confidence in the Minister of Education for his failure to provide adequate facilities for the appointment of sufficient teachers to cover school enrolments at the commencement of the school year, and calls for an immediate independent inquiry into the operations of the staffing branch of the Education Department (*Mr Hann*)—and, after debate—

General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.

8 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to make provision with respect to the Prahran Mechanics’ Institution and Circulating Library Incorporated, to amend the ‘Prahran Mechanics’ Institute Act 1899’ and for other purposes.*”

9 PRAHRAN MECHANICS’ INSTITUTE BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time on Tuesday, 1 May next.

10 SUBORDINATE LEGISLATION (REVOCATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 1 May next.

11 CO-OPERATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).

Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until Tuesday, 1 May next.

- 12 SALE (LAND DEVELOPMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 1 May next.
- 13 MOTOR CAR (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 1 May next.
- 14 TEACHING SERVICE (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 1 May next.
- 15 LAND TAX (LANDATA PROJECT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
 Ordered, after debate—That the debate be adjourned until Tuesday, 1 May next.
- 16 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 Market Court (Amendment) Bill.
 Water and Sewerage Authorities (Further Restructuring) Bill.
 Gas and Fuel Corporation (Borrowing Powers) Bill.
- 17 SUPERANNUATION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
 Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 1 May next.
- 18 MEDICAL PRACTITIONERS (MISCELLANEOUS AMENDMENTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
 Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 1 May next.
- 19 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 210)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Pathology Services Accreditation Bill.
- 20 PENALTIES AND SENTENCES (YOUTH ATTENDANCE PROJECTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
 Motion made and question—That the debate be now adjourned (*Mr Saltmarsh*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 1 May next.

- 21 PROFESSIONAL BOXING CONTROL (SUSPENSION OF REGISTRATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Trezise*).

Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 1 May next.

- 22 PENSIONER CONCESSIONS (REHABILITATION ALLOWANCE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).

Motion made and question—That the debate be now adjourned (*Mr Saltmarsh*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 1 May next.

- 23 PUBLIC LANDS AND WORKS (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 1 May next.

- 24 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 13, be postponed until later this day.

- 25 WATER (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).

Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 1 May next.

- 26 PATHOLOGY SERVICES ACCREDITATION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until proper consultations have been held with the Royal College of Pathologists of Australia, the Australian Medical Association and other appropriate professional associations on the provisions of the Bill” (*Mr Lieberman*)—and, after debate—

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

The House divided.

AYES, 35

Mr Cathie	Mr Hockley	Mrs Ray	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Remington	Mrs Toner
Mr Culpin	Mr Jolly	Mr Roper	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilton
Mr Fordham	Mr Mathews	Mr Sheehan	
Mr Gray	Mr Micallef	(<i>Ballarat South</i>)	
Mr Harrowfield	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Norris	Mr Simpson	Mr Newton
Mrs Hill	Mr Pope	Mr Spyker	Mr Seitz

NOES, 21

Mr Brown	Mr Kempton	Mr Saltmarsh	Mr Williams
Mr Delzoppo	Mr Lieberman	Mrs Sibree	
Mr Dickinson	Mr Maclellan	Mr Tanner	
Mr Hann	Mr Ramsay	Mr Templeton	<i>Tellers</i>
Mr Jasper	Mr Reynolds	Mr Wallace	Mr Leigh
Mr Jona	Mr Richardson	Mr Whiting	Mr Steggall

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress; to sit again tomorrow.

27 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

28 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at fifty-four minutes past Four o'clock adjourned until Tuesday, 1 May next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 131, 132 and 133

No. 131—Tuesday, 1 May 1984

1 This House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS—(Pursuant to Standing Order No. 124).

Member named and suspended—The Honourable Member for Ballarat North (*Mr Evans*) having been named by Mr Speaker for disregarding the authority of the Chair—

Motion made and question—That the Honourable Member for Ballarat North (*Mr Evans*) be suspended from the service of the House (*Mr Fordham*)—put.

The House divided.

AYES, 45

Mr Cain	Mr Hassett	Mr Norris	Mr Simpson
Miss Callister	Mrs Hill	Mr Remington	Mr Spyker
Mr Cathie	Mr Hill	Mr Roper	Mr Stirling
Dr Coghill	Mr Hockley	Mr Seitz	Mrs Toner
Mr Crabb	Mr Ihlein	Mrs Setches	Mr Trezise
Mr Culpin	Mr Jolly	Mr Sheehan	Dr Vaughan
Mr Ernst	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr Mathews	(<i>Ballarat South</i>)	Mr Wilton
Mr Gavin	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Sidiropoulos	Mr McCutcheon
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Pope

NOES, 31

Mr Austin	Mr Hann	Mr Ramsay	Mr Wallace
Mr Brown	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	
Mr Evans	Mr McKellar	Mr Steggall	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McNamara	Mr Tanner	Mr Kempton
Mr Evans	Mr Maclellan	Mr Templeton	Mr Leigh
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative.

Mr Speaker having directed the Serjeant-at-Arms to remove the Honourable Member—Mr Evans (*Ballarat North*) withdrew from the Chamber.

3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

“MESSAGE PARLOUR”—DEFINITION—Seeking that Parliament use the appropriate wording in the proposed legislation to legalize prostitution in order to avoid any discrimination against women who practice legitimate massage, bearing 1435 signatures (*by Mr Walsh*).

LITTER REDUCTION PROGRAMME—Seeking that the Government introduce a controlled litter reduction programme, bearing 333 signatures (*by Mr Kennedy*).

RECYCLING AND CONSERVING RESOURCES—Seeking that the Government introduce as an alternative to deposits a community education scheme aimed at improving recycling and conserving resources, bearing 100 and 6 signatures, respectively (*by Mr Hockley and Mr Shell*).

Severally ordered to lie on the Table.

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

Education Act 1958—Resumption of Land at Wantirna South—Certificate of the Minister of Education.

Legal Profession Practice Act 1958—Report of the Lay Observer for the year 1983 to the—

Barristers Disciplinary Tribunal.

Solicitors Disciplinary Tribunal.

Statutory Rules under the following Acts:

Building Control Act 1981—No. 75.

Fisheries Act 1968—Nos. 80, 81.

Health Act 1958—No. 69.

Town and Country Planning Act 1961:

Croydon—City of Croydon Planning Scheme 1961, Amendment No. 120.

Flinders—Shire of Flinders Planning Scheme 1962, Amendment No. 160 (1983).

Frankston—City of Frankston Planning Scheme, Amendment No. 34A.

Geelong Regional Planning Scheme—Amendment Nos. 33 (Part 2) (1982), 62 (Part 1), 74 (Part A) (1983), 93 (1984) (four papers).

Hastings—Shire of Hastings Planning Scheme, Amendment Nos. 3, 11 (Part 2) (two papers).

Knox—City of Knox Planning Scheme 1965, Amendment No. 265 (1983).

Melbourne Metropolitan Planning Scheme, Amendment Nos. 191 (Part 3B), 227 (Part 1A), 231 (Part 2B), 228 (Part B), 233 (Part 1), (Part 2), 286, 287 (eight papers).

Mornington—Shire of Mornington Planning Scheme 1959, Amendment No. 156 (1982), 157, 158, 163 (1983), 164 (1984) (five papers).

Newham and Woodend—Shire of Newham and Woodend Planning Scheme, Amendment No. 21.

Pakenham:

Shire of Pakenham Planning Scheme Part 1.

Shire of Pakenham Planning Scheme Part 1, Amendment No. 22.

Phillip Island Planning Scheme, Amendment No. 17.

Port Fairy Planning Scheme, Amendment Nos. 26, 28 (two papers).

Portland—Town of Portland Planning Scheme, Amendment No. 42.

Rosedale—Shire of Rosedale Planning Scheme, Amendment No. 36.

Shepparton—City of Shepparton Planning Scheme 1953, Amendment No. 75 (1983).

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas), Amendment No. 20.

South Gippsland—Shire of South Gippsland Planning Scheme, Amendment No. 47 (Part B).

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme, Amendment No. 45.

Woorayl—Shire of Woorayl Planning Scheme, Amendment No. 59.

Water and Sewerage Authorities (Restructuring) Act 1983:

Reasons of Minister of Water Supply for making a recommendation to the Governor in Council to make an Order constituting the Glenelg–Wannon Water Board and abolishing the Coleraine and Casterton Waterworks Trust, Coleraine Sewerage Authority, Casterton Sewerage Authority, Balmoral Waterworks Trust and the Shire of Glenelg Waterworks Trust.

Reasons of Minister of Water Supply for making a recommendation to the Governor in Council to make an Order constituting the Macalister Water Board and abolishing the Maffra Waterworks Trust, Maffra Sewerage Authority, Heyfield Waterworks Trust, Heyfield Sewerage Authority and Briagolong Waterworks Trust.

Reasons of Minister of Water Supply for making a recommendation to the Governor in Council to make an Order constituting the Tarago Water Board and abolishing the Warragul Waterworks Trust, Warragul Sewerage Authority, Drouin Waterworks Trust, Drouin Sewerage Authority, Neerim South Waterworks Trust and Noojee Waterworks Trust.

- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Victorian Public Authorities Finance Bill without amendment.
- 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 211)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Country Fire Authority (Borrowing Powers) Bill.
 - Gas and Fuel Corporation (Borrowing Powers) Bill.
 - Forests (Wood Pulp Agreement) Bill.
 - Metropolitan Fire Brigades (Amendment) Bill (No. 2).
 - Post-Secondary Education (Miscellaneous Amendments) Bill.
 - Public Account (Amendment) Bill.
 - Public Service (Amendment) Bill.
 - Urban Land Authority (Amendment) Bill.
- 7 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 212, 213)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Sale (Land Development) Bill.
 - Superannuation (Amendment) Bill.
- 8 PRAHRAN MECHANICS' INSTITUTE BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
- Mr Speaker ruled Bill a Private Bill.
- Motion made and question—That the Bill be dealt with as a Public Bill and that fees be dispensed with (*Mr Fordham*)—put and agreed to.
- Debate resumed on question—That this Bill be now read a second time.
- Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 9 JUDGMENT DEBT RECOVERY BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.

- 10 PATHOLOGY SERVICES ACCREDITATION BILL—Further considered in Committee and reported with amendments and with an amended title, which title is as follows:

"A Bill to establish the Pathology Services Accreditation Board, to provide for the accreditation of pathology services and for other purposes."

Bill, as amended, considered, and amendments agreed to; read the third time, after debate.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 6 inclusive, be postponed until later this day.

- 12 FOOD BILL (NO. 2)—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time.

On the motion of Mr Roper and, after debate—Amendment Nos. 1 to 7 inclusive agreed to.

Motion made and question—That Amendment Nos. 8 to 11 inclusive be disagreed with (*Mr Roper*)—after debate, put.

The House divided.

AYES, 44

Miss Callister	Mr Hill	Mr Remington	Mr Spyker
Dr Coghill	Mr Hockley	Mr Roper	Mr Stirling
Mr Crabb	Mr Ihlein	Mr Seitz	Mrs Toner
Mr Culpin	Mr Jolly	Mrs Setches	Mr Trezise
Mr Ernst	Mr Kennedy	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fordham	Mr Mathews	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	Mr Wilton
Mr Gray	Mr Newton	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	Mr McCutcheon
Mr Hassett	Mr Pope	Mr Simmonds	Mr McDonald
Mrs Hill	Mrs Ray	Mr Simpson	

NOES, 27

Mr Austin	Mr Kempton	Mr Reynolds	Mr Whiting
Mr Brown	Mr Leigh	Mr Richardson	Mr Williams
Mr Burgin	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McGrath	Mr Saltmarsh	
Mr Evans	Mr McKellar	Mrs Sibree	
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	<i>Tellers</i>
Mr Hann	Mr Maclellan	Mr Tanner	Mr Delzoppo
Mr Jasper	Mr Ramsay	Mr Templeton	Mr Wallace

And so it was resolved in the affirmative—Amendment Nos. 8 to 11 inclusive disagreed with.

On the motion of Mr Roper and, after debate—Amendment Nos. 12 to 14 inclusive agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 13 CREDIT BILL AND CREDIT (ADMINISTRATION) BILL—Order read for resuming debate on question—That these Bills be now read a second time; debate resumed; Bills read a second time and, by leave, read the third time forthwith.

Ordered—That the Bills be transmitted to the Legislative Council and their concurrence desired therein.

- 14 CONTINUATION OF EXISTENCE OF WATER SUPPLY BODIES—Order read for the consideration of the Message of the Legislative Council.

Motion made and question—That this House concurs with the Legislative Council and resolves that notwithstanding the recommendations of the Public Bodies Review Committee contained in its Final Report presented to this House on 24 May, 1983, pursuant to section 4P(5)(b) of the 'Parliamentary Committees Act 1968' this House resolves that the bodies listed hereunder shall continue to exist:

- 1 State Rivers and Water Supply Commission
- 2 Ministry of Water Resources and Water Supply
- 3 Latrobe River Improvement Trust
- 4 Macalister River Improvement Trust
- 5 Dandenong Valley Authority
- 6 Longwarry Drainage Trust
- 7 Shire of Korumburra River Improvement Trust
- 8 West Moorabool Water Board
- 9 Bendigo Creek Improvement Trust
- 10 Shire of Alberton River Improvement Trust
- 11 Shire of Alexandra River Improvement Trust
- 12 King Parrot Creek Improvement Trust
- 13 Seymour Shire River Improvement Trust
- 14 Shire of Yea River Improvement Trust
- 15 Avoca River Improvement Trust
- 16 Bullock Creek Improvement Trust
- 17 Pental Island Improvement Trust
- 18 Fifteen Mile Creek Improvement Trust
- 19 Ovens and King River Trust
- 20 Broken River Improvement Trust
- 21 Cann River Improvement Trust
- 22 Glenelg River Improvement Trust
- 23 Strathdownie Drainage Trust
- 24 Kiewa River Improvement Trust
- 25 Mitchell River Improvement Trust
- 26 Mitta Mitta River Improvement Trust
- 27 Snowy River Improvement Trust
- 28 Tambo River Improvement Trust
- 29 Tarwin River Improvement Trust
- 30 Shire of Upper Murray River Improvement Trust
- 31 Lough Calvert Drainage Trust
- 32 Avon River Improvement Trust
- 33 Thomson River Improvement Trust
- 34 Yatchaw Drainage Trust
- 35 Black Dog Creek Improvement Trust (*Mr Fordham*)—put, after debate, and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.

- 15 STATE INSURANCE OFFICE BILL—Order read for the consideration of the amendment made by the Legislative Council.

And the said amendment was read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.

- 16 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 9 and 10 be postponed until later this day.

- 17 LANDS (MISCELLANEOUS MATTERS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 18 STAMPS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 EXHIBITION (BORROWING POWER) BILL—Order read for resuming debate on the question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 12, be postponed until later this day.

- 21 CO-OPERATION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 22 SALE (LAND DEVELOPMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 23 MOTOR CAR (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Simpson*)—put and agreed to.

Debate resumed on question—That this Bill be now read a second time.

And the House having continued to sit till after Twelve of the clock—

WEDNESDAY, 2 MAY 1984

Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 24 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

Lands (Miscellaneous Matters) Bill

Exhibition (Borrowing Power) Bill

- 25 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Environment Protection Act 1970' with respect to the constitution, powers, duties and functions of the Environment Protection Authority; to establish the Environment Council, to make further provision for the protection of the environment, to amend the 'Planning Appeals Board Act 1980' and for other purposes*".

- 26 ENVIRONMENT PROTECTION (REVIEW) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 27 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 28 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at twenty-two minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 132—Wednesday, 2 May 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- SHOPKEEPERS BUSINESS HOURS—Seeking that the law be changed to allow shopkeepers and customers to decide between themselves when to transact their business without interference from the Government, bearing 976 signatures (*by Mr Kennett*).
- GAOLING OF FRANK PENHALLURIAK—Seeking that Mr Frank Penhalluriak not be jailed for a period of 84 days for alleged breaches of the *Labour and Industry Act 1958*, that the charges be dropped and that the draconian and discriminatory sections of the Act be revoked, bearing 4079 signatures (*by Mr Kennett*).
- FUNDS FOR NEIGHBOURHOOD HOUSES—Seeking that the Government include in the Budget a separate allocation of funds to cover salary and administration costs specifically for neighbourhood houses on a recurrent basis, bearing 845 signatures (*by Mr Hassett*).
- PORT PHILLIP BAY OPTIONAL DRESS BATHING—Seeking that the Government declare an optional dress bathing area on the eastern side of Port Phillip Bay, bearing 313 signatures (*by Mr Hassett*).
- RE-INTRODUCTION OF MILK BOTTLES—Seeking that the House take action to ensure that the use of milk bottles be re-introduced in Geelong, bearing 278 signatures (*by Mr Shell*).
- DAIRY FARMS ESTABLISHMENT—Seeking that the House pass legislation preventing the establishment of 1000 cow dairy farms, bearing 154 signatures (*by Mr Wallace*).
- INVERLOCH OUTFALL SYSTEM—Seeking that the House take action to provide for the completion of the disposal of treated effluent via an outfall system at Inverloch, bearing 1030 signatures (*by Mr Wallace*).
- “IN VITRO” FERTILIZATION BAN—Seeking that the Government ban *in vitro* fertilization and instead devote resources to developing and improving treatments that actually cure infertility, bearing 947 signatures (*by Mr Seitz*).
- UNDERGROUND POWER LINES IN DANDENONG RANGES—Seeking that an inquiry be held to determine the feasibility of installing underground power lines in the Dandenong Ranges to ensure a reliable power supply, bearing 16 signatures (*by Mr Pope*).
- TRARALGON AMBULANCE CREWS—Seeking that two-man ambulance crews be made available to the people of Traralgon and district, bearing 2435 signatures (*by Miss Callister*).

RECYCLING AND CONSERVING RESOURCES—Seeking that the Government introduce as an alternative to deposits a community education scheme aimed at improving recycling and conserving resources, bearing 13 signatures (*by Mr Delzoppo*).

LOGGING IN NATIONAL PARKS—Seeking that—(a) the Errinundra Plateau, the Rodger River—Gelantipy Plateau—Bowen Range—Yalmy River area; and the Mount Kaye areas, be declared National Parks; (b) overcutting of Victoria's native forests cease and forest harvesting be conducted on a long-term sustainable basis; and (c) all logging in National Parks cease forthwith, bearing 60 signatures (*by Mr Miller*).

“WAVECARE” GRANT—Seeking that the House make an immediate grant to “Wavecare” sufficient to continue the present services until they are funded under a Continuing Family Services Program, bearing 575 signatures (*by Mr Gray*).

Severally ordered to lie on the Table.

- 4 LEGAL AND CONSTITUTIONAL COMMITTEE—Mr Whiting, Chairman, brought up a Report from the Legal and Constitutional Committee on the Statute Law Revision Bill (No. 2); together with Minutes of Evidence.

Ordered to lie on the Table and the Report to be printed.

- 5 MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—Mr Kirkwood, Chairman, brought up the Second Report from the Mortuary Industry and Cemeteries Administration Committee on the Administration of Cemeteries in Victoria; together with Appendices.

Ordered to lie on the Table and to be printed.

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

Liquor Control Commission—Report for the year 1982–83—Ordered to be printed. (In substitution for report tabled and ordered to be printed on 6 March 1984).

Ombudsman—Report for the six months ended 31 December 1983—Ordered to be printed.

Police Regulation Act 1958—Determination No. 400 (Interim) of the Police Service Board.

- 7 FUNDRAISING APPEALS BILL—Mr Cain obtained leave, with Mr Roper, to bring in a Bill “to regulate and control the raising and application of money and other benefits from the public, to amend the ‘Hospitals and Charities Act 1958’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 THERAPEUTIC GOODS AND COSMETICS BILL—Mr Roper obtained leave, with Mr Spyker, to bring in a Bill “to make provision with respect to therapeutic goods and cosmetics to amend the ‘Health Act 1958’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 YOUTH, SPORT AND RECREATION (STATE SPORTS COUNCIL) BILL—Mr Trezise obtained leave, with Mr Wilkes, to bring in a Bill “to establish the State Sports Council, for that purpose to amend the ‘Youth, Sport and Recreation Act 1972’, and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 LOCAL GOVERNMENT (LONG SERVICE LEAVE) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill “to amend the ‘Local Government Act 1958’ with respect to long service leave and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 CONSTITUTION (DURATION OF PARLIAMENT) BILL (No. 2)—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill “to amend the ‘Constitution Act 1975’ and ‘The Constitution Act Amendment Act 1958’ with respect to the Duration of the Legislative Assembly, the Tenure of Members of the Legislative Council and the Dissolution of the Legislative Assembly and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 ADOPTION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
Motion made and question—That the debate be now adjourned (*Mr Saltmarsh*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 13 CHILDREN (GUARDIANSHIP AND CUSTODY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mrs Toner*).
Motion made and question—That the debate be now adjourned (*Mr Saltmarsh*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 4 September next.
- 14 SUBORDINATE LEGISLATION (REVOCATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 MOTOR CAR (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Water (Central Management Restructuring) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 17 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Subordinate Legislation (Revocation) Bill.
Stamps Bill.
- 18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the law relating to the jurisdiction of justices, the jurisdiction of magistrates’ courts and the procedure in magistrates’ courts in relation to certain offences, to amend the ‘Magistrates’ Courts Act 1971’, the ‘Coroners Act 1958’ and the ‘Magistrates (Summary Proceedings) Act 1975’ and for other purposes’.*”
- 19 MAGISTRATES’ COURTS (JURISDICTION) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 20 TEACHING SERVICE (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Supreme Court Act 1958’ in relation to Appeals to the Full Court and the Rules relating to Parties in Causes or Matters*”.
- 22 SUPREME COURT (AMENDMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 23 LAND TAX (LANDATA PROJECT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
- Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until the Landata Project has been referred to the Economic and Budget Review Committee for inquiry, consideration and report and the Committee has reported to Parliament accordingly” (*Mr Evans, Gippsland East*)—and, after debate—
- Question—That the words proposed to be omitted stand part of the question—put.
- The House divided.

AYES, 47

Mr Burgin	Mr Hockley	Mr Remington	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Reynolds	Mr Trezise
Mr Crabb	Mr Jolly	Mr Roper	Dr Vaughan
Mr Culpin	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Delzoppo	Mr Kirkwood	Mr Saltmarsh	Mr Wilkes
Mr Dickinson	Mr Lieberman	Mr Sheehan	Mr Williams
Mr Ebery	Mr McCutcheon	(<i>Ballarat South</i>)	Mr Wilton
Mr Ernst	Mr McKellar	Mr Shell	<i>Tellers</i>
Mr Fogarty	Mr Maclellan	Mr Sidiropoulos	Mr Leigh
Mr Fordham	Mr Micallef	Mr Simmonds	Mr Norris
Mr Gavin	Mr Miller	Mr Simpson	
Mr Harrowfield	Mr Newton	Mr Stirling	
Mr Hassett	Mr Ramsay	Mr Tanner	

NOES, 6

Mr Evans (<i>Gippsland East</i>)	Mr Hann Mr Wallace	Mr Whiting	<i>Tellers</i> Mr McNamara Mr Steggall
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And so it was resolved in the affirmative.

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 24 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Town and Country Planning Act 1961’, the ‘Crimes Act 1958’, the ‘Vagrancy Act 1966’, and the ‘Summary Offences Act 1966’ with respect to brothels and for other purposes*”.
- 25 PLANNING (BROTHELS) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Sale (Land Development) Bill without amendment.
- 27 MEDICAL PRACTITIONERS (MISCELLANEOUS AMENDMENTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 28 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Co-operation (Amendment) Bill with an amendment.
Ordered—That the said amendment be printed and taken into consideration tomorrow.
- 29 PENALTIES AND SENTENCES (YOUTH ATTENDANCE PROJECTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 30 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Town and Country Planning Act 1961’, the ‘Port Phillip Authority Act 1966’, and the ‘Planning Appeals Board Act 1980’, and for other purposes’.*”
- 31 TOWN AND COUNTRY PLANNING (AMENDMENT) BILL (No. 3)—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 32 MESSAGE FROM THE LEGISLATIVE COUNCIL—Not insisting on their amendments in the Food Bill (No. 2) with which the Assembly have disagreed.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
- 33 PENSIONER CONCESSIONS (REHABILITATION ALLOWANCE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 34 SUPERANNUATION (AMENDMENT) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith after debate.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 35 PROFESSIONAL BOXING CONTROL (SUSPENSION OF REGISTRATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
And the House having continued to sit till after Twelve of the clock—

THURSDAY, 3 MAY 1984

- 36 WATER (AMENDMENT) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 37 MAGISTRATES’ COURTS (JURISDICTION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.

- 38 MESSAGE FROM THE LEGISLATIVE COUNCIL—Not insisting on their amendments in the Equal Opportunity Bill with which the Assembly have disagreed but have made further amendments in the Bill.
Ordered—That the further amendments be printed and taken into consideration tomorrow.
- 39 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Land Tax (Landata Project) Bill without amendment.
- 40 SUPREME COURT (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 41 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 42 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at forty-nine minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 133—Thursday, 3 May 1984

- 1 Mr Speaker took the chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
PRE-1900 BIRTH INDEXES—Seeking that the Government will make available the indexes of pre-1900 births to family history societies, public libraries and other relevant organizations, bearing 5656 signatures (*by Mr Harrowfield*).
LOGGING IN NATIONAL PARKS—Seeking that—(a) the Erinundra Plateau, the Rodger River–Gelantipy Plateau–Bowen Range–Yalmy River area; and the Mount Kaye areas, be declared National Parks; (b) overcutting of Victoria's native forests cease and forest harvesting be conducted on a long-term sustainable basis; and (c) all logging in National Parks cease forthwith, bearing 60 signatures (*by Miss Callister*).
Severally ordered to lie on the Table.
- 4 SOCIAL DEVELOPMENT COMMITTEE—Mr Ernst, Chairman, brought up a Report from the Social Development Committee on Road Safety in Victoria—New Countermeasures and Research; together with an Appendix and Minutes of Evidence.
Ordered to lie on the Table and the Report and the Appendix to be printed.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Dental Technicians Licensing Committee—Report for the year 1982–83.
Motor Car Traders Committee—Report for the year 1983.

Statutory Rules under the following Acts:

- County Court Act 1958—No. 77.
- Dental Technicians Act 1972—Nos. 99 and 107.
- Health Act 1958—No. 85.
- Physiotherapists Act 1978—No. 90.
- Public Service Act 1974—PSD No. 15.
- Racing Act 1958—No. 111.
- Second-hand Dealers Act 1958—No. 92.
- Transfer of Land Act 1958—No. 94.
- Transport Act 1983—No. 101.
- Water Act 1958—No. 97.

Water and Sewerage Authorities (Restructuring) Act 1983—Reasons of the Minister of Water Supply for making a recommendation to the Governor in Council to make an Order constituting the Tambo Water Board and abolishing the Lakes Entrance Waterworks Trust, Lakes Entrance Sewerage Authority, Metung Waterworks Trust, Bruthen Waterworks Trust and Buchan Waterworks Trust.

- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*an Act to revise the Statute Law of Victoria.*"
- 7 STATUTE LAW REVIEW BILL (NO. 2)—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 8 SUSPENSION OF SESSIONAL ORDERS—Motion made by leave and question—That Sessional Orders be suspended for this day so far as to allow Government Business to take precedence over General Business and that Government business accordingly do take precedence (*Mr Fordham*)—put, after debate and agreed to.
- 9 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Pensioner Concessions (Rehabilitation Allowance) Bill without amendment.
- 10 CONSTITUTION (DURATION OF PARLIAMENT) BILL (NO 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*)—and, after debate—Motion made and question—That the debate be now adjourned (*Mr Ross-Edwards*)—put after debate, and agreed to.
Ordered—That the debate be adjourned until later this day.
- 11 DAIRY INDUSTRY BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 12 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 - Medical Practitioners (Miscellaneous Amendments) Bill.
 - Water (Amendment) Bill (No. 2).
 - Professional Boxing Control (Suspension of Registration) Bill
- 13 THERAPEUTIC GOODS AND COSMETICS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 4 September next.

- 14 ZOOLOGICAL PARKS AND GARDENS (LIQUOR LICENCE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 15 NATIONAL PARKS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until the proposed restructuring of the Department of Conservation, Forests and Lands has been completed and suitable management procedures for all public land in Victoria have been drawn up” (*Mr McGrath*)—and after debate—

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

The House divided.

AYES, 61

Mr Austin	Mr Hasset	Mr Miller	Mr Shell
Mr Brown	Mrs Hill	Mr Newton	Mr Sidiropoulos
Mr Burgin	Mr Hill	Mr Norris	Mr Simpson
Miss Callister	Mr Hockley	Mr Pope	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Ramsay	Mr Stirling
Dr Coghill	Mr Jolly	Mrs Ray	Mr Tanner
Mr Crabb	Mr Jona	Mr Remington	Mr Templeton
Mr Culpin	Mr Kennedy	Mr Reynolds	Mrs Toner
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Trezise
Mr Dickinson	Mr Kirkwood	Mr Roper	Dr Vaughan
Mr Ebery	Mr Leigh	Mr Rowc	Mr Walsh
Mr Ernst	Mr Lieberman	Mr Scitz	Mr Williams
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gavin	Mr McKellar	Mr Sheehan	Mr Harrowfield
Mr Gray	Mr Maclellan	(<i>Ballarat South</i>)	Mr Micallef

NOES, 9

Mr Evans	Mr Jasper	Mr Ross-Edwards	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McGrath	Mr Whiting	Mr Steggall
Mr Hann	Mr McNamara		Mr Wallace

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read the third time forthwith.

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

- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Teaching Service (Amendment) Bill without amendment.
- 17 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Credit Bill with amendments.
- Ordered—That the said amendments be printed and taken into consideration later this day.
- 18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Credit (Administration) Bill with amendments.
- Ordered—That the said amendments be printed and taken into consideration later this day.
- 19 DRAINAGE OF LAND (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly has agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

20 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Transport (Traffic Infringement Notices) Bill without amendment.

21 POSTPONEMENT OF ORDERS OF THE DAY—Ordered —That the consideration of Orders of the Day, Government Business, Nos. 7 to 9 inclusive, be postponed until later this day.

22 EQUAL OPPORTUNITY BILL—Order read for the consideration of the further amendments made by the Legislative Council.

And the said amendments were read a second time.

Motion made and question—That the amendments be agreed to (*Mr Cain*)—after debate, put.

The House divided.

AYES, 56

Mr Austin	Mr Hassett	Mr Ramsay	Mr Simpson
Mr Brown	Mrs Hill	Mrs Ray	Mr Spyker
Mr Burgin	Mr Hill	Mr Reynolds	Mr Stirling
Miss Callister	Mr Hockley	Mr Richardson	Mr Tanner
Mr Cathie	Mr Ihlein	Mr Roper	Mr Templeton
Dr Coghill	Mr Kennedy	Mr Rowe	Mrs Toner
Mr Crabb	Mr Kirkwood	Mr Saltmarsh	Mr Trezise
Mr Culpin	Mr Leigh	Mrs Setches	Dr Vaughan
Mr Delzoppo	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Ebery	Mr McKellar	(<i>Ivanhoe</i>)	Mr Williams
Mr Ernst	Mr Micallef	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr Miller	(<i>Ballarat South</i>)	
Mr Fordham	Mr Newton	Mr Sibree	<i>Tellers</i>
Mr Gray	Mr Norris	Mr Sidiropoulos	Mr McCutcheon
Mr Harrowfield	Mr Pope	Mr Simmonds	Mr Seitz

NOES, 7

Mr Evans	Mr Hann	Mr Ross-Edwards	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Jasper	Mr Whiting	Mr Steggall
			Mr Wallace

And so it was resolved in the affirmative—Amendments agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.

23 CREDIT BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

24 CREDIT (ADMINISTRATION) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

25 CO-OPERATION (AMENDMENT) BILL—Order read for the consideration of the amendment made by the Legislative Council.

And the said amendment was read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.

- 26 **WATER (CENTRAL MANAGEMENT RESTRUCTURING) BILL**—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 27 **PUBLIC LANDS AND WORKS (AMENDMENT) BILL (No. 2)**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 28 **EXTRACTIVE INDUSTRIES (RENEWAL OF LEASES AND LICENCES) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 29 **STATUS OF CHILDREN (AMENDMENT) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 30 **PAPERS**—The following Papers, pursuant to the directions of an Act of Parliament, were laid upon the Table by the Clerk:
Statutory Rules under the following Acts:
Building Control Act 1981—No. 98.
Dentists Act 1972—Nos. 89, 91.
Education Act 1958—No. 110.
Hospitals and Charities Act 1958—No. 88.
Hospitals Superannuation Act 1965—No. 93.
Magistrates' Court Act 1971—No. 105.
Police Regulation Act 1958—No. 103.
Post-Secondary Education Act 1978—No. 112.
Regulations Governing the Expenditure of Commissions and Boards of Inquiry (Amendment No. 1) 1984—No. 104.
Transport Act 1983—No. 109.
- 31 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Agreeing to the Superannuation (Amendment) Bill (No. 2) with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 32 **GROUNDWATER (RESERVES) BILL**—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 33 **POSTPONEMENT OF ORDER OF THE DAY**—Ordered—That the consideration of Order of the Day, Government Business No. 17 be postponed until later this day.

- 34 WRONGS (ANIMALS STRAYING ON HIGHWAYS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

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

- 35 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 214)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Dairy Industry Bill.

- 36 SUPERANNUATION (AMENDMENT) BILL (NO. 2)—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 37 ENVIRONMENT PROTECTION (REVIEW) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.

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

- 38 MESSAGES FROM THE LEGISLATIVE COUNCIL—

Agreeing to the following Bills without amendment:

Motor Car (Amendment) Bill.

Pathology Services Accreditation Bill.

Agreeing to the amendments made by the Assembly in the Drainage of Land (Amendment) Bill.

- 39 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the Building Control Act 1981*".

- 40 BUILDING CONTROL (AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 41 PLANNING (BROTHELS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*)—and, after debate.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Debate resumed on question—That this Bill be now read a second time.

Question—put.

The House divided.

AYES, 56

Mr Austin	Mr Harrowfield	Mr Micallef	Mr Spyker
Mr Brown	Mr Hassett	Mr Miller	Mr Stirling
Mr Burgin	Mrs Hill	Mr Newton	Mr Tanner
Mr Cain	Mr Hill	Mr Pope	Mr Templeton
Miss Callister	Mr Hockley	Mrs Ray	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Remington	Mr Trezise
Dr Coghill	Mr Jona	Mr Reynolds	Dr Vaughan
Mr Culpin	Mr Kennedy	Mr Richardson	Mr Walsh
Mr Delzoppo	Mr Kennett	Mr Roper	Mr Wilkes
Mr Ebery	Mr Kirkwood	Mr Rowe	Mr Williams
Mr Ernst	Mr Leigh	Mr Shechan	
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Fordham	Mr McDonald	Mrs Sibree	Mr Scitz
Mr Gavin	Mr McKellar	Mr Sidiropoulos	Mr Shechan
Mr Gray	Mr Maclellan	Mr Simpson	(<i>Ballarat South</i>)

NOES, 7

Mr Evans
(Gippsland East)Mr Hann
Mr Ross-EdwardsMr Steggall
Mr Wallace*Tellers*
Mr McGrath
Mr McNamara

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time, after debate.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly has agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

- 42 BUILDING CONTROL (AMENDMENT) BILL—Read a second time, after debate, and, by leave, read the third time forthwith.

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

- 43 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Penalty and Sentences (Youth Attendance Projects) Bill without amendment.

- 44 TOWN AND COUNTRY PLANNING (AMENDMENT) BILL (No. 3)—Read a second time, after debate, and, by leave, read the third time forthwith.

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

- 45 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 19 and 20, be postponed until later this day.

- 46 INTERPRETATION OF LEGISLATION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

And the House having continued to sit till after Twelve of the clock—

FRIDAY, 4 MAY 1984

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with amendments; as amended, considered and amendments agreed to; read the third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly has agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

- 47 CONSTITUTION (DURATION OF PARLIAMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with amendments; as amended, considered and amendments agreed to; read the third time, after debate, with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 48 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the amendments made by the Assembly in the Planning (Brothels) Bill.

- 49 CRIMES (CRIMINAL INVESTIGATIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

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

- 50 EVIDENCE (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 51 CRIMES (GENERAL AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 52 CRIMES (CONSPIRACY AND INCITEMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 53 MESSAGES FROM THE LEGISLATIVE COUNCIL—

Agreeing to the Supply (1984–85, No. 1) Bill without amendment.

Agreeing to the amendments made by the Assembly in the Interpretation of Legislation Bill.

- 54 JUDGMENT DEBT RECOVERY BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 55 SUPREME COURT (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 56 MAGISTRATES' COURTS (JURISDICTION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

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

- 57 MONASH UNIVERSITY (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).

Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 4 September next.

- 58 DEAKIN UNIVERSITY (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).

- Motion made and question—That the debate be now adjourned (*Mr Jona*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 59 STATE BANK (AMENDMENT) BILL (No. 3)—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 60 PIPELINES (PERMITS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 61 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 215 and 216)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- State Bank (Amendment) Bill (No. 3).
- Pipelines (Permits) Bill.
- 62 ETHNIC AFFAIRS COMMISSION (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Spyker*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 63 FUNDRAISING APPEALS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 64 YOUTH, SPORT AND RECREATION (STATE SPORTS COUNCIL) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Trezise*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 65 LOCAL GOVERNMENT (LONG SERVICE LEAVE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
- Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 4 September next.
- 66 STATUTE LAW REVISION BILL (NO. 2)—Read a second time, after debate, and, by leave, read the third time forthwith.
- Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 67 POSTPONEMENT OF BUSINESS—Ordered—That the consideration of the remaining Orders of the Day, Government Business and Notices of Motion, General Business, Nos. 1 to 3 inclusive be postponed until after Notice of Motion, General Business, No. 4.

68 COUNTRY FIRE AUTHORITY (VOLUNTEER AUXILIARY WORKERS) BILL—Mr Ebery obtained leave, with Mr Maclellan, to bring in a Bill “to amend the ‘Country Fire Authority Act 1958’ to make provision for compensation for registered volunteer auxiliary workers”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time forthwith.

Motion made and question proposed—That this Bill be now read a second time (*Mr Ebery*).

Mr Speaker said—“*I have examined this Bill which is sponsored by the honourable member for Midlands and the honourable member for Berwick and in my opinion it should not proceed further until a recommendation from His Excellency is obtained and an appropriation of revenue is given. Provisions contained in the Bill, by their nature, extend the category of persons eligible to receive compensation in certain circumstances, the cost of which is borne from the Consolidated Fund and therefore it first requires a message from His Excellency the Governor.*”

69 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified to each member of the House by telegram or letter (*Mr Fordham*)—put, after debate, and agreed to.

70 POSTPONEMENT OF REMAINING BUSINESS—Ordered—That the consideration of remaining business be postponed.

71 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at fifty-five minutes past Three o'clock in the morning, adjourned until a day and hour to be fixed by Mr Speaker and notified to each Member of the House by telegram or letter, as determined by resolution of the House at this sitting.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 134, 135, 136 and 137

No. 134—Tuesday, 4 September 1984

- 1 The House met pursuant to the terms of the resolution of 3 May last, Mr Speaker having fixed this day at half-past One o'clock as the time of meeting—Mr Speaker took the Chair and read the Prayer.
- 2 SEAT OF MORWELL—VACANCY—Mr Speaker informed the House that it had been made to appear to him that the seat of the Honourable Member for Morwell had become vacant pursuant to section 55 (d) of the *Constitution Act 1975* by virtue of her having accepted appointment as a member of the Environment Council an office or place of profit under the Crown. In accordance with sub-section (2) of section 61A, he advised that he had deferred the issue of a writ for election of a Member in the place of the Honourable Member for Morwell pending the determination of the matter by the House.

Motion made, by leave, and question—That this House is of the opinion that the acceptance of appointment as a Member of the Environment Council by the Member for Morwell on 2 July 1984—(a) has ceased to have effect; (b) was in all the circumstances of a trifling nature; and (c) was accidental or due to inadvertence—and, under and in accordance with section 61A of the *Constitution Act 1975*, directs that the said appointment be deemed never to have occurred (Mr Fordham).

Amendment proposed—That the following words be added to the motion: “but the House—(i) places on record its deep concern at the circumstances of the appointment in flagrant breach of the Government’s own undertakings and of the long established practice of the Parliament and of the intention and requirements of the *Constitution Act 1975*; (ii) re-affirms the fundamental principle that no member of the Parliament should hold a statutory office unless the relevant Act specifically so provides; and (iii) specifically declares that Ms Valerie Callister ought never to have been appointed to the above-mentioned office and should not be re-appointed thereto” (Mr Maclellan)—and, after debate—

Question—That the words proposed to be added be so added—put.

The House divided.

AYES, 30

Mr Austin	Mr Hann	Mr Ramsay	Mr Wallace
Mr Brown	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Dickinson	Mr Kempton	Mr Ross-Edwards	
Mr Ebery	Mr Kennett	Mr Saltmarsh	
Mr Evans	Mr Leigh	Mrs Sibree	
(Ballarat North)	Mr Lieberman	Mr Steggall	Tellers
Mr Evans	Mr McGrath	Mr Tanner	Mr Delzoppo
(Gippsland East)	Mr Maclellan	Mr Templeton	Mr McNamara

NOES. 47

Mr Cain	Mr Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Hockley	Mr Remington	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Roper	Mrs Toner
Mr Crabb	Mr Jolly	Mr Rowe	Mr Trezise
Mr Culpin	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Gavin	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gray	Mr Micallef	Mr Shell	
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	<i>Tellers</i>
Mr Hassett	Mr Newton	Mr Simmonds	Mr Norris
Mrs Hill	Mr Pope	Mr Simpson	Mr Seitz

And so it passed in the negative.

Original question—put and agreed to.

3 DEATHS OF THE HONOURABLE JOHN JAMES SHEEHAN AND ERNEST EDWARD BOND, ESQUIRE—

Motion made and question—

1 That this House expresses its sincere sorrow at the death of the Honourable John James Sheehan, and places on record its acknowledgment 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 Ballarat from 1952 to 1955 and as Minister in Charge of Housing in 1955.

2 That this House expresses its sincere sorrow at the death of Ernest Edward Bond, Esquire, and places on record its acknowledgment 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 Glenelg from 1924 to 1927 and the Electoral District of Port Fairy and Glenelg from 1927 to 1943

—(*Mr Cain*)—put, after Mr Speaker and other Honourable Members had addressed the House in support of the motions and, Honourable Members rising in their places to signify their assent, agreed to unanimously.

4 ADJOURNMENT—Motion made and question—That, as a further mark of respect to the memories of the late Honourable John James Sheehan and the late Ernest Edward Bond, Esquire, the House do now adjourn until Eight o'clock this day (*Mr Cain*)—put and agreed to.

And then the House, at nineteen minutes past Five o'clock, adjourned until Eight o'clock this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 135—Tuesday, 4 September 1984

(EIGHT O'CLOCK)

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

PRINCE HENRY'S HOSPITAL—Seeking that the health care needs of South Melbourne residents who will be disadvantaged as a result of the proposed relocation of Prince Henry's Hospital, be addressed extensively by the hospital through its

board of management and by the State Government, bearing 1371 signatures (*by Mr Walsh*).

AID TO DECENTRALIZED INDUSTRIES—Seeking that the Government reconsider its proposal to abandon aid to decentralized industries, bearing 509 signatures (*by Mr McNamara*).

DANGEROUS PRISONERS AT BEECHWORTH PRISON—Seeking that the present classification system be reviewed immediately to ensure that in future no known violent or dangerous prisoners be sent to the Beechworth Prison, bearing 815 signatures (*by Mr Lieberman*).

GAOLING OF FRANK PENHALLURIACK—Seeking that Mr Frank Penhalluriack of the Handyman Supermart of 343 Hawthorn Road, South Caulfield not be gaoled for a period of 84 days for alleged breaches of the Labour and Industry Act, that charges be dropped and that the draconian and discriminatory sections of the Act be revoked, bearing 1136 signatures (*by Mr Tanner*).

WEEKEND TRADING HOURS—Seeking that the Government not take any action that would in any way curtail or restrict the rights of supermarkets to open when they wish on Saturday afternoons and on Sundays, bearing 159 signatures (*by Mr Gavin*).

RECYCLING AND CONSERVING RESOURCES—Seeking that the Government introduce as an alternative to deposits a community education scheme aimed at improving recycling and conserving resources, bearing 345, 14, 2308, 16 and 17 signatures, respectively (*by Mr Rowe, Mr Evans (Gippsland East), Dr Vaughan, Mr McCutcheon and Mr Dickinson*).

LIQUOR CONTROL ACT—Seeking that the House not proceed with the proposed amendments to the Liquor Control Act, bearing 114 signatures (*by Mr Templeton*).

KANGAROO FLAT POLICE STATION—Seeking that the Government re-open the Kangaroo Flat Police Station and provide adequate police personnel at the station on a full or part-time basis for general policing duties, bearing 3554 signatures (*by Mr Ebery*).

REFUSAL OF MEDICAL TREATMENT LEGISLATION—Seeking that the Government reject the Refusal of Medical Treatment Bill and all other legislation designed to introduce euthanasia in any form, bearing 753 signatures (*by Mr Whiting*).

BROTHELS—Seeking that legislation be altered to enable Local Councils to refuse, on purely moral grounds, the right of anyone to establish a brothel in their area, bearing 83 signatures (*by Mr Burgin*).

GRANT TO "COTTAGE BY THE SEA"—Seeking that the Government restore the grant to the "Cottage by the Sea" and if possible, increase the amount, bearing 784 signatures (*by Mr Dickinson*).

WEST GATE BRIDGE TOLL—Seeking that the West Gate Bridge toll be discontinued and that the bridge be financed by the same means as all other road systems, bearing 457 signatures (*by Mr Stirling*).

Severally ordered to lie on the Table.

- 4 **ADVISORY COUNCIL FOR INTER-GOVERNMENT RELATIONS REPORT**—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the Advisory Council for Inter-Government Relations for the year ended 31 August 1983 (*Mr Cain*)—put and agreed to.

- 5 **PAPER**—Mr Cain presented:

Advisory Council for Inter-Government Relations—Report for year ended 31 August 1983—Return to the foregoing Order.

Ordered to lie on the Table.

- 6 ADMINISTRATIVE ARRANGEMENTS ORDERS—Motion made, by leave, and question—That there be presented to this House a copy of the Orders in Council made pursuant to the *Administrative Arrangements Act* 1983 relating to the transfer of the administration of—(a) certain functions from the Minister for Local Government to the Minister of Consumer Affairs; (b) certain Appropriations from the Department of Labour and Industry to the Ministry of Industrial Affairs; (c) occupational health and safety functions to the Minister for Employment and Training; and (d) certain funds to the Ministry of Employment and Training (*Mr Cain*)—put and agreed to.
- 7 PAPERS—Mr Cain presented:
Administrative Arrangements Act 1983—Orders in Council relating to the transfer of the administration of certain appropriations, funds and functions—Return to the foregoing Order (four papers).
 Severally ordered to lie on the Table.
- 8 SOCIAL DEVELOPMENT COMMITTEE—Mr Ernst, Chairman, brought up the Final Report from the Social Development Committee on Complaints Procedures Against Health Services; together with Appendices.
 Ordered to lie on the Table and the Report and Appendices to be printed.
9. PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Albury-Wodonga (Victoria) Corporation—Report for the year 1982–83.
 Chiropractors Registration Board—Report and Statement of Accounts for the year 1983.
 Co-operative Societies—Report of the Registrar for the year 1981–82—Ordered to be printed.
 Dental Technicians Act 1972—Advanced Dental Technicians Qualifications Board—Report for the year 1982–83.
 Dried Fruits Act 1958—Report and Statement of Accounts of the Victorian Dried Fruits Board for the year 1983.
 Estate Agents Board—Report for the year 1982–83.
 Film Victoria—Report for the year 1982–83.
 Hairdressers Registration Board—Report for the year 1983.
 Industrial Relations Commission—Report of the President for the year ended 31 October 1983.
 Labour and Industry Department—Report for the year 1983—Ordered to be printed.
 Land Act 1958—Resumption of Land within the Parish of Moranghurk for the purposes of a Prison and Staff Training College—Certificate of the Minister for Community Welfare Services.
 Library Council, National Museum and Science Museum Building Trustees—Report for the year 1982–83.
 Marketing of Primary Products Act 1958—
 Proclamation declaring that oranges, mandarins and grapefruit shall become the property of The Citrus Fruit Marketing Board on, from and after 15 May 1984.
 Proclamation declaring that tobacco leaf shall become the property of The Tobacco Leaf Marketing Board on, from and after 13 May 1984.
 Medical Board of Victoria—Report for the year 1982–83.
 Monash University—Report of the Council for the year 1982; together with Statutes approved by the Governor in Council during the year 1982.
 Parliamentary Officers Act 1975—
 Statement of Appointments and Alterations of Classifications—
 Department of the Legislative Assembly.
 Department of the Legislative Council.

Department of the Parliament Library.
 Department of the Reporting Staff of the Victorian Parliamentary Debates.
 Statement of Persons Temporarily Employed—

Department of the Legislative Assembly.
 Department of the Legislative Council.
 Department of the Parliament Library.
 Department of the Reporting Staff of the Victorian Parliamentary Debates.
 Physiotherapists Registration Board—Report for the year 1983.
 Police Regulation Act 1958—Determination Nos. 397, 398, 399, 401, 402, 403, 404, 405, 406 of the Police Service Board (Six papers).
 Port of Geelong Authority—Statement of Accounts for the year 1983.
 Port of Melbourne Authority—Statement of Accounts for the year 1982–83.
 Port of Portland Authority—Statement of Accounts for the year 1982–83.
 Psychological Practices Act 1965—Report and Statement of Accounts of the Victorian Psychological Council for the year 1983.
 Statutory Rules under the following Acts:

Alpine Resorts Act 1983—Nos. 108, 204.
 Architects Act 1958—No. 124.
 Boilers and Pressure Vessels Act 1970—Nos. 165, 166.
 Building Control Act 1981—Nos. 273/1983 (in lieu of Statutory Rule tabled on 10 November 1983) 200/1984.
 Business Franchise (Tobacco) Act 1974—No. 243.
 Cattle Compensation Act 1967—No. 158.
 Chiropodists Act 1968—No. 239.
 Chiropractors and Osteopaths Act 1978—No. 244.
 Coal Mines Act 1958—No. 290.
 Community Welfare Services Act 1970—Nos. 87, 220.
 Companies (Administration) Act 1981—No. 133.
 Companies (Application of Laws) Act 1981—No. 129.
 Construction Industry Long Service Leave Act 1983—No. 167.
 Co-operation Act 1981—No. 297.
 Co-operative Housing Societies Act 1958—No. 123.
 Country Fire Authority Act 1958—Nos. 179, 219.
 County Court Act 1958—No. 293.
 Court Security Act 1980—No. 218.
 Criminal Injuries Compensation Act 1983—No. 74.
 Dental Technicians Act 1972—Nos. 237, 241.
 Dentists Act 1972—No. 240.
 Discharged Servicemen's Preference Act 1943—Nos. 134, 274.
 Dried Fruits Act 1958—No. 304.
 Drugs, Poisons and Controlled Substances Act 1981—Nos. 246, 257, 277.
 Egg Industry Stabilization Act 1983—Nos. 145, 222.
 Electric Light and Power Act 1958 and State Electricity Commission Act 1958—No. 261.
 Environment Protection Act 1970—Nos. 169, 172.
 Evidence Act 1958—No. 226.
 Extractive Industries Act 1966—Nos. 410/1983 (in lieu of Statutory Rule tabled on 28 February 1984). 135/1984.
 Farm Produce Merchants and Commission Agents Act 1965—No. 305.
 Films Act 1971—No. 118.
 Fisheries Act 1968—Nos. 82, 96, 157, 203, 224, 294.
 Forests Act 1958—Nos. 100, 102, 161, 173, 205, 206.
 Freedom of Information Act 1982—No. 232.
 Groundwater Act 1969—Nos. 136, 278.

- Health Act 1958—Nos. 117, 154, 191, 236, 242, 245, 263, 264, 265, 266, 267, 268, 269, 270, 271, 275, 279, 280, 281, 282, 283, 284, 286, 287, 289, 296.
- Hospitals and Charities Act 1958—Nos. 119, 258.
- Housing Act 1983—Nos. 170, 259.
- Industrial Relations Act 1979—Nos. 137, 273.
- Industrial Training Act 1975—Nos. 146, 216, 229.
- Labour and Industry Act 1958—No. 155.
- Land Act 1958—No. 223.
- Latrobe Regional Commission Act 1983—No. 113.
- Law Reform Act 1973—No. 138.
- Library Council of Victoria Act 1965—No. 221.
- Lifts and Cranes Act 1967—No. 163.
- Lotteries, Gaming and Betting Act 1966—No. 152.
- Magistrates' Courts Act 1971—Nos. 177, 213, 227, 228, 233.
- Marketing of Primary Products Act 1958—No. 156.
- Medical Practitioners Act 1970—No. 238.
- Melbourne and Metropolitan Board of Works Act 1958—Nos. 153, 180, 208.
- Metropolitan Fire Brigades Act 1958—No. 288.
- Milk and Dairy Supervision Act 1958—No. 306.
- Milk Pasteurization Act 1958—No. 307.
- Mines Act 1958—Nos. 139, 231 (together with AS 1768—1983, Lightning Protection; AS 2187, Part 2—1983, SAA Explosives Code Part 2—Use of Explosives; and AS 2188—1979, Magazines for the Storage of Explosives; (three papers)).
- Motor Boating Act 1961—Nos. 58, 171.
- Mt. Hotham Alpine Resort Act 1972—No. 120.
- Museums Act 1983—No. 207.
- National Parks Act 1975—No. 183.
- Optometrists Registration Act 1958—Nos. 121, 122, 235.
- Parliamentary Salaries and Superannuation Act 1968—No. 215.
- Parole Orders (Transfer) Act 1983—No. 234.
- Pharmacists Act 1974—No. 285.
- Post-Secondary Education Act 1978—Nos. 70, 128, 174, 175, 201, 202, 303.
- Prisoners (Interstate Transfer) Act 1983—No. 230.
- Protection of Animals Act 1966—No. 125.
- Public Authorities Marks Act 1958—No. 181.
- Public Authorities Marks Act 1958 and State Electricity Commission Act 1958—No. 255.
- Public Service Act 1974—Nos. 83, 106, 131, 132, 168, 212, 276; PSD 16, 18, 19, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 37, 38, 39, 41.
- Racing Act 1958—Nos. 84, 141, 142, 143, 144, 147, 148, 149, 150, 214, 248, 308.
- Reference Areas Act 1978—No. 178.
- Scaffolding Act 1971—No. 164.
- Second-hand Dealers Act 1958—No. 116.
- Securities Industry (Application of Laws) Act 1981—No. 130.
- Stamps Act 1958—No. 55.
- State Electricity Commission Act 1958—Nos. 256, 260.
- Supreme Court Act 1958—Nos. 127, 176, 249, 250, 251, 252.
- Supreme Court Act 1958 and Administration and Probate Act 1958—No. 126.
- Survey Co-ordination Act 1958—No. 162.
- Teaching Service Act 1981—Nos. 253, 254.
- Transfer of Land Act 1958—No. 95.
- Transport Act 1983—Nos. 115, 182, 185, 186, 187, 188, 189, 190, 193, 194, 195, 196, 197, 198, 199, 247, 302.
- Valuation of Land Act 1960—Nos. 86, 140.

- Venereal Diseases Act 1958—No. 291.
 Vermin and Noxious Weeds Act 1958—No. 272.
 Veterinary Surgeons Act 1958—No. 114.
 Victorian Public Authorities Finance Act 1984—No. 192.
 Water Act 1958—Nos. 209, 210, 211.
 Weights and Measures Act 1958—No. 160.
 Wildlife Act 1975—Nos. 159, 225.
 Workers Compensation Act 1958—No. 217.
 Youth, Sport and Recreation Act 1972—No. 151.
 Zoological Parks and Gardens Act 1967—No. 184.
- Taxation—Analysis of Operations—
- Gift Duty for the year 1982–83.
 Land Tax for the Assessment year 1982.
 Probate Duty for the year 1982–83.
- Town and Country Planning Act 1961—
- Alexandra—Shire of Alexandra Planning Scheme, Amendment No. 18.
 Bairnsdale—Town of Bairnsdale Planning Scheme, Amendment No. 44.
 Ballarat—City of Ballarat Planning Scheme, Amendment No. 75.
 Shire of Ballarat Planning Scheme, Amendment No. 15.
 Bass—Shire of Bass Planning Scheme, Amendment No. 13.
 Benalla—Shire of Benalla Planning Scheme 1953, Amendment Nos. 15, 21, 23, 36 (four papers).
 Bendigo—City of Bendigo Planning Scheme 1962, Amendment No. 36.
 Berwick—City of Berwick Local Development Scheme Ordinance, Amendment Nos. 2, 3 (three papers).
 Bungaree—Shire of Bungaree Planning Scheme, Amendment No. 13 (1983).
 Buninyong—Shire of Buninyong Planning Scheme, Amendment No. 23.
 Camberwell—City of Camberwell Planning Scheme, Amendment Nos. 52, 57 (two papers).
 Cobram—Shire of Cobram Planning Scheme 1979, Amendment No. 6.
 Cranbourne—Shire of Cranbourne (Western Port) Planning Scheme, Amendment Nos. 23 (1983), 24 (1983), 25 (1983), 27 (1983), 29 (five papers).
 Croydon—City of Croydon Planning Scheme 1961, Amendment Nos. 119, 125, 134 (three papers).
 Echuca—City of Echuca Planning Scheme, Amendment Nos. 57 (1983), 58 (1983), 60 (1983), 61 (1983), 62 (1983), 63 (1983) (six papers).
 Flinders—Shire of Flinders Planning Scheme 1962, Amendment Nos. 156, 166 (1983), 170 (1983), 178 (four papers).
 Frankston—City of Frankston Planning Scheme, Amendment No. 35.
 Geelong Regional Planning Scheme, Amendment Nos. 67 (Part 2) (1983), 70 (1983), 72 (Part 2) (1983), (Part 3A), (Part 3B), 74 (Part B), 75 (1983), 76 (Part 1) (1983), (Part 2) (1984), 77 (1983), 82, 84, 85 (1983), 86 (Part 1), 87 (1983), 88 (1983), 90 (Part 1), 91 (1983), 92, 95, 98 (twenty-one papers).
 Grenville—Shire of Grenville Planning Scheme, Amendment No. 10.
 Hamilton—City of Hamilton Planning Scheme, Amendment No. 17.
 Horsham—City of Horsham Planning Scheme 1973, Amendment Nos. 74 (1982), 76 (1983), 80 (1983) (three papers).
 Kilmore—Shire of Kilmore Planning Scheme 1973, Amendment No. 55 (1983).
 Knox—City of Knox Planning Scheme 1965, Amendment Nos. 252 (Part A), 266 (two papers).
 Kyabram—Town of Kyabram Planning Scheme 1963, Amendment No. 27 (1983).
 Lake Bellfield Planning Scheme (Shire of Stawell), Amendment No. 14.
 Lake Tyers to Cape Howe Coastal Planning Scheme, Amendment No. 9.

Lillydale—Shire of Lillydale Planning Scheme 1958, Amendment Nos. 125 (Part 1) (1980), (Part 2) (1980), 152 (1982), 166, 166A, 168, 169, 176, 177 (nine papers).

Lorne Planning Scheme, Amendment No. 10.

Maffra—Shire of Maffra (Heyfield Township) Planning Scheme, Amendment Nos. 11 (1982), 14; Shire of Maffra (Maffra Township) Planning Scheme 1965, Amendment No. 23 (1983) (three papers).

Maldon—Shire of Maldon Planning Scheme, Amendment No. 1.

Melbourne Metropolitan Planning Scheme, Amendment Nos. 143 (Part 3B), 150 (Part 3), (Part 6), 172 (Part 2c), 224, 227 (Part 2A), (Part 2B), 231 (Part 2A), 234 (Part 1), (Part 2), 235 (Part 1), (Part 2), 237 (Part 1), 245, 260, 270, 273 (Part 1), 288, 292, 293, 294, 295, 299, 300, 301, 303 (twenty-six papers).

Mildura—City of Mildura Planning Scheme, Amendment No. 60 (1983).

Moe—City of Moe Planning Scheme 1966, Amendment No. 60 (1981).

Mornington—Shire of Mornington Planning Scheme 1959, Amendment Nos. 159, 161 (1983), 165 (1983), 167 (four papers).

Newham and Woodend—Shire of Newham and Woodend Planning Scheme, Amendment No. 20.

Pakenham—Shire of Pakenham Planning Scheme, Part 1, Amendment Nos. 20, Part 2, (two papers).

Phillip Island Planning Scheme, Amendment Nos. 16, 19 (Part 1) (two papers).

Portland—Town of Portland Planning Scheme, Amendment No. 49.

Sebastopol—Borough of Sebastopol Planning Scheme, Amendment Nos. 29, 30 (two papers).

Seymour Planning Scheme, Amendment Nos. 56, 80, 81, 83, 85 (five papers).

Shepparton—City of Shepparton Planning Scheme 1953, Amendment Nos. 70 (1982), 74 (1983), 81 (three papers).

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas), Amendment Nos. 2 (1982), 10 (1983), 19, 20A (1982), 21; (Rural Areas) Amendment Nos. 15 (1983), 16 (seven papers).

Swan Hill—City of Swan Hill Planning Scheme 1981, Amendment No. 3.

Tallangatta Planning Scheme 1956, Amendment No. 7.

Traralgon—City of Traralgon Planning Scheme 1957, Amendment Nos. 43 (1983), 45 (two papers).

Warragul Planning Scheme 1954, Amendment No. 49 (1983).

Warrnambool—City of Warrnambool Planning Scheme, Amendment Nos. 6 (Part 1), (Part 2) (two papers).

Woorayl—Shire of Woorayl Planning Scheme, Amendment Nos. 62 (Part B), 65 (two papers).

Trade Unions—Report of the Registrar of Friendly Societies on Trade Unions for the year 1982–83.

Transport Act 1983—

Reports of the Victorian Railways Board, Melbourne and Metropolitan Tramways Board, Country Roads Board, Transport Regulation Board, Road Safety and Traffic Authority, Railway Construction and Property Board, and Melbourne Underground Rail Loop Authority for the year 1982–83—Ordered to be printed.

Orders for Transfer of Assets and Lands from the State Transport Authority to the Metropolitan Transit Authority (two papers).

Youth Parole Board—Report for the year 1982–83—Ordered to be printed.

10 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 217)—ASSENT TO BILLS—Informing the Assembly that he had, on 8 May last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Water and Sewerage Authorities (Further Restructuring) Bill

Grain Handling Improvement Authorities (Abolition) Bill

Sale (Land Development) Bill
 Exhibition (Borrowing Power) Bill
 Market Court (Amendment) Bill
 Professional Boxing Control (Suspension of Registration) Bill
 Public Lands and Works (Amendment) Bill (No. 2)
 Subordinate Legislation (Revocation) Bill
 Zoological Parks and Gardens (Liquor Licence) Bill
 Extractive Industries (Renewal of Leases and Licences) Bill
 Land Tax (Landata Project) Bill
 Lands (Miscellaneous Matters) Bill
 Water (Amendment) Bill (No. 2)

- 11 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 218)—ASSENT TO BILLS—
 Informing the Assembly that he had, on 15 May last, given the Royal Assent to the
 following Bills, presented to him by the Clerk of the Parliaments:

Co-operation (Amendment) Bill
 Superannuation (Amendment) Bill (No. 2)
 Judgment Debt Recovery Bill
 Drainage of Land (Amendment) Bill
 Teaching Service (Amendment) Bill
 Groundwater (Reserves) Bill
 Stamps Bill
 Victorian Public Authorities Finance Bill
 Status of Children (Amendment) Bill
 Pensioner Concessions (Rehabilitation Allowance) Bill
 Prahran Mechanics' Institute Bill
 Medical Practitioners (Miscellaneous Amendments) Bill
 National Parks (Amendment) Bill
 Evidence (Amendment) Bill
 Supreme Court (Amendment) Bill
 Crimes (Criminal Investigations) Bill
 Magistrates' Courts (Jurisdiction) Bill
 Wrongs (Animals Straying on Highways) Bill
 Crimes (Conspiracy and Incitement) Bill
 Penalties and Sentences (Youth Attendance Projects) Bill
 Water (Central Management Restructuring) Bill
 Food Bill (No. 2)

- 12 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 219)—ASSENT TO BILLS—
 Informing the Assembly that he had, on 22 May last, given the Royal Assent to the
 following Bills, presented to him by the Clerk of the Parliaments:

Pathology Services Accreditation Bill
 Crimes (General Amendment) Bill
 Transport (Traffic Infringement Notices) Bill
 Motor Car (Amendment) Bill
 Statute Law Revision Bill (No. 2)
 Supply (1984–85, No. 1) Bill
 State Insurance Office Bill
 Building Control (Amendment) Bill
 Credit (Administration) Bill
 Environment Protection (Review) Bill
 Town and Country Planning (Amendment) Bill (No. 3)
 Planning (Brothels) Bill
 Equal Opportunity Bill
 Interpretation of Legislation Bill
 Credit Bill

- 13 LIQUOR CONTROL (BOOTH LICENCES) BILL (No. 2)—Mr Cathie, by leave, obtained leave, with Mr Fordham, to bring in a Bill "to amend the 'Liquor Control Act 1968' with respect to Booth Licences, and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 14 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AS DEPUTY FOR THE GOVERNOR (NO. 220)—Mr Speaker announced the presentation of a Message from His Excellency the Lieutenant-Governor as Deputy for the Governor recommending an appropriation for the purposes of the Alcoa (Portland Aluminium Smelter) (Amendment) Bill.
- 15 ALCOA (PORTLAND ALUMINIUM SMELTER) (AMENDMENT) BILL—Mr Cain, pursuant to Standing Order No. 169, obtained leave, with Mr Fordham, to bring in a Bill "to amend the 'Alcoa (Portland Aluminium Smelter) Act 1980', to ratify, validate and approve a Supplemental Agreement between the Premier for and on behalf of the State of Victoria and Alcoa of Australia Limited with respect to the establishment of an aluminium smelter at Portland in the State of Victoria, to amend the 'Victorian Economic Development Corporation Act 1981' and the 'Mines (Aluminium Agreement) Act 1961' and for other purposes" and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 221)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Youth, Sport and Recreation (State Sports Council) Bill.
- 17 LIQUOR CONTROL (BOOTH LICENCES) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
- Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.
- 18 STATE BANK (AMENDMENT) BILL (NO. 3)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 ETHNIC AFFAIRS COMMISSION (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to the following Resolution:
- That the resolution of the Council of 28 March, 1984 referring the implications of differential taxes on the Victorian wine industry to the Economic and Budget Review Committee for report within 4 months be amended so far as to now require the Committee to report by 13 November, 1984.
- with which they desire the concurrence of the Assembly.
- Motion made and question—That the resolution of the Assembly of 5 April, 1984 referring the implications of differential taxes on the Victorian wine industry to the Economic and Budget Review Committee for report within 4 months be amended so far as to now require the Committee to report by 13 November, 1984. (*Mr Fordham*)—put, after debate, and agreed to.

- Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.
- 21 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 3 be postponed until later this day.
- 22 PIPELINES (PERMITS) BILL—Order read for resuming debate on question—That this Bill be now read a second time: debate resumed.
Business having been interrupted at 10.30 p.m.
- 23 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at twelve minutes past Eleven o'clock.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 136—Wednesday, 5 September 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- CATTLE GRAZING ON THE HIGH PLAINS—Supporting the belief that the continued grazing of cattle on the high plains of Victoria is an important pastoral tradition of Australia and does not present a threat to the catchments' values and flora of the Alpine areas, bearing 2199 and 3999 signatures respectively (*by Mr Kennett and Mr Ross-Edwards*).
- RECYCLING AND CONSERVING RESOURCES—Seeking that the Government introduce as an alternative to deposits a community education scheme aimed at improving recycling and conserving resources, bearing 14 signatures (*by Mr McDonald*).
- LILYDALE FREIGHT SERVICE—Seeking that the Lilydale rail freight service be allowed to continue to operate and service the members of the community, bearing 365 signatures (*by Mr McDonald*).
- PSYCHOLOGISTS BILL—Seeking that further debate on the Psychologists Bill be adjourned until there has been at least three months to allow the public an opportunity to participate in the formulation of the Bill, bearing 19 signatures (*by Mr Leigh*).
- THERAPEUTIC GOODS AND COSMETICS BILL—Seeking that further debate on the Therapeutic Goods and Cosmetics Bill be adjourned until there has been at least three months to allow the public an opportunity to participate in the formulation of the Bill, bearing 19 signatures (*by Mr Leigh*).
- LIQUOR CONTROL ACT—Seeking that the House will not proceed with the proposed amendments to the Liquor Control Act, bearing 50 signatures (*by Mr Leigh*).
- LITTER REDUCTION PROGRAMME—Seeking that the Government introduce a controlled litter reduction programme, bearing 431 and 11 signatures respectively (*by Mr Leigh and Miss Callister*).
- NATURAL THERAPISTS—Seeking that natural therapists be permitted to continue practising natural therapy, bearing 48 signatures (*by Mr Austin*).

PRINCE HENRY'S HOSPITAL—Seeking that the Government retain Prince Henry's Hospital at its present site because of its accessibility to the transport system, bearing 3 signatures (*by Mr Ihlein*).

POLICING OF INDUSTRIAL POLLUTION—Seeking that law enforcement authorities will be strict in policing emissions and odours from factories and that fines will be increased to a level where they act as an effective deterrent, bearing 131 signatures (*by Mr Ihlein*).

Severally ordered to lie on the Table.

- 4 MINISTERIAL STATEMENT—PORTLAND ALUMINIUM SMELTER PROJECT—Mr Cain made a Ministerial Statement relating to the Portland Aluminium Smelter Project.

Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cain*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Jolly*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 5 PAPERS—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Parliamentary Officers Act 1975—

Statement of Appointments and Alterations of Classifications—

Department of the Legislative Council and Legislative Assembly Joint House Committee.

Statement of Persons Temporarily Employed—

Department of the Legislative Council and Legislative Assembly Joint House Committee.

- 6 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Constitution (Duration of Parliament) Bill (No. 2) with amendments.

Ordered—That the said amendments be printed and taken into consideration later this day.

- 7 MOTOR CAR (LICENCES) BILL—Mr Crabb obtained leave, with Mr Roper, to bring in a Bill "to amend the 'Motor Car Act 1958', to repeal the 'Motor Car (Drivers' Licences) Act 1981' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 8 HEALTH (GENERAL AMENDMENT) BILL—Mr Roper obtained leave, with Mr Wilkes, to bring in a Bill "to amend the 'Health Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (AMENDMENT) BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring in a Bill "to amend the 'Melbourne Corporation (Election of Council) Act 1982' to enable the holding of a general election and to provide for the fixing of the day in 1985 on which that election is to be held"; and the said Bill was read a first time, and ordered to be printed and, by leave, read a second time later this day.

- 10 VALUATION OF LAND (VALUATIONS) BILL—Mr Wilkes, obtained leave, with Mr Trezise, to bring in a Bill "to amend the 'Valuation of Land Act 1960' and the 'Local Government Act 1958', and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 11 LIQUOR CONTROL (BOOTH LICENCES) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*). Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Wednesday, 19 September instant.
- 13 VALUATION OF LAND (VALUATIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 14 YOUTH, SPORT AND RECREATION (STATE SPORTS COUNCIL) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 LOCAL GOVERNMENT (LONG SERVICE LEAVE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business Nos. 4 to 6 inclusive, be postponed until later this day.
- 17 PIPELINES (PERMITS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AS DEPUTY FOR THE GOVERNOR (NO. 222)—Mr Speaker announced the presentation of a Message from His Excellency the Lieutenant-Governor as Deputy for the Governor recommending an appropriation for the purposes of the Therapeutic Goods and Cosmetics Bill.
- 19 MAGISTRATES' COURTS (APPOINTMENT OF MAGISTRATES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 8, be postponed until later this day.
- 21 FUNDRAISING APPEALS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Liquor Control (Booth Licences) Bill (No. 2) without amendment.
- 23 ADOPTION BILL—SECOND READING—RESUMPTION OF DEBATE—Ordered—That the consideration of this Order of the Day be postponed until later this day.
- 24 CONCURRENT DEBATE—ADOPTION BILL AND CHILDREN (GUARDIANSHIP AND CUSTODY) BILL—Motion made, by leave, and question—That this House authorizes and requires Mr Speaker to permit the second reading and subsequent stages of the Adoption Bill and the Children (Guardianship and Custody) Bill to be moved and debated concurrently (*Mr Wilkes*)—put and agreed to.
- 25 ADOPTION BILL AND CHILDREN (GUARDIANSHIP AND CUSTODY) BILL—Order read for resuming debate on question—That these Bills be now read a second time; debate resumed.
- Business having been interrupted at 10.30 p.m.
- 26 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the Chair at twelve minutes past Eleven o'clock.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 137—Thursday, 6 September 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- RECYCLING AND CONSERVING OF RESOURCES—Seeking that the Government introduce as an alternative to deposits a community education scheme aimed at improving, recycling and conserving resources, bearing 8 and 55 signatures respectively (*by Mr Hockley and Mr Brown*).
- LIQUOR CONTROL ACT—Seeking that the House will not proceed with the currently proposed amendments to the Liquor Control Act, bearing 35 and 94 signatures respectively (*by Mrs Ray and Dr Vaughan*).
- PRINCE HENRY'S HOSPITAL—Seeking that the State Government retain Prince Henry's Hospital at its present site because of its accessibility to the transport systems, bearing 34 signatures (*by Mr Hassett*).
- PSYCHOLOGISTS BILL—Seeking that further debate on the Psychologists Bill be adjourned until there has been at least three months to allow the public an opportunity to participate in the formulation of the Bill, bearing 19 signatures (*by Mr Reynolds*).
- NON-GOVERNMENT SCHOOLS FUNDING—Seeking that any change in the funding system for non-government schools recognises the fundamental right of all children to an equitable share of Government funds for education, bearing 317 signatures (*by Mr Saltmarsh*).
- PRINCE HENRY'S HOSPITAL RELOCATION IN THE WESTERN SUBURBS—Seeking that Parliament support actions to re-locate Prince Henry's Hospital in Melbourne's Western Suburbs, bearing 2543 signatures (*by Dr Coghill*).

Severally ordered to lie on the Table.

- 4 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

Workers Compensation (Amendment) Bill (No. 3).
Local Government (Long Service Leave) Bill.
Magistrates' Courts (Appointment of Magistrates) Bill.

- 5 ADJOURNMENT—MOTION FOR PURPOSE OF DISCUSSION—Mr Lieberman rose in his place, and said that he proposed to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "The failure of the Government to ensure the financial viability of the Queen Victoria Medical Centre Relocation Project in the light of information recently given to it forecasting prohibitively expensive borrowing charges in the immediate future."

Mr Speaker having ascertained that twelve Members approved of the proposed discussion—

Motion made and question—That the House do now adjourn (*Mr Lieberman*)—after debate. put.

The House divided.

AYES, 26

Mr Austin	Mr Evans	Mr Reynolds	Mr Wallace
Mr Brown	(<i>Gippsland East</i>)	Mr Richardson	Mr Williams
Mr Burgin	Mr Hann	Mr Ross-Edwards	
Mr Delzoppo	Mr Lieberman	Mr Saltmarsh	
Mr Dickinson	Mr McGrath	Mrs Sibree	
Mr Ebery	Mr McNamara	Mr Steggall	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Tanner	Mr Kempton
(<i>Ballarat North</i>)	Mr Ramsay	Mr Templeton	Mr Leigh

NOES, 46

Mr Cain	Mr Hill	Mr Roper	Mr Stirling
Miss Callister	Mr Hockley	Mr Rowe	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Seitz	Mr Trezise
Dr Coghill	Mr Jolly	Mrs Setches	Dr Vaughan
Mr Crabb	Mr Kennedy	Mr Sheehan	Mr Walsh
Mr Culpin	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Ernst	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr Micallef	(<i>Ballarat South</i>)	
Mr Fordham	Mr Miller	Mr Shell	
Mr Gavin	Mr Newton	Mr Sidiropoulos	<i>Tellers</i>
Mr Harrowfield	Mr Pope	Mr Simmonds	Mr McCutcheon
Mr Hassett	Mrs Ray	Mr Simpson	Mr Norris
Mrs Hill	Mr Remington	Mr Spyker	

And so it passed in the negative.

- 6 LAW REFORM COMMISSION BILL—Mr Cain obtained leave, with Mr Crabb, to bring in a Bill "to establish the Law Reform Commission of Victoria and define its functions, to repeal the 'Law Reform Act 1973' and the 'Law Reform Act 1981', to amend the 'Victoria Law Foundation Act 1978' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 INDUSTRIAL RELATIONS (LONG SERVICE LEAVE) BILL—Mr Crabb obtained leave, with Mr Fordham, to bring in a Bill "to amend Part VII. of the 'Industrial Relations Act 1979' and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 8 ALCOA (PORTLAND ALUMINIUM SMELTER) (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
Motion made and question—That the debate be now adjourned (*Mr Kennett*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday, 19 September instant.

- 9 HEALTH (GENERAL AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Wednesday, 19 September instant.
- 10 MOTOR CAR (LICENCES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Wednesday, 19 September instant.
- 11 INDUSTRIAL RELATIONS (LONG SERVICE LEAVE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Crabb*).
 Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
 Ordered—That the debate be adjourned until Wednesday, 19 September instant.
- 12 DAIRY INDUSTRY BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
 Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 13 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Wilkes*)—put and agreed to.
- 14 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at four minutes past five o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS**Nos. 138, 139 and 140****No. 138—Tuesday, 11 September 1984**

- 1 Mr Speaker took the Chair and read the Prayer.
 - 2 QUESTIONS—(Pursuant to Standing Order No. 124).
 - 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - LIQUOR CONTROL ACT—Seeking that the House will not proceed with the currently proposed amendments to the Liquor Control Act, bearing 14 signatures (*by Mr Kennett*).
 - THERAPEUTIC GOODS AND COSMETICS BILL—Seeking that further debate on the Therapeutic Goods and Cosmetics Bill be adjourned until there has been at least three months to allow the public an opportunity to participate in the formulation of the Bill, bearing 20 and 17 signatures respectively (*by Mr Kennett and Mr Sidiropoulos*).
 - PETER JOHN LAWLESS—Seeking that—(a) Peter John Lawless be immediately released from prison on parole; (b) The Honourable The Attorney-General consider the granting of a pardon; (c) Cabinet convene an enquiry to investigate all matters concerning his conviction; and (d) Legal Aid be granted in order to pursue legitimate avenues of appeal, bearing 158 signatures (*by Mr Walsh*).
 - LOGGING IN NATIONAL PARKS—Seeking that—(a) the Errinundra Plateau, Bowen Range/Rodger River and Mount Kaye areas be made into National Parks; (b) that overcutting of native forests should cease and forest harvesting should be conducted on a long-term sustainable basis; and (c) that logging in all National Parks should cease, bearing 6 signatures (*by Mr Newton*).
 - PRINCE HENRY'S HOSPITAL—Seeking that the Government retain Prince Henry's Hospital at its present site because of its accessibility to the transport system, bearing 354 signatures (*by Mr Norris*).
 - PSYCHOLOGISTS BILL—Seeking that further debate on the Psychologists Bill be adjourned until there has been at least three months to allow the public an opportunity to participate in the formulation of the Bill, bearing 17 signatures (*by Mr Sidiropoulos*).
- Severally ordered to lie on the Table.
- 4 DISPOSITION OF EMBRYOS PRODUCED BY IN VITRO FERTILIZATION—Motion made, by leave, and question—That there be presented to this House a copy of the Report on the Disposition of Embryos Produced by In Vitro Fertilization (*Mr Fordham*)—put and agreed to.
 - 5 PAPER—Mr Fordham presented:
 - Report on the Disposition of Embryos Produced by In Vitro Fertilization—Return to the Foregoing Order.
 Ordered to lie on the Table and be printed.
 - 6 PAPERS—Mr Mathews presented, by Command of His Excellency the Lieutenant-Governor:
 - Police Department—Report for the six months ended 30 June 1983.
 Ordered to lie on the Table and to be printed.

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

Fairfield Hospital—Report for the year 1983–84.

Statutory Rules under the following Acts:

Forests Act 1958—No. 300.

Health Act 1958—No. 262.

Industrial Training Act 1975—Nos. 299, 309.

Magistrates' Courts Act 1971—No. 213 (in lieu of Statutory Rule tabled on 4 September 1984).

Mining Development Act 1958—No. 292.

Racing Act 1958—No. 311.

- 7 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AS DEPUTY FOR THE GOVERNOR (No. 223)—ASSENT TO BILL—Informing the Assembly that he had, on 7 September last, given the Royal Assent to the following Bill, presented to him by the Clerk of the Parliaments:
 - Liquor Control (Booth Licences) Bill (No. 2).
- 8 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AS DEPUTY FOR THE GOVERNOR (No. 224)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
 - Local Government (Long Service Leave) Bill.
 - Workers Compensation (Amendment) Bill (No. 3).
 - Magistrates' Courts (Appointment of Magistrates) Bill.
- 9 ADOPTION BILL (No. 2)—Mrs Toner, by leave, obtained leave, with Mr Fordham, to bring in a Bill "*to amend and re-enact the Law relating to Adoption, to repeal the 'Adoption of Children Act 1964', to make consequential amendments to certain Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 10 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AS DEPUTY FOR THE GOVERNOR (No. 225)—Mr Speaker announced the presentation of a Message from His Excellency the Lieutenant-Governor as Deputy for the Governor recommending an appropriation for the purposes of the Motor Car (Licences) Bill.
- 11 LAW REFORM COMMISSION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday, 25 September instant.
- 12 DAIRY INDUSTRY BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
 Committee reported progress.
 Business having been interrupted at 10.30 p.m.—
 Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.
 Bill further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 State Bank (Amendment) Bill (No. 3).
 Ethnic Affairs Commission (Amendment) Bill.
 Pipelines (Permits) Bill.
- 14 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to make provision with respect to the arbitration of certain disputes, to repeal the ‘Arbitration Act 1958’, to amend the ‘Legal Profession Practice Act 1958’ and the ‘Supreme Court Act 1958’, to make certain consequential amendments to various other Acts and for other purposes*”.
- 15 COMMERCIAL ARBITRATION BILL—On the motion of Mr Fordham, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Youth, Sport and Recreation (State Sports Council) Bill with an amendment.
 Ordered—That the said amendment be printed and taken into consideration tomorrow.
- 17 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 18 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
 And then the House, at thirty-two minutes past Eleven o’clock adjourned until tomorrow.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

No. 139—Wednesday, 12 September 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 MINISTERIAL STATEMENT—Municipal Restructure—Mr Wilkes made a Ministerial Statement relating to Municipal Restructure.
 Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Wilkes*)—and, after debate—
 Motion made and question—That the debate be now adjourned (*Mr Pope*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 4 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 LIQUOR CONTROL ACT—Seeking that the House will not proceed with the currently proposed amendments to the Liquor Control Act, bearing 61, 20, 53 and 74 signatures respectively (*by Mr Kennett, Mr Kennedy, Mr Templeton and Mr Delzoppo*).

LEGALIZATION OF PROSTITUTION—Seeking that the Government will abandon the iniquitous proposal to legalize prostitution which makes a moral wrong appear right, bearing 86 signatures (*by Mr Delzoppo*).

DAIRY INDUSTRY BILL—CREAM—Seeking that the Government introduce as an alternative, provisions to the Dairy Industry Bill providing for exemptions and enabling the sale of unpasteurised cream to continue, bearing 549 signatures (*by Mr Dickinson*).

DAIRY INDUSTRY BILL—MILK—Seeking that the Government introduce as an alternative, provisions to the Dairy Industry Bill providing for exemptions and enabling the sale of unpasteurised milk to continue, bearing 143 signatures (*by Mr Dickinson*).

Severally ordered to lie on the Table.

- 5 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AS DEPUTY FOR THE GOVERNOR (NO. 226)—Mr Speaker announced the presentation of a Message from His Excellency the Lieutenant-Governor as Deputy for the Governor recommending an appropriation for the purposes of the Law Reform Commission Bill.
- 6 LIQUOR CONTROL (AMENDMENT) BILL (NO. 2)—Mr Cathie obtained leave, with Mr Mathews, to bring in a Bill "*to amend the 'Liquor Control Act 1968' and the 'Liquor Control Act 1983', and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 CHINATOWN HISTORIC PRECINCT BILL—Mr Cathie obtained leave, with Mr Mathews, to bring in a Bill "*to provide for the operation management development and promotion of Little Bourke Street between Exhibition Street and Swanston Street as the Chinatown Historic Precinct, to establish the Chinatown Historic Precinct Committee, to amend the 'Melbourne (Widening of Streets) Act 1940', and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 8 HEALTH (RADIATION SAFETY) BILL (NO. 2)—Mr Roper, pursuant to motion moved on his behalf by Mr Fordham, obtained leave, with Mr Wilkes, to bring in a Bill "*to amend the 'Health Act 1958' with respect to the licensing of persons and the registration of apparatus and sources under Division 2AA, of Part V, of that Act, and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 9 SENATE ELECTIONS (AMENDMENT) BILL—Mr Simpson obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Senate Elections Act 1958'*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 10 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AS DEPUTY FOR THE GOVERNOR (NO. 227)—Mr Speaker announced the presentation of a Message from His Excellency the Lieutenant-Governor as Deputy for the Governor recommending an appropriation for the purposes of the Constitution (Duration of Parliament) Bill (No. 2).
- 11 CONSTITUTION (DURATION OF PARLIAMENT) BILL (NO. 2)—Order read for the consideration of the amendments made by the Legislative Council.

Mr Speaker said—"*Before the House proceeds to consider these amendments I direct the attention of the House to the amendments made by the other place to Clause 8 of the Bill, that is amendment Nos. 3, 4 and 5.*

Following examination, I am of the opinion that the amendments are a direct infringement of the privileges of this House in that they seek to increase an appropriation from the Consolidated Fund, a matter that under the 'Constitution Act 1975', can only be initiated by the Assembly."

Amendment Nos. 1 and 2 read a second time and agreed to with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Amendment Nos. 3, 4 and 5—Motion made and question proposed—That this House does not admit the right of the Legislative Council to make Amendment Nos. 3, 4 and 5 insofar as they infringe the privileges of the Assembly, and refuses to entertain such amendments but makes the following further amendments in the Bill:

1 Clause 8, lines 33–35. omit “if he is a candidate for election at the next periodical election for that member of the Council and he fails to be re-elected as a Member of the Council, for the purposes of Part II.” and insert “for the purposes of the calculation of benefits under Part II.”.

2 Clause 8, line 39. after “passed” insert “and, if he would have become entitled to benefits under that Part on that day, to have become entitled to benefits under that Part on the day on which he actually ceased to be a Member”.—*(Mr Wilkes)*.

Motion made and question—That the debate be now adjourned *(Mr Ross-Edwards)*—put and agreed to.

Ordered—That the debate be adjourned until Tuesday next.

- 12 VALUATION OF LAND (VALUATIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That this Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 NATURAL RESOURCES AND ENVIRONMENT COMMITTEE—Mr Ihlein brought up a Report from the Natural Resources and Environment Committee on Beverage Container Deposit Legislation; together with Appendices, Minutes of Evidence and an Extract of the Proceedings and a Minority Report.

Ordered to lie on the Table and the Report, Appendices, Extract of the Proceedings and Minority Report to be printed.

- 14 MONASH UNIVERSITY (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 DEAKIN UNIVERSITY (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 16 YOUTH, SPORT AND RECREATION (STATE SPORTS COUNCIL) BILL—Order read for the consideration of the amendment made by the Legislative Council.

And the said amendment was read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.

- 17 ORDER OF THE DAY DISCHARGED—Motion made, by leave, and question—That the following Order of the Day, Government Business, be read and discharged:

Adoption Bill—Second reading—Resumption of debate.

and that the Bill be withdrawn *(Mr Fordham)*—put and agreed to.

- 18 CONCURRENT DEBATE—ADOPTION BILL (NO. 2) AND CHILDREN (GUARDIANSHIP AND CUSTODY) BILL—Motion made, by leave, and question—That this House authorizes and requires Mr Speaker to permit the second reading and subsequent stages of the Adoption Bill (No. 2) and the Children (Guardianship and Custody) Bill to be moved and debated concurrently (*Mr Fordham*)—put and agreed to.
- 19 ADOPTION BILL (NO. 2) AND CHILDREN (GUARDIANSHIP AND CUSTODY) BILL—Motion made and question proposed—That the Adoption Bill (No. 2) be now read a second time (*Mrs Toner*).
 Debate resumed on the question—That these Bills be now read a second time; Bills read a second time and committed.
 Ordered—That the Bills be considered in Committee later this day.
- 20 ADOPTION BILL (NO. 2)—Considered in Committee. Committee reported progress; to sit again tomorrow.
- 21 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 22 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
 And then the House, at seventeen minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL
 Clerk of the Legislative Assembly

C. T. EDMUNDS
 Speaker

No. 140—Thursday, 13 September 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- LIQUOR CONTROL ACT—Seeking that the House will not proceed with the currently proposed amendments to the Liquor Control Act, bearing 99, 25, 87 and 98 signatures respectively (*by Mr Ramsay, Mrs Ray, Mr Tanner and Mr Harrowfield*).
- HONORARY JUSTICES OF THE PEACE—Seeking the urgent appointment of additional Honorary Justices of the Peace for the Benalla community, bearing 106 signatures (*by Mr McNamara*).
- CAPTURE AND DISPLAY OF WHALES AND DOLPHINS—Seeking that the proposal for the capture and display of whales and dolphins within the State of Victoria and the construction of a Dolphinarium at Keysborough be brought before the Natural Resources and Environment Committee, bearing 3893 signatures (*by Mr Newton*).
- RE-INTRODUCTION OF MILK BOTTLES—Seeking that the House take action to ensure that the use of milk bottles be re-introduced in Geelong, bearing 129 signatures (*by Mr Shell*).
- PRINCE HENRY'S HOSPITAL—Seeking that the Government maintain Prince Henry's Hospital to directly serve the sick for whom it was established, bearing 21 signatures (*by Mr Miller*).
- Severally ordered to lie on the Table.

- 4 ECONOMIC AND BUDGET REVIEW COMMITTEE—Mr Rowe, Chairman, brought up a Report from the Economic and Budget Review Committee on Final Recommendations and Options for the Future Reform of Victorian Public Sector Superannuation; together with Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report and Appendices to be printed.
- 5 CENSURE OF MINISTER FOR POLICE AND EMERGENCY SERVICES—Motion made and question proposed—That this House censures the Minister for Police and Emergency Services for his failure to appoint a Chairman to the Country Fire Authority, and his failure to recognize the damage being done to morale amongst volunteer members of Country Fire Authority brigades by continuing uncertainty regarding the future of the Authority (*Mr Evans, Gippsland East*)—and, after debate—
General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.
- 6 SENATE ELECTIONS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 7 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 8 LIQUOR CONTROL (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Thursday, 27 September instant.
- 9 CHINATOWN HISTORIC PRECINCT BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday, 27 September instant.
- 10 COMMERCIAL ARBITRATION BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Thursday next.
- 11 ADOPTION BILL (NO. 2)—Further considered in Committee.
Committee reported progress; to sit again tomorrow.
- 12 HEALTH (RADIATION SAFETY) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday, 3 October next.

13 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Roper*)—put and agreed to.

14 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at eleven minutes past Five o'clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 141, 142 and 143

No. 141—Tuesday, 18 September 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS (Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

PRINCE HENRY'S HOSPITAL—Seeking that the health care needs of South Melbourne residents who will be disadvantaged as a result of the proposed relocation of Prince Henry's Hospital, be addressed extensively by the hospital through its board of management and by the State Government, bearing 79 signatures (*by Mr Walsh*).

PSYCHOLOGISTS BILL—Seeking that further debate on the Psychologists Bill be adjourned until there has been at least three months to allow the public an opportunity to participate in the formulation of the Bill, bearing 12 933 and 41 signatures respectively (*by Mr Lieberman and Mrs Sibree*).

THERAPEUTIC GOODS AND COSMETICS BILL—Seeking that further debate on the Therapeutic Goods and Cosmetics Bill be adjourned until there has been at least three months to allow the public an opportunity to participate in the formulation of the Bill, bearing 12 766 signatures (*by Mr Lieberman*).

LIQUOR CONTROL ACT—Seeking that the House will not proceed with the currently proposed amendments to the Liquor Control Act, bearing 21, 30, 55 and 31 signatures respectively (*by Mrs Sibree, Mr Templeton, Mr Whiting and Mr Simpson*).

PRINCE HENRY'S HOSPITAL—Seeking that the Government retain Prince Henry's Hospital at its present site because of its accessibility to the transport system, bearing 7 and 3 signatures respectively (*by Mr Norris and Mr Ihlein*).

SCHOOL BUS SYSTEM—Seeking that the Victorian Government will reconsider the decisions to alter in any way the present school bus system as it remains the most effective in Australia, bearing 154 signatures (*by Mr Burgin*).

NATURAL REMEDIES—Seeking that natural remedies be given a separate category in the Therapeutic Goods and Cosmetics Bill, bearing 190 signatures (*by Mr Burgin*).

Severally ordered to lie on the Table.

- 4 PAPERS—Mr Speaker presented—

Finance, 1983–84—Statement of Receipts and Payments of the Consolidated Fund and the Trust Fund for the year ended 30 June 1984, accompanied by the Report of the Auditor-General and by the Documents specified in the Forty-Seventh Section of the Audit Act.

Severally ordered to lie on the Table and to be printed.

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

Members of Parliament (Register of Interests) Act 1972—Summary of Returns, June 1984—Ordered to be printed.

Planning Appeals Board—Report for the year 1983–84.

Police Regulations Act 1958—Determination No. 407 of the Police Service Board.
Statutory Rules under the following Acts:

- Firearms Act 1958—No. 301.
- Health Act 1958—No. 295.
- Marine Act 1958—No. 317.
- Post-Secondary Education Act 1978—No. 327.
- Second-hand Dealers Act 1958—No. 318.

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 228)—ASSENT TO BILLS—
Informing the Assembly that he had, that day, given the Royal Assent to the following
Bills, presented to him by the Clerk of the Parliaments:

- Ethnic Affairs Commission (Amendment) Bill.
- State Bank (Amendment) Bill (No. 3).
- Pipelines (Permits) Bill.

- 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 229)—Mr Speaker announced
the presentation of a Message from His Excellency the Governor recommending an
appropriation for the purposes of the Appropriation (1984–85, No. 1) Bill and
transmitting Estimates of Expenditure for recurrent services and for certain works
and purposes for the year 1984–85.

Estimates ordered to lie on the Table.

- 7 APPROPRIATION (1984–85, No. 1) BILL—Mr Jolly, pursuant to Standing Order No.
169, obtained leave, with Mr Cain, to bring in a Bill “*to appropriate certain sums out
of the Consolidated Fund for recurrent services and for certain works and purposes
for the financial year 1984–85 and to appropriate the supplies granted in this session
of Parliament and for other purposes*”; and the said Bill was read a first time, ordered
to be printed and read a second forthwith.

Motion made and question proposed—That this Bill be now read a second time (*Mr
Jolly*).

Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put
and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 8 CONSTITUTION (DURATION OF PARLIAMENT) BILL (No. 2)—Order read for the further
consideration of the amendments made by the Legislative Council.

Debate resumed on the question—That this House does not admit the right of the
Legislative Council to make Amendment Nos. 3, 4 and 5 insofar as they infringe the
privileges of the Assembly and refuses to entertain such amendments but makes the
following further amendments in the Bill:

1. Clause 8, lines 33–35, omit “if he is a candidate for election at the next periodical
election for that member of the Council and he fails to be re-elected as a
member of the Council, for the purposes of Part II.” and insert “for the
purposes of the calculation of benefits under Part II.”
2. Clause 8, line 39, after “passed” insert “and, if he would have become entitled
to benefits under that Part on that day, to have become entitled to benefits
under that Part on the day on which he actually ceased to be a member”.

Question—put, after debate, and agreed to with the concurrence of an absolute majority
of the whole number of the Members of the Legislative Assembly.

Ordered—That the Bill be returned to the Legislative Council with a Message
acquainting them accordingly.

- 9 ADOPTION BILL (No. 2)—Further considered in Committee.
Committee reported progress; to sit again tomorrow.

- 10 ORDER OF THE HOUSE RESCINDED—Motion made, by leave, and question—That the Order of the House making the resumption of debate on the motion for second reading on the Melbourne Corporation (Election of Council) (Amendment) Bill an Order of the Day for Wednesday, 19 September instant, be read and rescinded and that it be made an Order of the Day for this day (*Mr Fordham*)—put and agreed to.
- 11 ORDER OF THE HOUSE RESCINDED—Motion made, by leave, and question—That the Order of the House making the resumption of debate on the motion for the second reading on the Motor Car (Licences) Bill an Order of the Day for Wednesday, 19 September instant, be read and rescinded and that it be made an Order of the Day for this day (*Mr Fordham*)—put and agreed to.
- 12 ORDER OF THE HOUSE RESCINDED—Motion made, by leave, and question—That the order of the House making the resumption of debate on the motion for second reading on the Senate Elections (Amendment) Bill an Order of the Day for Thursday, 20 September instant, be read and rescinded and that it be made an Order of the Day for this day (*Mr Fordham*)—put and agreed to.
- 13 MELBOURNE CORPORATION (ELECTION OF COUNCIL) (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “the Bill be withdrawn and redrafted to provide for ongoing annual elections for members of the Melbourne City Council and to bring the qualification of voters at such elections into conformity with those applying to voters at Council elections governed by the *Local Government Act 1958*” (*Mr McNamara*)—and, after debate—

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

The House divided.

AYES, 42

Mr Cain	Mr Hassett	Mr Newton	Mr Sidiropoulos
Miss Callister	Mrs Hill	Mr Pope	Mr Simmonds
Mr Cathie	Mr Hill	Mrs Ray	Mr Stirling
Dr Coghill	Mr Hockley	Mr Remington	Mrs Toner
Mr Crabb	Mr Ihlein	Mr Roper	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Rowe	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr Kirkwood	Mrs Setches	Mr Wilton
Mr Fordham	Mr McCutcheon	Mr Sheehan	<i>Tellers</i>
Mr Gavin	Mr McDonald	(<i>Ballarat South</i>)	Mr Harrowfield
Mr Gray	Mr Miller	Mr Shell	Mr Micallef

NOES, 23

Mr Austin	Mr Evans	Mr McGrath	Mr Whiting
Mr Brown	(<i>Gippsland East</i>)	Mr Maclellan	Mr Williams
Mr Burgin	Mr Hann	Mr Ramsay	
Mr Delzoppo	Mr Jasper	Mr Reynolds	
Mr Ebery	Mr Jona	Mr Steggall	<i>Tellers</i>
Mr Evans	Mr Kempton	Mr Templeton	Mr Dickinson
(<i>Ballarat North</i>)	Mr Lieberman	Mr Wallace	Mr McNamara

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 MOTOR CAR (LICENCES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put and agreed to.

Bill read a second time, after debate and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Not insisting on amendments not entertained by the Assembly and agreeing to amendments now made by the Assembly in the Constitution (Duration of Parliament) Bill (No. 2).

16 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Crabb*)—put and agreed to.

17 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at nine minutes past Eleven o'clock adjourned until tomorrow.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 142—Wednesday, 19 September 1984

1 Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS—(Pursuant to Standing Order No. 124).

3 PETITION—The Clerk announced that the following petition had been lodged for presentation:

MOOROOBARK KINDERGARTEN SUBSIDY—Seeking that the Victorian Government immediately cease withdrawal of the subsidy to the Mooroolbark three year old kindergarten conducted by the Charles Street Maternal and Child Health Centre Auxiliary, bearing 444 signatures (*by Mr Hill*).

Ordered to lie on the Table.

4 PUBLIC BODIES REVIEW COMMITTEE—Mr Miller, Chairman, brought up an Interim Report from the Public Bodies Review Committee on Victoria's Ambulance Services; together with Appendices.

Ordered to lie on the Table and the Report and Appendices to be printed.

5 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—Mr Wilkes obtained leave, with Mr Trezise, to bring a Bill "to make provision with respect to the planning of the Loddon-Campaspe region, the constitution of the Loddon-Campaspe Regional Planning Authority, and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

6 ADMINISTRATIVE APPEALS TRIBUNAL BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill "to establish an Administrative Appeals Tribunal, to provide for review of certain decisions and for that purpose to amend the 'Freedom of Information Act 1982', the 'Motor Accidents Act 1973', the 'Estate Agents Act 1980', the 'Criminal Injuries Compensation Act 1983', the 'Adoption Act 1984' and certain Acts relating to taxation, to repeal the 'Taxation Appeals Act 1972' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 7 SENATE ELECTIONS (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 8 ADOPTION BILL (NO. 2)—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.
Ordered—That the Bill be read a third time later this day.
- 9 CHILDREN (GUARDIANSHIP AND CUSTODY) BILL—Considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.
Ordered—That the Bill be read a third time later this day.
- 10 ADOPTION BILL (NO. 2) AND CHILDREN (GUARDIANSHIP AND CUSTODY) BILL—Order read for resuming debate on question—That these Bills be now read a third time; Bills read a third time.
Ordered—That these Bills be transmitted to the Legislative Council and their concurrence desired therein.
- 11 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.
- 12 INDUSTRIAL RELATIONS (LONG SERVICE LEAVE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Crabb*)—put and agreed to.
Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Senate Elections (Amendment) Bill
Monash University (Amendment) Bill
Deakin University (Amendment) Bill
Valuation of Land (Valuations) Bill
- 14 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 15 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at fifty-eight minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 143—Thursday, 20 September 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - PROPOSED PRISON AT LARA—Seeking that the Government, before proceeding with any decision to construct a new prison near Lara, will consider evidence relating to the unsuitability of the site, bearing 1475 signatures (*by Mr Trezise*).
 - LIQUOR CONTROL ACT—Seeking that the House will not proceed with the currently proposed amendments to the Liquor Control Act, bearing 12 and 1268 signatures respectively (*by Dr Vaughan and Mr Norris*).
 - CATTLE GRAZING ON THE HIGH PLAINS—Supporting the belief that the continued grazing of cattle on the high plains of Victoria is an important pastoral tradition of Australia and does not present a threat to the catchments' values and flora of the Alpine areas, bearing 5551 signatures (*by Mr Ihlein*).
 - PRINCE HENRY'S HOSPITAL—Seeking that the Parliament will support actions required to ensure that the relocation of Prince Henry's Hospital will proceed smoothly, bearing 856 signatures (*by Dr Coghill*).

Severally ordered to lie on the Table.
- 4 LEGAL AND CONSTITUTIONAL COMMITTEE—Mr Whiting, Chairman, brought up a Report from the Legal and Constitutional Committee on the Subordinate Legislation (Deregulation) Bill 1983; together with Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report and Appendices to be printed.
- 5 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 6 THE CONSTITUTION ACT AMENDMENT (ELECTORAL LEGISLATION) BILL—Mr Simpson obtained leave, with Mr Fordham, to bring in a Bill "to amend 'The Constitution Act Amendment Act 1958' with respect to the qualification and enrolment of electors, the conduct of elections and the registration of political parties and candidates, to amend the 'Constitution Act 1975' and the 'Magistrates' Courts Act 1971' and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 7 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
Motion made and question—That the debate be now adjourned (*Mr Delzoppo*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Thursday, 11 October next.
- 8 ADMINISTRATIVE APPEALS TRIBUNAL BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 2 October next.
- 9 THE CONSTITUTION ACT AMENDMENT (ELECTORAL LEGISLATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Motion made and question proposed—That the debate be adjourned until Tuesday, 9 October next (*Mr Simpson*)—and, after debate—
Motion, by leave, withdrawn.
Ordered—That the debate be adjourned until Tuesday, 2 October next.

- 10 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until Tuesday, 2 October next (*Mr Fordham*)—put and agreed to.
- 11 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 12 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at Six o'clock adjourned until Tuesday, 2 October next.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 144, 145 and 146

No. 144—Tuesday, 2 October 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - WEEKEND TRADING AT CARNIVALS—Seeking that retail areas be allowed weekend trading on a once-a-year basis to compliment local festivals, expos. and carnivals, bearing 920 signatures (*by Mr Leigh*).
 - NATURAL THERAPISTS—Seeking that natural therapists be permitted to continue practising, bearing 20 signatures (*by Mr Ebery*).
 - LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 84 and 25 signatures respectively (*by Mr Simmonds and Mr Austin*).
 - POLICE FORCE INCREASE—Seeking that the Government of Victoria increase the number of police, bearing 500 signatures (*by Mr Hill*).
 Severally ordered to lie on the Table.
- 4 ADMINISTRATIVE ARRANGEMENTS ORDER—Motion made, by leave, and question—That there be presented to this House a copy of the Order in Council made pursuant to the *Administrative Arrangements Act* 1983 relating to the transfer of certain functions from the Chief Veterinary Inspector to the Chief, Division of Product, Standards and Quarantine, Chief, Division of Dairying, and Chief, Division of Veterinary Field Services (*by Mr Cain*)—put and agreed to.
- 5 PAPER—Mr Cain presented:
 - Administrative Arrangements Act* 1983—Order in Council relating to the transfer of certain functions from the Chief Veterinary Inspector—Return to the foregoing Order.
 Ordered to lie on the Table.
- 6 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Agriculture Department—Report for the year 1983–84.
 - Anti Cancer Council—Report for the year 1984.
 - Education Act 1958—Report of the Minister of Education for the year 1982–83—Ordered to be printed.
 - Environment Protection Authority—Report for the year 1983–84—Ordered to be printed.
 - Health Commission—Report for the year 1983–84—Ordered to be printed.
 - Industrial Affairs Ministry—Report for the year 1983–84.
 - Labour and Industry Department—Report for the six months ended 30 June 1984 and Financial Statements for the year 1983–84—Ordered to be printed.
 - Library Council of Victoria—Report for the year 1982–83.
 - Members of Parliament (Register of Interests) Act 1978—Cumulative Summary of Returns, September 1984—Ordered to be printed.

Minerals and Energy Department—Report for the eighteen months ended 30 June 1984.

Parliamentary Committees Act 1968—Report of the Minister of Education as to action taken with respect to the recommendations made by the Economic and Budget Review Committee on matters raised in the Education Department by the Auditor-General of Victoria.

Science Museum of Victoria Council—Report for the year 1982–83.

State Electricity Commission—Report for the year 1983–84—Ordered to be printed.

Statutory Rules under the following Acts:

County Court Act 1984—No. 321.

County Court Act 1958 and the Interpretation of Legislation Act 1984—Nos. 314, 319, 320.

Dietitians Act 1981—No. 298.

Evidence Act 1958—No. 337.

Firearms Act 1958—No. 329.

Health Act 1958—No. 323.

Labour and Industry Act 1958—No. 333.

National Parks Act 1975—No. 328.

Public Service Act 1974—No. 312.

Physiotherapists Act 1978—No. 326.

Professional Boxing Control Act 1975—No. 339.

Racing Act 1958—No. 313.

Supreme Court Act 1958—No. 310.

Transport Act 1983—Nos. 315, 316, 335, 345.

Trade Unions—Report of the Government Statist for the year 1983.

- 7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 230)—ASSENT TO BILLS—Informing the Assembly that he had, on 25 September last, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Youth, Sport and Recreation (State Sports Council) Bill.
 - Constitution (Duration of Parliament) Bill (No. 2).
 - Valuation of Land (Valuations) Bill.
 - Senate Elections (Amendment) Bill.
 - Monash University (Amendment) Bill.
 - Deakin University (Amendment) Bill.
- 8 PAY-ROLL TAX (AMENDMENT) BILL (No. 3)—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham to bring in a Bill “to amend the *‘Pay-roll Tax Act 1971’* and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 STAMPS (AMENDMENT) BILL (No. 2)—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham to bring in a Bill “to amend the *‘Stamps Act 1958’*, *‘the Motor Boating Act 1961’* and the *‘Audit Act 1958’* and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 LAND TAX (AMENDMENT) BILL (No. 2)—Mr Jolly, pursuant to Standing Order No. 169 (b), obtained leave, with Mr Fordham to bring in a Bill “to amend the *‘Land Tax Act 1958’* and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 OPERATION OF ACTS—PROCLAMATIONS—Motion made, by leave, and question—That this House authorizes and requires the Clerk 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 (*Mr Fordham*)—put and agreed to.

- 12 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 231)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Administrative Appeals Tribunal Bill.
- 13 APPROPRIATION (1984–85, No. 1) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.
- 14 ADJOURNMENT—Question—That the House do now adjourn—proposed and, after debate, Mr Speaker left the chair at fifteen minutes past Eleven o'clock.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 145—Wednesday, 3 October 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - DANDENONG ROAD WIDENING—Seeking that the State Government and the Road Construction Authority take a long term view of the section of Dandenong Road proposed to be widened and adopt a solution based on the 1979 preferred option, bearing 86 signatures (*by Mr Tanner*)
 - KNOX TECHNICAL AND BAYSWATER SOUTH PRIMARY SCHOOLS HEALTH CARE—Seeking that the Government provide a professional nurse/health worker to service jointly Knox Technical School and Bayswater South Primary School, bearing 557 signatures (*by Mr Jona*)
 - “IN VITRO” FERTILIZATION BAN—Seeking that all In Vitro fertilization procedures be banned, bearing 190 signatures (*by Mr Seitz*)
 - LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 100 and 118 signatures respectively (*by Mr Mathews and Mrs Setches*)
 Severally ordered to lie on the Table.
- 4 SOCIAL DEVELOPMENT COMMITTEE—Mr Ernst, Chairman, brought up a Report from the Social Development Committee upon the Inquiry into Radiation Apparatus; together with Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report and Appendices to be printed.
- 5 PAPERS—The following Papers, pursuant to the directions of an Act of Parliament, were laid upon the Table by the Clerk:
 - Statutory Rules under the following Acts:
 - Fruit and Vegetables Act 1958—No. 340.
 - Health Act 1958—No. 330.
 - Local Government Act 1958—No. 343.
 - Motor Boating Act 1961—No. 336.
 - State Electricity Commission Act 1958—No. 324.
 - State Electricity Commission Act 1958 and Motor Boating Act 1961—No. 325.
 - Supreme Court Act 1958 and Interpretation of Legislation Act 1984—No. 331.

Tattersall Consultations Act 1958—No. 341.

Vegetation and Vine Diseases Act 1958—No. 322.

- 6 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
Motor Car (Licences) Bill
Melbourne Corporation (Election of Council) (Amendment) Bill.
- 7 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to restrict the power of courts to impose sentences of imprisonment, to require courts to take into consideration the means of an offender in determining the amount of a fine, to provide for the payment of fines by instalments, to amend the 'Crimes Act 1958', the 'Community Welfare Services Act 1970', the 'Magistrates' Courts Act 1971', the 'Magistrates (Summary Proceedings) Act 1975' and the 'Penalties and Sentences Act 1981' and for other purposes*".
- 8 PENALTIES AND SENTENCES (AMENDMENT) BILL (NO. 2)—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 9 MESSAGE FROM HIS EXCELLENCY THE LIEUTENANT GOVERNOR AS DEPUTY FOR THE GOVERNOR (NO. 232)—Mr Speaker announced the presentation of a Message from His Excellency the Lieutenant Governor as Deputy for the Governor recommending an appropriation for the purposes of the Motor Car (Insurance Surcharge) Bill.
- 10 MOTOR CAR (INSURANCE SURCHARGE) BILL—Mr Crabb, pursuant to Standing Order No. 169, obtained leave, with Mr Jolly, to bring in a Bill "*to repeal the surcharge on insurance premiums under Part V. of the 'Motor Car Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 COUNTY COURT (AMENDMENT) BILL—Mr Cain obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'County Court Act 1958' with respect to the appointment of masters to assist in the work of the court, to make provision for pleadings in the County Court, to amend the 'Supreme Court Act 1958' with respect to appeals from masters of the County Court and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 CO-OPERATION (CREDIT SOCIETIES) BILL—Mr Cathie obtained leave, with Mr Jolly, to bring in a Bill "*to amend the 'Co-operation Act 1981' with respect to the powers of credit societies and of associations of credit societies, and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 BUILDING SOCIETIES (AMENDMENT) BILL—Mr Cathie obtained leave, with Mr Jolly, to bring in a Bill "*to amend the 'Building Societies Act 1976', and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 CROWN LAND (RESERVES) (AMENDMENT) BILL—Mr Cathie obtained leave, with Mr Jolly, to bring in a Bill "*to amend the 'Crown Land (Reserves) Act 1978', and the 'Melbourne Market and Park Lands Act 1933', and for other purposes*", and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 INDUSTRIAL RELATIONS (AMENDMENT) BILL—Mr Crabb, after debate, obtained leave, with Mr Fordham, to bring in a Bill "*to amend the 'Industrial Relations Act 1979', and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 MELBOURNE CRICKET GROUND (GUARANTEES) BILL—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill "*to authorize the Treasurer to guarantee the repayment or satisfaction of money borrowed or advances or other financial accommodation*".

obtained by the Melbourne Cricket Club, to amend the 'Melbourne Cricket Club Act 1974' with respect to the borrowing powers of the Melbourne Cricket Club, to repeal the 'Melbourne Cricket Ground (Guarantee) Act 1954', the 'Melbourne Cricket Club (Guarantee) Act 1958' and the 'Melbourne Cricket Ground (Guarantees) Act 1966' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 17 **AUDIT (AMENDMENT) BILL**—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill "to amend the 'Audit Act 1958' with respect to the issue of public moneys, to repeal the 'Public Account (Amendment) Act 1984' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **FIREARMS (GENERAL AMENDMENT) BILL**—Mr Mathews obtained leave, with Mr Simpson, to bring in a Bill "to amend the 'Firearms Act 1958' with respect to the recognition of interstate licences, the grant of display licences and exemptions from the operation of the Act, to provide greater controls over firearms and licence-holders and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **FIRE AUTHORITIES BILL**—Mr Mathews obtained leave, with Mr Simpson, to bring in a Bill "to amend the 'Country Fire Authority Act 1958', the 'Country Fire Authority (Amendment) Act 1983' and the 'Metropolitan Fire Brigades Act 1958', and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **EXTRACTIVE INDUSTRIES (AMENDMENT) BILL**—Mr Mathews obtained leave, with Mr Simpson, to bring in a Bill "to amend the 'Extractive Industries Act 1966', the 'Planning Appeals Board Act 1980' and the 'Mines Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 21 **MEDICAL PRACTITIONERS (FURTHER AMENDMENT) BILL**—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill "to amend the 'Medical Practitioners Act 1970', and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 **DANGEROUS GOODS (ROAD TRANSPORT) BILL**—Mr Simmonds obtained leave, with Mr Crabb, to bring in a Bill "to promote the safety of persons and property in relation to the transport by road of dangerous goods, to provide for the giving of effect to certain provisions of the Australian Code for the Transport of Dangerous Goods by Road and Rail, to amend the 'Health Act 1958', the 'Explosives Act 1960', the 'Inflammable Liquids Act 1966', the 'Liquefied Gases Act 1968' and the 'Transport Act 1983' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 23 **THE CONSTITUTION ACT AMENDMENT (DONATIONS AND ELECTORAL EXPENDITURE) BILL**—Mr Simpson obtained leave, with Mr Fordham, to bring in a Bill "to amend 'The Constitution Act Amendment Act 1958' with respect to the disclosure of donations made to and electoral expenditure incurred by political parties and candidates, to amend the 'Magistrates' Courts Act 1971' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 24 **WATER CHARGE CONCESSIONS BILL**—Mr Simpson obtained leave, with Mr Fordham, to bring in a Bill "to provide concessions to certain persons in relation to the supply of water, to amend the 'Water Act 1958', the 'Geelong Waterworks and Sewerage Act 1958', the 'Mildura Irrigation Trusts and Sunraysia Water Board Act 1958' and the 'Melbourne and Metropolitan Board of Works Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 25 RACING (AMENDMENT) BILL (NO. 2)—Mr Trezise obtained leave, with Mr Wilkes, to bring in a Bill "to amend the 'Racing (Amendment) Act 1983'"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 26 YOUTH, SPORT AND RECREATION (ADVISORY COUNCILS) BILL—Mr Trezise obtained leave, with Mr Wilkes, to bring in a Bill "to amend the 'Youth, Sport and Recreation Act 1972' and the 'Youth, Sport and Recreation (State Sports Council) Act 1984' in relation to advisory councils under the 'Youth, Sport and Recreation Act 1972', and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 27 ALCOA (PORTLAND ALUMINIUM SMELTER) (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 28 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 29 LAW REFORM COMMISSION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 30 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that, in view of the passing into law of the *Constitution (Duration of Parliament) Act 1984*, the provisions of which supersede the proposals in the *Constitution (Council Powers) Bill* previously transmitted by the Assembly for the concurrence of the Council, and in respect of which the consideration of a Message from the Assembly notifying disagreement with amendments made by the Council was pending, the Council has discharged its order for consideration of the said Message and has withdrawn the Bill.
- 31 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that, in view of the passing into law of the *Constitution (Duration of Parliament) Act 1984*, the provisions of which supersede the proposals in the *Constitution (Duration of Parliament) Bill* previously transmitted by the Assembly for the concurrence of the Council, the Council has discharged its order for the further consideration of that measure and has withdrawn the Bill.
- 32 APPROPRIATION (1984–85, NO. 1) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Kempton*)—put and agreed to.
Ordered—That the debate be adjourned until later this day.
- 33 HEALTH (RADIATION SAFETY) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 34 APPROPRIATION (1984–85, NO. 1) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

The Honourable Member for Westernport addressing the House, and not having concluded his speech—

Motion made and question—That the Honourable Member be allowed to continue his speech for a further period not exceeding ten minutes (*Mr Richardson*)—put.

The House divided.

AYES, 24

Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Richardson	
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McGrath	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Steggall	Mr Kempton
(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton	Mr Leigh

NOES, 40

Mr Cain	Mr Hassett	Mr Remington	Mr Stirling
Miss Callister	Mr Hill	Mr Roper	Mr Trezise
Mr Cathie	Mr Hockley	Mr Rowe	Dr Vaughan
Dr Coghill	Mr Ihlein	Mr Seitz	Mr Walsh
Mr Crabb	Mr Jolly	Mrs Setches	Mr Wilkes
Mr Culpin	Mr Kennedy	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr Kirkwood	(<i>Ballarat South</i>)	
Mr Fordam	Mr McDonald	Mr Shell	
Mr Gavin	Mr Micallef	Mr Simmonds	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Simpson	Mr McCutcheon
Mr Harrowfield	Mr Newton	Mr Spyker	Mr Pope

And so it passed in the negative.

Debate resumed on question—That this Bill be now read a second time.

Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 35 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.

- 36 STAMPS (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).

Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.

Ordered—That the debate be adjourned until Wednesday, 17 October instant.

- 37 LAND TAX (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).

Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.

Ordered—That the debate be adjourned until Wednesday, 17 October instant.

- 38 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 39 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at eight minutes past Eleven o'clock adjourned until tomorrow.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 146—Thursday, 4 October 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - LIQUOR CONTROL ACT—Seeking that the House will not proceed with the currently proposed amendments to the Liquor Control Act, bearing 129, 51, 198 and 22 signatures respectively (*by Mr Kennett, Mrs Ray, Mr Gavin and Miss Callister*).
 - INDUSTRY SPONSORED LITTER REDUCTION PROGRAM—Seeking that the Government will introduce a comprehensive community education programme to reduce litter and encourage recycling under its control but financially supported by all those industries which contribute to the litter stream, bearing 689 signatures (*by Mr Fogarty*).
 - PHILLIP ISLAND LAND ZONING—“HOLIDAY ISLAND ESTATE”—Seeking that the rural zoning be changed back to residential as was the case when the Phillip Island Council allowed the subdivision to go ahead, bearing 58 signatures (*by Mr Brown*).

Severally ordered to lie on the Table.
- 4 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
 - Dietitians Registration Board—Report and Statement of Accounts for the year 1983–84.
- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Fundraising Appeals Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 6 NATIONAL PARKS (FURTHER AMENDMENT) BILL—Mr Cathie obtained leave, with Mrs Toner, to bring in a Bill “*to create new parks, to amend the ‘National Parks Act 1975,’ the ‘National Parks (Amendment) Act 1984’ and the ‘Forests Act 1958’ and for other purposes*”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 7 CENSURE OF MINISTER OF HEALTH—Motion made and question proposed—That this House no longer has confidence in the Minister of Health and calls for his dismissal as a Minister of the Crown because of his failure to avert and promptly resolve industrial disputes at the Royal Melbourne Hospital and the Eye and Ear Hospital, resulting in the health services provided by those hospitals to Victorians being placed in jeopardy, and because of his failure to fully disclose and accurately inform the House of the seriousness and status of the disputes (*Mr Lieberman*)—and, after debate—

General Business interrupted at 2.00 p.m. pursuant to Sessional Orders.
- 8 MOTOR CAR (INSURANCE SURCHARGE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).

Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 9 COUNTY COURT (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).

Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.

Ordered—That the debate be adjourned until Tuesday, 23 October instant.

- 10 CO-OPERATION (CREDIT SOCIETIES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 11 BUILDING SOCIETIES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 12 INDUSTRIAL RELATIONS (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 13 MELBOURNE CRICKET GROUND (GUARANTEES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 14 AUDIT (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 15 FIREARMS (GENERAL AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 16 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Consumer Affairs (Item Pricing) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 17 MEDICAL PRACTITIONERS (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 18 THE CONSTITUTION ACT AMENDMENT (DONATIONS AND ELECTORAL EXPENDITURE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 19 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 11, be postponed until later this day.

- 20 RACING (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Trezise*).
Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 21 YOUTH, SPORT AND RECREATION (ADVISORY COUNCILS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Trezise*).
Motion made and question—That the debate be now adjourned (*Mr Reynolds*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 22 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 14 to 18 inclusive, be postponed until later this day.
- 23 PENALTIES AND SENTENCES (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 24 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Environment Protection Act 1970’, the ‘Planning Appeals Board Act 1980’ and the ‘Environment Protection (Review) Act 1984’ and for other purposes*”.
- 25 ENVIRONMENT PROTECTION (GENERAL AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 26 APPROPRIATION (1984–85, NO. 1) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 27 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Industrial Relations (Long Service Leave) Bill without amendment.
- 28 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 29 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at twenty-three minutes past Five o’clock, adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 147, 148 and 149

No. 147—Tuesday, 9 October 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 36, 159, 60 and 61 signatures respectively (*by Mr Hassett, Mr Norris, Mr Mathews and Mr Kirkwood*).
 Severally ordered to lie on the Table.
- 4 PAPERS—Mr Speaker presented:
 - Auditor-General—Report on Comprehensive Audits, Government Stores Operations and Departmental Cash Management to October 1984.
 Ordered to lie on the Table and to be printed.
 The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Auditor-General—Report of the Office for the year 1983–84.
 - Employment and Training—Report of the Ministry for the year 1983–84.
 - Land Act 1958—
 - Resumption of Land at Coburg and Greenvale Downs Estate—Certificates of the Minister of Education (two papers).
 - State Bank of Victoria—Reports, Statements, Returns etc. for the year 1983–84—Ordered to be printed.
 - State Rivers and Water Supply Commission—Reports for the year 1983–84 (two volumes)—Ordered to be printed.
 - Statutory Rules under the following Acts:
 - Crimes Act 1958—No. 346.
 - Health Act 1958—Nos. 338, 347.
 - Melbourne and Metropolitan Board of Works Act 1958—Nos. 349, 350.
 - Motor Boating Act 1961—No. 344.
 - Public Service Act 1974—No. 332.
 - Transport Act 1983—Order for the Transfer of Assets and Liabilities from the State Transport Authority to the Metropolitan Transit Authority.
 - Water Resources and Water Supply—Report of the Ministry for the year 1983–84.
 - Youth, Sport and Recreation—Report of the Department for the year 1983–84—Ordered to be printed.
- 5 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 233, 234 and 235)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
 - Stamps (Amendment) Bill (No. 2).
 - Youth, Sport and Recreation (Advisory Councils) Bill.
 - County Court (Amendment) Bill

- 6 MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AS DEPUTY FOR THE GOVERNOR (Nos. 236, 237 and 238)—Mr Speaker announced the presentation of Messages from His Excellency the Lieutenant-Governor as Deputy for the Governor recommending appropriations for the purposes of the following Bills:
Firearms (General Amendment) Bill.
Land Tax (Amendment) Bill (No. 2).
Melbourne Cricket Ground (Guarantees) Bill.
- 7 WATER CHARGE CONCESSIONS BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
Motion made and question—That the debate be now adjourned (*Mr Brown*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 8 PAY-ROLL TAX (AMENDMENT) BILL No. 3—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 23 October instant.
- 9 CROWN LANDS (RESERVES) (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 10 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.
- 11 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 12 DANGEROUS GOODS (ROAD TRANSPORT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered that debate be adjourned until Tuesday, 23 October instant.
- 13 NATIONAL PARKS (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Debate interrupted.
Motion made, by leave, and question—That the consideration of this Order of the Day by postponed until later this day (*Mr Fordham*)—put, after debate, and agreed to.
- 14 ENVIRONMENT PROTECTION (GENERAL AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 15 HEALTH (GENERAL AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
Ordered—That the debate be adjourned until later this day.

- 16 ADMINISTRATIVE APPEALS TRIBUNAL BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 HEALTH (GENERAL AMENDMENT) BILL—Order read for resuming debate on question— That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to revoke the permanent reservations of certain lands and for purposes connected therewith, to close portions of certain roads, to amend the 'Melbourne General Market Lands Act 1917' and for other purposes*".
- 19 LANDS (MISCELLANEOUS MATTERS) BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 20 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Port Bellarine Tourist Resort Act 1981' to make provision for certain alterations to the plan for a tourist resort and for other purposes*".
- 21 PORT BELLARINE TOURIST RESORT (AMENDMENT) BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 22 CHINATOWN HISTORIC PRECINCT BILL—Order read for resuming debate on question— That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 NATIONAL PARKS (FURTHER AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 24 APPROPRIATION (1984–85, No. 1) BILL—Order read for resuming debate on question— That this Bill be now read a second time; debate resumed.
Business having been interrupted at 10.30 p.m.—
Motion made and question—That the sitting be continued (*Mr Jolly*)—put and agreed to.
Debate resumed on question—That this Bill be now read a second time.
And the House having continued to sit till after Twelve of the clock—

WEDNESDAY, 10 OCTOBER 1984

Bill read a second time and committed; considered in Committee.

Committee reported progress.

Motion made and question—That this House will tomorrow again resolve itself into the said Committee to further consider the Bill (*Mr Fordham*)—put.

The House divided.

AYES, 41

Mr Cain	Mr Hockley	Mrs Ray	Mr Simmonds
Miss Callister	Mr Ihlein	Mr Remington	Mr Simpson
Mr Cathie	Mr Jolly	Mr Roper	Mr Spyker
Dr Coghill	Mr Kennedy	Mr Rowe	Mr Stirling
Mr Culpin	Mr Kirkwood	Mr Seitz	Mrs Toner
Mr Ernst	Mr McCutcheon	Mrs Setches	Mr Trezise
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	Mr Wilton
Mr Gray	Mr Newton	Mr Sheehan	<i>Tellers:</i>
Mr Harrowfield	Mr Norris	(<i>Ballarat South</i>)	Mr Hasset
Mr Hill	Mr Pope	Mr Sidiropoulos	Mr Micallef

NOES, 16

Mr Brown	Mr Jasper	Mr Maclellan	Mr Templeton
Mr Burgin	Mr Kempton	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Reynolds	<i>Tellers:</i>
Mr Hann	Mr McGrath	Mr Tanner	Mr Leigh
			Mr McNamara

And so it was resolved in the affirmative.

- 25 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Law Reform Commission Bill with an amendment.

Ordered—That the said amendment be printed and taken into consideration tomorrow.

- 26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Children (Guardianship and Custody) Bill without amendment.

- 27 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Wheat Marketing Act 1979' with respect to the home consumption price of wheat, and for other purposes*".

- 28 WHEAT MARKETING (HOME CONSUMPTION PRICE) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 29 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 30 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirty-six minutes past Two o'clock in the morning, adjourned until later this day.

No. 148—Wednesday, 10 October 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 12 signatures (*by Mr Whiting*).
 - RECYCLING AND CONSERVING RESOURCES—Seeking that the Government introduce as an alternative to deposits a community education scheme aimed at improving recycling and conserving resources, bearing 35 signatures (*by Mr Gray*).
 - “R” AND “X” RATED VIDEO CASSETTES BAN—Seeking that the House legislate to ban “R” and “X” video cassettes from the home, leaving adults who wish to do so, see them in licensed cinemas, bearing 34 signatures (*by Mr Gray*).
 - CAPTURE AND DISPLAY OF WHALES AND DOLPHINS—Seeking that the proposal for the capture and display of whales and dolphins within the State of Victoria and the construction of a dolphinarium at Keysborough be brought before the Natural Resources and Environment Committee, bearing 16 signatures (*by Mr Saltmarsh*).

Severally ordered to lie on the Table.
- 4 PAPER—Mr Cain presented, by Command of His Excellency the Governor—Supreme Court Judges—Report for the year 1983.
Ordered to lie on the Table.
- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (NO. 239)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Pay-roll Tax (Amendment) Bill (No. 3).
- 6 MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR AS DEPUTY FOR THE GOVERNOR (NOS. 240, 241 AND 242)—Mr Speaker announced the presentation of Messages from His Excellency the Lieutenant-Governor as Deputy for the Governor recommending appropriations for the purposes of the following Bills:
 - Water Charge Concessions Bill.
 - Crown Land (Reserves) (Amendment) Bill.
 - Extractive Industries (Amendment) Bill.
- 7 SOUTH YARRA PROJECT BILL—Mr Cathie obtained leave, with Mr Mathews, to bring in a Bill “to ratify, validate, approve and otherwise give effect to an Agreement between the Premier for and on behalf of the State of Victoria, The South Yarra Project Pty Ltd and the Mayor, Councillors and citizens of the City of Prahran with respect to the development of land at South Yarra in the State of Victoria, to make provision for certain matters in relation to that development and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL (NO. 2)—Mr Jolly obtained leave, with Mr Fordham, to bring in a Bill “to amend Part III. of the ‘Lotteries Gaming and Betting Act 1966’ and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 STATE ELECTRICITY COMMISSION (COAL CORPORATION OF VICTORIA) BILL—Mr Mathews obtained leave, with Mr Cathie, to bring in a Bill “to establish a Coal

Corporation of Victoria, to abolish the Victorian Brown Coal Council, to amend the 'State Electricity Commission Act 1958', and the 'Electric Light and Power Act 1958', to repeal the 'Victorian Brown Coal Council Act 1978' and for other purposes''; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 PRE-SCHOOL TEACHERS AND ASSISTANTS (PORTABILITY OF LONG SERVICE LEAVE) BILL—Mr Roper obtained leave, with Mr Fordham, to bring in a Bill "*to make provision in relation to portability of long service leave for certain pre-school teachers and assistants and for other purposes''*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 FIRE AUTHORITIES BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
- Motion made and question—That the debate be now adjourned (*Mr Ebery*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Tuesday, 23 October instant.
- 12 PORT BELLARINE TOURIST RESORT (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
- Motion made and question—That the debate be now adjourned (*Mr Dickinson*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 13 WHEAT MARKETING (HOME CONSUMPTION PRICE) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
- Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 14 LAND (MISCELLANEOUS MATTERS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
- Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 15 FUNDRAISING APPEALS BILL—Order read for the consideration of the amendments made by the Legislative Council.
- And the said amendments were read a second time and, after debate, agreed to by the House.
- Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 16 APPROPRIATION (1984-85, NO. 1) BILL—Further considered in Committee.
- Committee reported progress.
- Business having being interrupted at 10.30 p.m.—
- Motion made and question—That the sitting be continued (*Mr Cathie*)—put and agreed to.
- Further considered in Committee.
- And having continued to sit till after Twelve of the clock—

THURSDAY, 11 OCTOBER 1984

Committee reported progress; to sit again later this day.

- 17 APPROPRIATION (1984-85, NO. 1) BILL—DECLARATION OF BILL AS URGENT—LIMITATION OF DEBATE—Mr Fordham declared that the Appropriation (1984-85, No. 1) Bill was an urgent Bill and moved—That the Bill be considered an urgent Bill.

Mr Speaker having ascertained that twenty Members approved of the proposed motion being put—

Question—That the Bill be considered an urgent Bill—put.

The House divided.

AYES, 42

Mr Cain	Mr Hill	Mr Remington	Mr Spyker
Miss Callister	Mr Hockley	Mr Rowe	Mr Stirling
Mr Cathie	Mr Jolly	Mr Seitz	Mrs Toner
Dr Coghill	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Crabb	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Culpin	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilton
Mr Ernst	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gavin	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr Micallef
Mr Harrowfield	Mr Pope	Mr Simmonds	Mr Norris
Mr Hassett	Mrs Ray	Mr Simpson	

NOES, 20

Mr Brown	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Dickinson	Mr McGrath	Mrs Sibree	Mr Kempton
Mr Ebery	Mr Maclellan	Mr Steggall	Mr Leigh
Mr Hann	Mr Ramsay	Mr Tanner	
Mr Jasper	Mr Reynolds	Mr Wallace	
Mr Kennett	Mr Richardson	Mr Williams	

And so it was resolved in the affirmative.

Motion made and question—That the time allotted for the remaining stages of the Bill be until 3.30 a.m. this day (*Mr Fordham*)—after debate, put.

The House divided.

AYES, 43

Mr Cain	Mr Hassett	Mr Norris	Mr Spyker
Miss Callister	Mr Hill	Mr Pope	Mr Stirling
Mr Cathie	Mr Hockley	Mrs Ray	Mrs Toner
Dr Coghill	Mr Jolly	Mr Remington	Mr Trezise
Mr Crabb	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Wilton
Mr Ernst	Mr McCutcheon	Mr Sheehan	
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Fordham	Mr Mathews	Mr Shell	<i>Tellers</i>
Mr Gavin	Mr Micallef	Mr Sidiropoulos	Mr Seitz
Mr Gray	Mr Miller	Mr Simmonds	Mr Sheehan
Mr Harrowfield	Mr Newton	Mr Simpson	(<i>Ballarat South</i>)

NOES, 20

Mr Brown	Mr Kennett	Mr Reynolds	<i>Tellers</i>
Mr Dickinson	Mr Leigh	Mr Richardson	Mr Tanner
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	Mr Wallace
Mr Hann	Mr McGrath	Mrs Sibree	
Mr Jasper	Mr Maclellan	Mr Steggall	
Mr Kempton	Mr Ramsay	Mr Williams	

And so it was resolved in the affirmative.

18 APPROPRIATION (1984–85, No. 1) BILL—Further considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Adoption Bill (No. 2) with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 20 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Alcoa (Portland Aluminium Smelter) (Amendment) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 21 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 22 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
- And then the House, at forty-five minutes past Three o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 149—Thursday, 11 October 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
- CARLTON CRICKET, FOOTBALL AND SOCIAL CLUB NORTHERN STAND—Seeking that the proposed Northern Stand of the Carlton Cricket, Football and Social Club does not proceed, bearing 328 signatures (*by Mr Remington*).
- LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 10, 35 and 12 signatures respectively (*by Mr Ebery, Mr Micallef and Dr Coghill*).
- SMALL BUSINESS RESTRICTIONS AND CHARGES—Seeking that the Government take immediate steps to alleviate the problems of small business by removing many of the present restrictions and charges, bearing 475 signatures (*by Mr Ebery*).
- A.P.M. MARYVALE LICENCE RENEWAL—Seeking that the licence to discharge waste into the air issued to the Australian Paper Manufacturers plant at Maryvale be only renewed subject to—(a) limiting the quantity and frequency of use of emergency air vents; and (b) within two years waste gases containing sulphur compounds (except those emitted legally from emergency vents) be emitted from a height of not less than 130 metres, bearing 1917 signatures (*by Miss Callister*).
- Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Crimes Compensation Tribunal—Report for the year 1983–84.
- Melbourne and Metropolitan Board of Works—Report for the year 1983–84.

- 5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 243)—ASSENT TO BILLS—
Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
Industrial Relations (Long Service Leave) Bill.
Melbourne Corporation (Election of Council) (Amendment) Bill.
Motor Car (Licences) Bill.
- 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 244)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Liquor Control (Amendment) Bill (No. 2).
- 7 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.
- 8 SOUTH YARRA PROJECT BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr. Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until Tuesday, 23 October instant.
- 9 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to amend the 'Mildura Irrigation Trusts and Sunraysia Water Board Act 1958', the 'Sewerage Districts Act 1958' and the 'Water Act 1958' and for other purposes'*".
- 10 WATER (MISCELLANEOUS AMENDMENTS) BILL—On the motion of Mr Simpson, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 11 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL (No. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 12 STATE ELECTRICITY COMMISSION (COAL CORPORATION OF VICTORIA) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 13 PRE-SCHOOL TEACHERS AND ASSISTANTS (PORTABILITY OF LONG SERVICE LEAVE) BILL—
Motion made and question proposed—That this Bill be now read a second time (*Mr Roper*).
Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
Ordered—That the debate be adjourned until Tuesday, 23 October instant.
- 14 THE CONSTITUTION ACT AMENDMENT (ELECTORAL LEGISLATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Amendment proposed—That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the provisions contained therein have been examined and reported upon by the Legal and Constitutional Committee." (*Mr Ebery*)—and, after debate—
Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.

- 15 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until Tuesday, 23 October instant (*Mr Fordham*)—put and agreed to.
- 16 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question— That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 17 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at three minutes past Seven o'clock adjourned until Tuesday, 23 October instant.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 150, 151, 152 and 153

No. 150—Tuesday, 23 October 1984

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 23, 24 and 58 signatures respectively (*by Mr Hockley, Mrs Hill and Mr Mathews*).
 - PRINCE HENRY'S HOSPITAL—Seeking that the Government retain Prince Henry's Hospital at its present site because of its accessibility to the transport system, bearing 13 signatures (*by Mr Hassett*).
 Severally ordered to lie on the Table.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Adult Education—Report of the Council for the year 1983–84.
 - Country Fire Authority—Report for the year 1982–83.
 - Land Conservation Council—Report for the year 1983–84—Ordered to be printed.
 - Latrobe Valley Water and Sewerage Board—Report and Statement of Accounts for the year 1983–84.
 - Municipal Association Act 1907—Report of the Auditor on the Local Government Investment Service Fund for the year 1983–84.
 - Parliamentary Committees Act 1968—Report of the Minister of Health as to action taken with respect to the recommendations of the Social Development Committee on Complaints Procedures Against Health Services.
 - Property and Services—Report of the Department for the year 1983–84.
 - Public Record Office—Report of the Keeper of Public Records for the year 1983–84.
 - Statutory Rules under the following Acts:
 - Administration and Probate Act 1958 and the Supreme Court Act 1958—No. 352.
 - Egg Industry Stabilization Act 1983—No. 359.
 - Evidence Act 1958—No. 355.
 - Health Act 1958—No. 362.
 - Industrial Training Act 1975—No. 358.
 - Melbourne and Metropolitan Board of Works Act 1958—No. 348.
 - Motor Boating Act 1961—No. 360.
 - Nurses Act 1958—No. 351.
 - Racing Act 1958—No. 354.
 - Supreme Court Act 1958—No. 353.
 - Transport Act 1983—No. 361.

Town and Country Planning Act 1961:

- Buninyong—Shire of Buninyong Planning Scheme, Amendment No. 19.
- Flinders—Shire of Flinders Planning Scheme 1962, Amendment Nos. 165, 168 (1983), (two papers).
- Hastings—Shire of Hastings Planning Scheme, Amendment Nos. 16, 20 to 23 (five papers).
- Melbourne Metropolitan Planning Scheme, Amendment Nos. 150 (Part 2), 291 (two papers).
- Newham and Woodend—Shire of Newham and Woodend Planning Scheme, Amendment No. 22.
- Pakenham—Shire of Pakenham Planning Scheme—Part 1, Amendment No. 31.
- Portland Planning Scheme 1957, Amendment No. 18.
- Werribee—Shire of Werribee Planning Scheme 1963, Amendment No. 77 (1983).
- Victorian Public Authorities Finance Agency—Report for the year 1983–84.
- Victorian Teaching Service Conciliation and Arbitration Commission—Report of the President for the year 1983–84.

* * * *

The following Proclamations fixing operative dates for various Acts were laid upon the Table by the Clerk, pursuant to an Order of the House dated 2 October, 1984:

- Magistrates' Courts (Appointment of Magistrates) Act 1984—17 October, 1984 (*Government Gazette* No. 114, 17 October, 1984).
 - Melbourne Corporation (Election of Council) (Amendment) Act 1984—17 October, 1984 (*Government Gazette* No. 114, 17 October, 1984).
 - Motor Car (Licences) Act 1984—Sections 1, 2, 3, 6, 9 and 10—17 October, 1984 and the remaining provisions—1 November, 1984 (*Government Gazette* No. 114, 17 October, 1984).
 - Teaching Service Act 1983—Sections 5 (2); 18 (1) (a), (b), (d) to (p), and (r); 18 (2); and 28—17 October, 1984 (*Government Gazette* No. 114, 17 October, 1984).
 - Workers Compensation (Amendment) Act 1984—Sections 4, 6, 7, 8, 10, 12, 13, 15 and 17—11 October, 1984 (*Government Gazette* No. 109, 11 October 1984).
- 5 SALINITY COMMITTEE—Motion made, by leave, and question—That this House grant leave to permit the Salinity Committee to meet during the sitting of the House on Thursday, 25 October, 1984 (*Mr Fordham*)—put and agreed to.
 - 6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 245)—ASSENT TO BILL—Informing the Assembly that he had, on 16 October last, given the Royal Assent to the following Bill, presented to him by the Clerk Assistant of the Legislative Council for and in the absence of the Clerk of the Parliaments:
Children (Guardianship and Custody) Bill.
 - 7 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 246, 247, 248, 249, 250, 251 and 252)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
State Electricity Commission (Coal Corporation of Victoria) Bill.
South Yarra Project Bill.
Pre-School Teachers and Assistants (Portability of Long Service Leave) Bill.
The Constitution Act Amendment (Electoral Legislation) Bill.

Fire Authorities Bill.
National Parks (Further Amendment) Bill.
Dangerous Goods (Road Transport) Bill.

- 8 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 253)—Mr Speaker announced the presentation of a Message from His Excellency the Governor transmitting to the Assembly for their consideration amendments which he desires to be made in the Fundraising Appeals Bill.

Ordered—That the amendments be printed and taken into consideration tomorrow.

- 9 WATER (MISCELLANEOUS AMENDMENTS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).

Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.

Ordered, after debate—That the debate be adjourned until Tuesday next.

- 10 ALCOA (PORTLAND ALUMINIUM SMELTER) (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 11 LAW REFORM COMMISSION BILL—Order read for the consideration of the amendment made by the Legislative Council.

And the said amendment was read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.

- 12 THE CONSTITUTION ACT AMENDMENT (ELECTORAL LEGISLATION) BILL—Order read for resuming debate on 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 the words “this House refuses to read this Bill a second time until the provisions contained therein have been examined and reported upon by the Legal and Constitutional Committee”; debate resumed.

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

The House divided.

AYES, 53

Mr Cain	Mr Hassett	Mr Newton	Mr Steggall
Miss Callister	Mrs Hill	Mr Pope	Mr Stirling
Mr Cathie	Mr Hill	Mrs Ray	Mrs Toner
Dr Coghill	Mr Hockley	Mr Remington	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Roper	Dr Vaughan
Mr Culpin	Mr Jasper	Mr Ross-Edwards	Mr Wallace
Mr Ernst	Mr Jolly	Mr Rowe	Mr Walsh
Mr Evans	Mr Kennedy	Mr Seitz	Mr Whiting
(<i>Gippsland East</i>)	Mr Kirkwood	Mrs Setches	Mr Wilton
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr McGrath	(<i>Ivanhoe</i>)	
Mr Gavin	Mr McNamara	Mr Sheehan	
Mr Gray	Mr Mathews	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Hann	Mr Micallef	Mr Simpson	Mr McCutcheon
Mr Harrowfield	Mr Miller	Mr Spyker	Mr Norris

NOES, 18

Mr Austin	Mr Jona	Mr Reynolds	Mr Templeton
Mr Burgin	Mr Kempton	Mr Richardson	Mr Williams
Mr Ebery	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mrs Sibree	Mr Dickinson
(<i>Ballarat North</i>)	Mr Ramsay	Mr Tanner	Mr Leigh

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 LIQUOR CONTROL (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

Question—That the question be now put (*Mr Fordham*)—put.

The House divided.

AYES, 44

Mr Cain	Mr Hassett	Mr Newton	Mr Simpson
Miss Callister	Mrs Hill	Mr Norris	Mr Spyker
Mr Cathie	Mr Hill	Mr Pope	Mr Stirling
Dr Coghill	Mr Hockley	Mrs Ray	Mrs Toner
Mr Crabb	Mr Jolly	Mr Remington	Mr Trezise
Mr Culpin	Mr Kennedy	Mr Roper	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Rowe	Mr Wilton
Mr Fogarty	Mr McCutcheon	Mr Seitz	
Mr Fordham	Mr McDonald	Mrs Setches	
Mr Gavin	Mr Mathews	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Micallef	(<i>Ballarat South</i>)	Mr Ihlein
Mr Harrowfield	Mr Miller	Mr Simmonds	Mr Shell

NOES, 28

Mr Austin	Mr Hann	Mr Richardson	Mr Williams
Mr Burgin	Mr Jasper	Mr Ross-Edwards	
Mr Delzoppo	Mr Jona	Mr Saltmarsh	
Mr Dickinson	Mr Kennett	Mrs Sibree	
Mr Ebery	Mr McGrath	Mr Steggall	
Mr Evans	Mr McNamara	Mr Tanner	
(<i>Ballarat North</i>)	Mr Maclellan	Mr Templeton	<i>Tellers</i>
Mr Evans	Mr Ramsay	Mr Wallace	Mr Kempton
(<i>Gippsland East</i>)	Mr Reynolds	Mr Whiting	Mr Leigh

And so it was resolved in the affirmative.

Question—accordingly put.

The House divided.

AYES, 44

Mr Cain	Mr Hassett	Mr Miller	Mr Spyker
Miss Callister	Mrs Hill	Mr Newton	Mr Stirling
Mr Cathie	Mr Hill	Mr Pope	Mrs Toner
Dr Coghill	Mr Hockley	Mrs Ray	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Remington	Mr Walsh
Mr Culpin	Mr Jolly	Mr Roper	Mr Wilton
Mr Ernst	Mr Kennedy	Mr Rowe	
Mr Fogarty	Mr Kirkwood	Mr Seitz	
Mr Fordham	Mr McCutcheon	Mrs Setches	<i>Tellers</i>
Mr Gavin	Mr McDonald	Mr Shell	Mr Norris
Mr Gray	Mr Mathews	Mr Simmonds	Mr Sheehan
Mr Harrowfield	Mr Micallef	Mr Simpson	<i>(Ballarat South)</i>

NOES, 28

Mr Austin	Mr Hann	Mr Richardson	Mr Williams
Mr Burgin	Mr Jasper	Mr Ross-Edwards	
Mr Delzoppo	Mr Jona	Mr Saltmarsh	
Mr Dickinson	Mr Kennett	Mrs Sibree	
Mr Ebery	Mr McGrath	Mr Steggall	
Mr Evans	Mr McNamara	Mr Tanner	
<i>(Ballarat North)</i>	Mr Maclellan	Mr Templeton	<i>Tellers</i>
Mr Evans	Mr Ramsay	Mr Wallace	Mr Kempton
<i>(Gippsland East)</i>	Mr Reynolds	Mr Whiting	Mr Leigh

And so it was resolved in the affirmative.

Bill read a second time.

Ordered—That the Bill be committed tomorrow.

- 14 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 254)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Stamps (Amendment) Bill (No. 2).
- 15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Transfer of Land Act 1958’, the ‘Strata Titles Act 1967’ and the ‘Cluster Titles Act 1974’, and for other purposes.*”
- 16 TRANSFER OF LAND (AMENDMENT) BILL (No. 2)—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 17 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to repeal section 18 of the ‘Fisheries Act 1968’ and for other purposes.*”
- 18 FISHERIES (RECIPROCAL LICENCES) BILL—On the motion of Mr Cathie, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 19 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Wine Grape Processing Industry Act 1978’ and for other purposes.*”
- 20 WINE GRAPE PROCESSING INDUSTRY (AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 21 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to amend the ‘Canned Fruits Marketing Act 1979’ and for other purposes.*”

- 22 CANNED FRUITS MARKETING (AMENDMENT) BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "*An Act to provide for the sale of films of different classifications, to prohibit the sale of objectionable films and unclassified video films, to amend the 'Films Act 1971' and the 'Police Offences Act 1958', and for other purposes.*"
- 24 FILMS (CLASSIFICATION) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 25 MOTOR CAR (INSURANCE SURCHARGE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.

Committee reported progress.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (Mr Fordham)—put.

The House divided.

AYES, 44

Mr Cain	Mr Hassett	Mr Norris	Mr Simmonds
Miss Callister	Mr Hockley	Mr Pope	Mr Simpson
Mr Cathie	Mr Ihlein	Mr Remington	Mr Spyker
Dr Coghill	Mr Jolly	Mr Roper	Mr Stirling
Mr Crabb	Mr Kennedy	Mr Rowe	Mrs Toner
Mr Culpin	Mr Kirkwood	Mr Seitz	Mr Trezise
Mr Ernst	Mr McCutcheon	Mrs Seches	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	Tellers
Mr Gavin	Mr Micallef	Mr Sheehan	Mr Hill
Mr Gray	Mr Miller	(<i>Ballarat South</i>)	Mrs Ray
Mr Harrowfield	Mr Newton	Mr Shell	

NOES, 27

Mr Burgin	Mr Jasper	Mr Ramsay	Mr Templeton
Mr Delzoppo	Mr Jona	Mr Reynolds	Mr Whiting
Mr Ebery	Mr Kennett	Mr Richardson	Mr Williams
Mr Evans	Mr Leigh	Mr Ross-Edwards	
(<i>Ballarat North</i>)	Mr Lieberman	Mr Saltmarsh	
Mr Evans	Mr McGrath	Mrs Sibree	Tellers
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	Mr Kempton
Mr Hann	Mr Maclellan	Mr Tanner	Mr Wallace

And so it was resolved in the affirmative.

Further considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 26 STAMPS (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.

Committee reported progress; to sit again tomorrow.

- 27 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 28 ADJOURNMENT—Motion made and question proposed—That the House do now adjourn (*Mr Fordham*)—and, after debate—

And the House having continued to sit till after Twelve of the clock—

WEDNESDAY, 24 OCTOBER 1984

Question—put and agreed to.

And then the House at thirty-five minutes past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 151—Wednesday, 24 October 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

PSYCHOLOGISTS BILL—Seeking that further debate on the Psychologists Bill be adjourned until there has been at least three months to allow the public an opportunity to participate in the formulation of the Bill, bearing 32 signatures (*by Mr Lieberman*)

THERAPEUTIC GOODS AND COSMETICS BILL—Seeking that further debate on the Therapeutic Goods and Cosmetics Bill be adjourned until there has been at least three months to allow the public an opportunity to participate in the formulation of the Bill, bearing 19 signatures (*by Mr Lieberman*)

BATTERY HEN EGG PRODUCTION—Seeking that the Government direct the Victorian Egg Board to separately market eggs from caged hens and those from non-caged hens and to draw up a plan to phase out battery cages, bearing 2790 signatures (*by Mr Norris*)

Severally ordered to lie on the Table.

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

Building Societies—Report of the Registrar for the year 1982–83—Ordered to be printed.

Police Regulation Act 1958—Determination No. 411 of the Police Service Board.

Public Prosecutions—Report of the Director on the Operations of the Office from 1 February 1983 to 30 September 1984.

Public Prosecutions—Report and Financial Statements for the year 1983–84.

Trade Unions—Report of the Registrar of Friendly Societies on Trade Unions for the year 1983–84.

Victorian Brown Coal Council—Report for the year 1983–84.

- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act relating to the regulation of certain procedures for the alleviation of infertility or to assist conception, to amend the ‘Human Tissue Act 1982’ and the ‘Freedom of Information Act 1982’, to prohibit agreements relating to surrogate motherhood and for other purposes*”.
- 6 INFERTILITY (MEDICAL PROCEDURES) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 7 PUBLIC HOLIDAY (150th ANNIVERSARY) BILL—Mr Mathews obtained leave, with Mr Fordham, to bring in a Bill “*to make provision for the observance of 31 December 1984 as a public holiday to mark the 150th anniversary of Victoria and for other purposes*”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 8 LOTTERIES GAMING AND BETTING (GAMING MACHINES) BILL—Mr Trezise, pursuant to motion moved on his behalf by Mr Fordham, after debate, obtained leave, with Mr Simpson, to bring in a Bill “*to amend Part V. of the ‘Lotteries Gaming and Betting Act 1966’ and for other purposes*”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 9 FISHERIES (RECIPROCAL LICENCES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cathie*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 10 WINE GRAPE PROCESSING INDUSTRY (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 11 CANNED FRUITS MARKETING (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
Ordered—That the debate be adjourned until Wednesday next.
- 12 ADOPTION BILL (NO. 2)—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Motor Car (Insurance Surcharge) Bill without amendment.
- 14 FUNDRAISING APPEALS BILL—Order read for the consideration of the amendments recommended by His Excellency the Governor.
And the said amendments were read a second time and agreed to by the House.
Ordered—That His Excellency's Message be transmitted to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the said amendments, and requesting their concurrence therein.
- 15 STAMPS (AMENDMENT) BILL (NO. 2)—Further considered in Committee and reported with amendments and with an amended title, which title is as follows:
"A Bill to amend the 'Stamps Act 1958', the 'Motor Boating Act 1961', the 'Financial Institutions Duty Act 1982' and the 'Audit Act 1958' and for other purposes."
Bill, as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 LAND TAX (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 AUDIT (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 PAY-ROLL TAX (AMENDMENT) BILL (NO. 3)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 LOTTERIES GAMING AND BETTING (GAMING MACHINES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Trezise*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered, after debate—That the debate be adjourned until tomorrow.
- 20 WATER CHARGE CONCESSIONS BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 TRANSFER OF LAND (AMENDMENT) BILL (NO. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).

- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday next.
- 22 FILMS (CLASSIFICATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
- Motion made and question—That the debate be now adjourned (*Mr Templeton*)—put and agreed to.
- Ordered—That the debate be adjourned until Wednesday next.
- 23 COUNTY COURT (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 24 CROWN LAND (RESERVES) (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 25 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the amendments recommended by His Excellency the Governor in the Fundraising Appeals Bill.
- 26 NATIONAL PARKS (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
- Committee reported progress; to sit again tomorrow.
- 27 PUBLIC HOLIDAY (150TH ANNIVERSARY) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Mathews*).
- Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday next.
- 28 MELBOURNE CRICKET GROUND (GUARANTEES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 29 MESSAGE FROM THE LEGISLATIVE COUNCIL—Returning the Administrative Appeals Tribunal Bill and, on consideration of the Bill in Committee, suggesting an amendment and acquainting the Assembly that they have made amendments in the Bill.
- Ordered—That the said amendments be printed and taken into consideration tomorrow.
- 30 INDUSTRIAL RELATIONS (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.30 p.m.—
- Motion made and question—That the sitting be continued (*Mr Fordham*)—put.

The House divided.

AYES, 43

Miss Callister	Mrs Hill	Mr Newton	Mr Simpson
Mr Cathie	Mr Hill	Mrs Ray	Mr Spyker
Dr Coghill	Mr Hockley	Mr Roper	Mr Stirling
Mr Crabb	Mr Ihlein	Mr Rowe	Mrs Toner
Mr Culpin	Mr Jolly	Mr Seitz	Mr Trezise
Mr Ernst	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Gavin	Mr McDonald	Mr Sheehan	
Mr Gray	Mr Mathews	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Harrowfield	Mr Micallef	Mr Shell	Mr Norris
Mr Hassett	Mr Miller	Mr Simmonds	Mr Pope

NOES, 24

Mr Burgin	Mr Leigh	Mr Ross-Edwards	Mr Whiting
Mr Ebery	Mr Lieberman	Mr Saltmarsh	Mr Williams
Mr Evans	Mr McGrath	Mrs Sibree	
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	
Mr Hann	Mr Maclellan	Mr Tanner	<i>Tellers</i>
Mr Jasper	Mr Ramsay	Mr Templeton	Mr Delzoppo
Mr Kennett	Mr Reynolds	Mr Wallace	Mr Dickinson

And so it was resolved in the affirmative.

Debate resumed on question—That this Bill be now read a second time—put.

The House divided.

AYES, 44

Mr Cain	Mr Hassett	Mr Norris	Mr Simmonds
Miss Callister	Mrs Hill	Mr Pope	Mr Simpson
Mr Cathie	Mr Hill	Mrs Ray	Mr Spyker
Dr Coghill	Mr Hockley	Mr Roper	Mr Stirling
Mr Crabb	Mr Jolly	Mr Rowe	Mrs Toner
Mr Culpin	Mr Kirkwood	Mr Seitz	Mr Trezise
Mr Ernst	Mr McCutcheon	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Micallef	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Miller	(<i>Ballarat South</i>)	Mr Ihlein
Mr Harrowfield	Mr Newton	Mr Shell	Mr Kennedy

NOES, 22

Mr Burgin	Mr Hann	Mr Reynolds	Mr Templeton
Mr Delzoppo	Mr Jasper	Mr Ross-Edwards	Mr Whiting
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	Mr Williams
Mr Ebery	Mr McGrath	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Steggall	Mr Leigh
(<i>Gippsland East</i>)	Mr Ramsay	Mr Tanner	Mr Wallace

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

Ordered—That the Bill be committed tomorrow.

- 31 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for "An Act to make provision for adequate, effective and co-ordinated processes in the preparation and

making of subordinate legislation which enable consultation, evaluation and review of subordinate legislation, to reduce the volume of subordinate legislation, to ensure that there is adequate scrutiny of subordinate legislation, to amend the 'Subordinate Legislation Act 1962' and the 'Parliamentary Committees Act 1968' and for other purposes."

- 32 SUBORDINATE LEGISLATION (REVIEW AND REVOCATION) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 33 FIRE AUTHORITIES BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Motion made and question—That the debate be now adjourned (*Mr Evans, Gippsland East*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 34 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Audit (Amendment) Bill without amendment.
- 35 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 36 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.
And then the House, at forty-nine minutes past Eleven o'clock adjourned until tomorrow.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 152—Thursday, 25 October 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 20 and 13 signatures respectively (*by Mrs Ray and Mr Evans, Gippsland East*).
Severally ordered to lie on the Table.
- 4 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year 1983–84 (*Mr Jolly*)—put and agreed to.
- 5 PAPER—Mr Jolly presented:
Parliamentary Contributory Superannuation Fund—Report of the Trustees for the year 1983–84—Return to the foregoing order.
Ordered to lie on the Table and to be printed.

- 6 PAPERS—The following Papers, pursuant to the directions of an Act of Parliament, were laid upon the Table by the Clerk:

Town and Country Planning Act 1961:

- Benalla—Shire of Benalla Planning Scheme 1953, Amendment No. 20.
 Cobram—Shire of Cobram Planning Scheme 1979, Amendment No. 15.
 Cranbourne—Shire of Cranbourne (Western Port) Planning Scheme, Amendment No. 26 (1983).
 Echuca—City of Echuca Planning Scheme, Amendment No. 55 (1982).
 Flinders—Shire of Flinders Planning Scheme 1962, Amendment No. 171.
 Geelong Regional Planning Scheme, Amendment No. 83 (1983).
 Knox—City of Knox Planning Scheme 1965, Amendment No. 267.
 Lillydale—Shire of Lillydale Planning Scheme 1958, Amendment No. 170.
 Melbourne Metropolitan Planning Scheme, Amendment Nos. 150 (Part 4), 227 (Part 2c), 230 (Part 2), 232 (Part 1A), (Part 2), 272 (Part 1), 274 (Part 1), 276 (Part 1), 302, 309, (ten papers).
 Port Fairy Planning Scheme 1959, Amendment No. 25 (1983).
 Rosedale—Shire of Rosedale Planning Scheme, Part 2, Amendment No. 15.
 Swan Hill—City of Swan Hill Planning Scheme, Amendment No. 8.

- 7 ADJOURNMENT—MOTION FOR PURPOSE OF DISCUSSION—Mr Kennett rose in his place, and said that he proposed to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, “The failure of the Government to take adequate remedial action to protect the solvency and viability of the State Insurance Office in the light of information recently provided to it by the Insurance Commissioner”.

Mr Speaker having ascertained that twelve Members approved of the proposed discussion—

Motion made and question—That the House do now adjourn (*Mr Kennett*)—after debate, put.

The House divided.

AYES, 25

Mr Austin	Mr Hann	Mr Richardson	Mr Williams
Mr Burgin	Mr Jasper	Mr Ross-Edwards	
Mr Dickinson	Mr Jona	Mr Saltmarsh	
Mr Ebery	Mr Kennett	Mrs Sibree	
Mr Evans	Mr Lieberman	Mr Steggall	
(Ballarat North)	Mr McNamara	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr Ramsay	Mr Templeton	Mr Delzoppo
(Gippsland East)	Mr Reynolds	Mr Whiting	Mr Wallace

NOES, 38

Miss Callister	Mr Hill	Mr Norris	Mr Stirling
Dr Coghill	Mr Hockley	Mrs Ray	Mrs Toner
Mr Crabb	Mr Ihlein	Mr Remington	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Roper	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Rowe	Mr Wilkes
Mr Fogarty	Mr Kirkwood	Mr Sheehan	
Mr Fordham	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Gavin	Mr McDonald	Mr Sheehan	
Mr Gray	Mr Mathews	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Harrowfield	Mr Micallef	Mr Shell	Mr Seitz
Mrs Hill	Mr Newton	Mr Simpson	Mrs Setches

And so it passed in the negative.

- 8 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
- Pay-roll Tax (Amendment) Bill (No. 3).
 - Land Tax (Amendment) Bill (No. 2).
 - Melbourne Cricket Ground (Guarantees) Bill.
 - County Court (Amendment) Bill.
- 9 CONSTITUTION (COUNCIL VACANCIES) BILL—Mr Simpson, by leave, obtained leave, with Mr Fordham, to bring in a Bill “to provide for the filling of places of members of the Legislative Council for the provinces named Ballarat, Boronia, Monash or Western whose seats fall vacant in certain circumstances and for other purposes”; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 10 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 11 NATIONAL PARKS (FURTHER AMENDMENT) BILL—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
- Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 MEDICAL PRACTITIONERS (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
- Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.
- Ordered—That the debate be adjourned until tomorrow.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to make provision for the operation of the National Crime Authority in Victoria and for other purposes*”.
- 14 NATIONAL CRIME AUTHORITY (STATE PROVISIONS) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 15 INFERTILITY (MEDICAL PROCEDURES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
- Motion made and question—That the debate be now adjourned (*Mr Lieberman*)—put and agreed to.
- Ordered, after debate—That the debate be adjourned until Tuesday next.
- 16 CONSTITUTION (COUNCIL VACANCIES) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Simpson*).
- Motion made and question—That the debate be now adjourned (*Mr Tanner*)—put and agreed to.
- Ordered—That the debate be adjourned until Tuesday next.
- 17 INDUSTRIAL RELATIONS (AMENDMENT) BILL (NO. 2)—Motion made, by leave, and question—That it be an instruction to the Committee that they have power to consider a New Clause to ensure that past and existing Conciliation and Arbitration Boards and Wages Boards under the *Labour and Industry Act 1958* were validly constituted (*Mr Crabb*)—put and agreed to.

Bill considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to.

Motion made and question—That this Bill be now read a third time (*Mr Crabb*)—after debate, put.

The House divided.

AYES, 39

Miss Callister	Mr Hockley	Mrs Ray	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Remington	Dr Vaughan
Mr Crabb	Mr Jolly	Mr Rowe	Mr Walsh
Mr Culpin	Mr Kennedy	Mr Seitz	Mr Wilkes
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Wilton
Mr Fogarty	Mr McCutcheon	Mr Sheehan	
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Mathews	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Simpson	Mr Micallef
Mr Harrowfield	Mr Newton	Mr Stirling	Mr Sheehan
Mrs Hill	Mr Norris	Mrs Toner	(<i>Ballarat South</i>)

NOES, 22

Mr Austin	Mr Hann	Mr Ross-Edwards	
Mr Burgin	Mr Jasper	Mrs Sibree	
Mr Delzoppo	Mr McGrath	Mr Tanner	
Mr Dickinson	Mr Maclellan	Mr Templeton	
Mr Ebery	Mr Ramsay	Mr Wallace	<i>Tellers</i>
Mr Evans	Mr Reynolds	Mr Whiting	Mr Leigh
(<i>Gippsland East</i>)	Mr Richardson	Mr Williams	Mr Stegall

And so it was resolved in the affirmative.

Bill read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act to make provision for a secondary mortgage market, to make certain securities authorized trustee investments and for that purpose to amend the ‘Trustee Act 1958’ and for other purposes*”.
- 19 TRUSTEE (AMENDMENT) BILL—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 20 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Water Charge Concessions Bill without amendment.
- 21 FIRE AUTHORITIES BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 22 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Stamps (Amendment) Bill (No. 2) without amendment.
- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to The Constitution Act Amendment (Electoral Legislation) Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 24 LIQUOR CONTROL (AMENDMENT) BILL (NO. 2)—Motion made and question—That it be an instruction to the Committee that they have power to consider New Clauses which—(a) allow the Liquor Control Commission to approve of alterations to approved plans of premises to be licensed provided that the alterations will not result in substantially less accommodation or a substantial lower standard of accommodation; (b) require the rules under section 52 of the Principal Act relating to the giving of notice and the advertising of notices to apply to applications under section 56A of the Principal Act; and (c) provide for the introduction of a new licence to be known as the Victorian Wine Centre Licence (*Mr Cathie*)—put and agreed to.

Bill considered in Committee.

Committee reported progress; to sit again later this day.

- 25 LIQUOR CONTROL (AMENDMENT) BILL (NO. 2)—DECLARATION OF BILL AS URGENT—LIMITATION OF DEBATE—Mr Fordham declared that the Liquor Control (Amendment) Bill (No. 2) was an urgent Bill and moved—That the Bill be considered an urgent Bill.

Mr Speaker having ascertained that twenty Members approved of the proposed motion being put—

Question—That the Bill be considered an urgent Bill—put.

The House divided.

AYES, 36

Mr Cain	Mr Hassett	Mr Newton	Mr Stirling
Miss Callister	Mr Hill	Mr Norris	Mrs Toner
Mr Cathie	Mr Hockley	Mrs Ray	Mr Walsh
Mr Culpin	Mr Ihlein	Mr Remington	Mr Wilkes
Mr Ernst	Mr Jolly	Mrs Setches	Mr Wilton
Mr Fogarty	Mr Kennedy	Mr Sheehan	
Mr Fordham	Mr Kirkwood	(Ballarat South)	<i>Tellers</i>
Mr Gavin	Mr McDonald	Mr Shell	Mr Seitz
Mr Gray	Mr Micallef	Mr Simmonds	Mr Sheehan
Mr Harrowfield	Mr Miller	Mr Spyker	(Ivanhoe)

NOES, 23

Mr Austin	Mr Hann	Mr Ramsay	Mr Williams
Mr Burgin	Mr Jasper	Mr Saltmarsh	
Mr Delzoppo	Mr Kennett	Mrs Sibree	
Mr Dickinson	Mr Lieberman	Mr Tanner	
Mr Ebery	Mr McGrath	Mr Templeton	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Wallace	Mr Leigh
(Gippsland East)	Mr Maclellan	Mr Whiting	Mr Steggall

And so it was resolved in the affirmative.

Motion made and question—That the time allotted for the remaining stages of the Bill be until 11.30 p.m. this day (*Mr Fordham*)—after debate, put.

The House divided.

AYES, 37

Mr Cain	Mr Hassett	Mr Newton	Mr Simmonds
Miss Callister	Mr Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Hockley	Mr Remington	Mr Stirling
Mr Culpin	Mr Ihlein	Mr Seitz	Mrs Toner
Mr Ernst	Mr Jolly	Mrs Setches	Mr Walsh
Mr Fogarty	Mr Kennedy	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Wilton
Mr Gavin	Mr McCutcheon	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Micallef	(<i>Ballarat South</i>)	Mr McDonald
Mr Harrowfield	Mr Miller	Mr Shell	Mr Norris

NOES, 22

Mr Austin	Mr Hann	Mr McNamara	Mr Templeton
Mr Burgin	Mr Jasper	Mr Maclellan	Mr Whiting
Mr Dickinson	Mr Kennett	Mr Saltmarsh	Mr Williams
Mr Ebery	Mr Leigh	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Steggall	Mr Delzoppo
(<i>Gippsland East</i>)	Mr McGrath	Mr Tanner	Mr Wallace

And so it was resolved in the affirmative.

26 LIQUOR CONTROL (AMENDMENT) BILL (NO. 2)—Further considered in Committee and reported with amendments.

Motion made and question—That the amendments made by the Committee be agreed to (*Mr Cathie*)—put.

The House divided.

AYES, 36

Mr Cain	Mr Hill	Mr Norris	Mr Simmonds
Miss Callister	Mr Hockley	Mrs Ray	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Remington	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Seitz	Mrs Toner
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gavin	Mr Mathews	Mr Sheehan	Mr Hassett
Mr Gray	Mr Micallef	(<i>Ballarat South</i>)	Mr Newton
Mr Harrowfield	Mr Miller	Mr Shell	

NOES, 24

Mr Austin	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Kennett	Mr Ross-Edwards	Mr Williams
Mr Delzoppo	Mr Lieberman	Mrs Sibree	
Mr Ebery	Mr McGrath	Mr Steggall	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Tanner	Mr Dickinson
(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton	Mr Leigh
Mr Hann	Mr Ramsay	Mr Wallace	

And so it was resolved in the affirmative.

Motion made and question—That this Bill be now read a third time (*Mr Cathie*)—put.

The House divided.

AYES, 36

Mr Cain	Mr Hill	Mr Norris	Mr Simmonds
Miss Callister	Mr Hockley	Mrs Ray	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Remington	Mr Stirling
Mr Culpin	Mr Kirkwood	Mr Seitz	Mrs Toner
Mr Ernst	Mr McCutcheon	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Micallef	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Miller	(<i>Ballart South</i>)	Mr Harrowfield
Mr Hassett	Mr Newton	Mr Shell	Mr Kennedy

NOES, 24

Mr Austin	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Leigh	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mrs Sibree	
Mr Evans	Mr McGrath	Mr Steggall	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner	Mr Delzoppo
Mr Hann	Mr Maclellan	Mr Templeton	Mr Wallace

And so it was resolved in the affirmative.

And the House having continued to sit till after Twelve of the clock—

FRIDAY, 26 OCTOBER 1984

Bill read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 27 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until later this day at half-past Ten o'clock (*Mr Fordham*)—put and agreed to.
- 28 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 29 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-three minutes past Twelve o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 153—Friday, 26 October 1984

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).

- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 566 and 21 signatures respectively (*by Mr Norris and Mr Hann*).
 Severally ordered to lie on the Table.
- 4 SOCIAL DEVELOPMENT COMMITTEE—Mr Ernst, Chairman, brought up the Final Report from the Social Development Committee on Road Safety in Victoria.
 Ordered to lie on the Table and to be printed.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Police Regulation Act 1958—Determination No. 413 of the Police Service Board.
 Statutory Rules under the following Acts:
 Education Act 1958—No. 365.
 Health Act 1958—Nos. 356, 357.
 Melbourne and Metropolitan Board of Works Act 1958—No. 363.
 Nurses Act 1958—No. 368.
 Transport Act 1983—Nos. 366, 367.
- 6 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR (Nos. 255 and 256)—Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
 Administrative Appeals Tribunal Bill.
 Constitution (Council Vacancies) Bill.
- 7 NATIONAL CRIME AUTHORITY (STATE PROVISIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
 Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday next.
- 8 SUBORDINATE LEGISLATION (REVIEW AND REVOCATION) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Cain*).
 Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday next.
- 9 TRUSTEE (AMENDMENT) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*).
 Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
 Ordered—That the debate be adjourned until Tuesday next.
- 10 ADMINISTRATIVE APPEALS TRIBUNAL BILL—Order read for the consideration of the amendment suggested by the Legislative Council, and the amendments made by the Legislative Council.
 On the motion of Mr Cain—Suggested amendment made.
 The amendments made by the Legislative Council were read a second time.
 On the motion of Mr Cain and, after debate—Amendment Nos. 1–20 agreed to.

On the motion of Mr Cain and, after debate—Amendment No. 21 agreed to with an amendment.

On the motion of Mr Cain—Amendment No. 22 agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

- 11 THE CONSTITUTION ACT AMENDMENT (ELECTORAL LEGISLATION) BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 12 YOUTH, SPORT AND RECREATION (ADVISORY COUNCILS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL (NO. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 FIREARMS (GENERAL AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time, after debate.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 16 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at thirteen minutes past Four o'clock adjourned until Tuesday next.

J. H. CAMPBELL
Clerk of the Legislative Assembly

C. T. EDMUNDS
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 154, 155, 156 and 157

No. 154—Tuesday, 30 October 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - “IN VITRO” FERTILIZATION—Seeking that the Government support the continuation and development of the In Vitro fertilization program and continuing research on In Vitro fertilization, bearing 214 signatures (*by Mr Lieberman*).
 - EASTERN FREEWAY EXTENSION—Seeking that the Government extend progressively the Eastern Freeway from Doncaster Road, Doncaster, to Ringwood, and that no toll be charged to finance this extension, bearing 2808 signatures (*by Mr Williams*).
 - LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 20 signatures (*by Mr Rowe*).
 - UNBORN CHILDREN—Seeking that the Government legislate to establish a statutory legal definition binding on the courts to the effect that an unborn child is a life in being and therefore a legal person for the purpose of the law relating to murder or manslaughter, bearing 9 signatures (*by Mr Shell*).
 Severally ordered to lie on the Table.
- 4 CIVIL JUSTICE COMMITTEE REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the Report to the Attorney-General by the Civil Justice Committee concerning the Administration of Civil Justice in Victoria, together with a copy of a Preliminary Study (*Mr Cain*)—put and agreed to.
- 5 PAPERS—Mr Cain presented:
 - Report and a Preliminary Study of the Civil Justice Committee (three papers).
 - Return to the foregoing Order.
 - Ordered to lie on the Table.
- 6 SENTENCING STATISTICS—HIGHER CRIMINAL COURTS, VICTORIA 1983—Motion made, by leave, and question—That there be presented to this House a copy of the Sentencing Statistics of Higher Criminal Courts, Victoria 1983 (*Mr Cain*)—put and agreed to.
- 7 PAPER—Mr Cain presented:
 - Sentencing Statistics of Higher Criminal Courts, Victoria 1983.
 - Return to the foregoing Order.
 - Ordered to lie on the Table.
- 8 SOCIAL DEVELOPMENT COMMITTEE—Mr Ernst, Chairman, brought up a Report from the Social Development Committee upon an Inquiry into Certificate of Need Legislation: together with an Appendix and Minutes of Evidence.
 - Ordered to lie on the Table and the Report and the Appendix to be printed.

- 9 PUBLIC BODIES REVIEW COMMITTEE—Mr Miller, Chairman, brought up the Final Report from the Public Bodies Review Committee on Victoria's Ambulance Services: together with Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report and Appendices to be printed.
- 10 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Annual Reporting Act 1983—Notifications of exemptions granted under s. 8 (3) of the Act to the Annual Reporting (Departments) Regulations 1984; extensions to time under s. 15 (1) of the Act; and notifications of exemptions granted under s. 15 (1) (b) of the Act to the Annual Reporting (Large Trading and Rating Public Bodies) Regulations 1984.
 - Education Act 1958—Resumption of Land at Coburg—Certificate of the Minister of Education.
 - Gas and Fuel Corporation—Report for the year 1983–84—Ordered to be printed.
 - Legal Aid Commission—Report for the year 1983–84.
 - Parliamentary Committees Act 1968—Report of the Minister for Planning and Environment as to action proposed to be taken with respect to the recommendations made by the Natural Resources and Environment Committee on Radio Masts.
 - Police Regulation Act 1958—Determination Nos. 408, 409, 410 and 412 of the Police Service Board (four papers).
 - Public Works Department—Report for the year 1983–84.
 - River Improvement Act 1958—Notice of Intention to unite Seymour Shire River Improvement District and King Parrot Creek Improvement District.
- * * * *
- The following Proclamation fixing an operative date for an Act was laid upon the Table by the Clerk, pursuant to an Order of the House dated 2 October 1984:
- Building Control Act 1981—Items 38, 58 and 63 of the Schedule—1 February 1985 (*Government Gazette* No. 119, 24 October 1984).
- 11 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 257)—ASSENT TO BILLS—Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Alcoa (Portland Aluminium Smelter) (Amendment) Bill.
 - Melbourne Cricket Ground (Guarantees) Bill.
 - County Court (Amendment) Bill.
- 12 PSYCHOLOGISTS BILL AND THERAPEUTIC GOODS AND COSMETICS BILL—Motion made, by leave, and question—That the proposals contained in the Psychologists Bill and the Therapeutic Goods and Cosmetics Bill be referred to the Social Development Committee for inquiry, consideration and report (*Mr Roper*)—put and agreed to.
Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- 13 LEGAL AND CONSTITUTIONAL COMMITTEE—Motion made, by leave, and question—That this House grant leave to permit the Legal and Constitutional Committee to meet during the sitting of the House on Wednesday, 31 October 1984 (*Mr Fordham*)—put and, after debate, agreed to.
- 14 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR (No. 258)—Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Superannuation (Refund of Contributions) Bill.

- 15 SUPERANNUATION (REFUND OF CONTRIBUTIONS) BILL—Mr Jolly, pursuant to Standing Order No. 169, obtained leave, with Mr Mathews, to bring in a Bill “to make provision for the refund of certain superannuation contributions to police officers, to amend the Superannuation (Amendment) Act 1982 and for other purposes”; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 SOUTH YARRA PROJECT BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 19 STATE ELECTRICITY COMMISSION (COAL CORPORATION OF VICTORIA) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.
- 21 PRE-SCHOOL TEACHERS AND ASSISTANTS (PORTABILITY OF LONG SERVICE LEAVE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.
Committee reported progress; to sit again later this day.
- 22 RACING (AMENDMENT) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 CONSTITUTION (COUNCIL VACANCIES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of Members of the Legislative Assembly and, by leave, read the third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 24 PUBLIC HOLIDAY (150TH ANNIVERSARY) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Question—put.

The House divided.

AYES, 45

Mr Cain	Mr Hassett	Mr Newton	Mr Spyker
Miss Callister	Mrs Hill	Mr Pope	Mr Stirling
Mr Cathie	Mr Hockley	Mr Remington	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Roper	Mr Trezise
Mr Crabb	Mr Jolly	Mr Rowe	Dr Vaughan
Mr Culpin	Mr Kennedy	Mr Seitz	Mr Walsh
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McDonald	(Ballarat South)	
Mr Gavin	Mr Mathews	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Micallef	Mr Simmonds	Mr Hill
Mr Harrowfield	Mr Miller	Mr Simpson	Mr Norris

NOES, 29

Mr Austin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Brown	Mr Jasper	Mr Reynolds	Mr Williams
Mr Burgin	Mr Jona	Mr Richardson	
Mr Dickinson	Mr Kempton	Mr Ross-Edwards	
Mr Ebery	Mr Kennett	Mr Saltmarsh	
Mr Evans	Mr Lieberman	Mrs Sibree	<i>Tellers</i>
(Ballarat North)	Mr McGrath	Mr Tanner	Mr Delzoppo
Mr Evans	Mr McNamara	Mr Templeton	Mr Steggall
(Gippsland East)	Mr Maclellan	Mr Wallace	

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 25 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

Fire Authorities Bill.

Youth, Sport and Recreation (Advisory Councils) Bill.

- 26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have concurred with the Assembly and have resolved that the proposals contained in the Psychologists Bill and the Therapeutic Goods and Cosmetics Bill be referred to the Social Development Committee for inquiry, consideration and report.

- 27 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the South Yarra Project Bill with amendments.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 28 MESSAGE FROM THE LEGISLATIVE COUNCIL—Transmitting a Bill for “*An Act Relating to the marketing of wheat, to repeal the ‘Wheat Marketing Act 1979’ and certain other Acts, and for other purposes.*”

- 29 WHEAT MARKETING BILL—On the motion of Mr Wilkes, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 30 VACANCIES IN MEMBERSHIP OF THE DEAKIN UNIVERSITY COUNCIL, MONASH UNIVERSITY COUNCIL, VICTORIAN INSTITUTE OF SECONDARY EDUCATION COUNCIL—Mr Speaker announced that he had received the following communication.

The Honourable C. T. Edmunds, M.P.,
Speaker of the Legislative Assembly,
Parliament House,
MELBOURNE, Vic. 3002.

Dear Mr Speaker,

The Statutes relating to the universities and the institute listed below provide for the appointment by the Governor in Council of three Members of Parliament to each of their governing councils—the Members to be recommended for appointment by a joint sitting of the Legislative Council and the Legislative Assembly conducted in accordance with the rules adopted for the purpose by the members present at the sitting.

I should be grateful if you could arrange for such a joint sitting to recommend Members for appointment to the following vacancies:

Deakin University Council (*Deakin University Act 1974*, Section 7 (1) (a))

(4 year term ending 31 December 1985, in place of The Honourable Clive Bubb, M.L.C., who has resigned from the University Council.)

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

(4 year term ending 11 December 1987, in place of The Honourable William Robert Baxter, M.L.C., who has resigned from the Parliament on 25 October 1984.)

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

(4 year term ending 10 January 1989 in place of The Honourable Walter Jona, M.P., The Honourable Mrs Joan Elizabeth Kirner, M.L.C., and The Honourable Bernard Phillip Dunn, M.L.C., whose term of office expires on 10 January 1985.)

Yours sincerely,

ROBERT CLIVE FORDHAM
Minister of Education

Motion made and question—That this House meets the Legislative Council for the purpose of sitting and voting together to choose Members of the Parliament of Victoria to be recommended for appointment to the Councils of Deakin University, Monash University and the Victorian Institute of Secondary Education, and proposes that the place and time of such meeting be the Legislative Assembly Chamber on Thursday next at 6.15 p.m. (*Mr Fordham*)—put and agreed to.

Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.

- 31 LOTTERIES GAMING AND BETTING (GAMING MACHINES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.

Committee reported progress.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put.

The House divided.

AYES, 45

Miss Callister	Mrs Hill	Mr Norris	Mr Stirling
Mr Cathie	Mr Hill	Mr Pope	Mrs Toner
Dr Coghill	Mr Hockley	Mrs Ray	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Remington	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Roper	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Rowe	Mr Wilkes
Mr Fogarty	Mr Kirkwood	Mr Seitz	Mr Wilton
Mr Fordham	Mr McDonald	Mrs Setches	
Mr Gavin	Mr Mathews	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Micallef	Mr Simmonds	Mr McCutcheon
Mr Harrowfield	Mr Miller	Mr Simpson	Mr Sheehan
Mr Hassett	Mr Newton	Mr Spyker	<i>(Ballarat South)</i>

NOES, 27

Mr Austin	Mr Hann	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Jona	Mr Richardson	Mr Williams
Mr Ebery	Mr Leigh	Mr Ross-Edwards	
Mr Evans	Mr Lieberman	Mrs Sibree	<i>(Tellers)</i>
<i>(Ballarat North)</i>	Mr McGrath	Mr Steggall	Mr Dickinson
Mr Evans	Mr McNamara	Mr Tanner	Mr Kempton
<i>(Gippsland East)</i>	Mr Maclellan	Mr Templeton	

And so it was resolved in the affirmative.

Further considered in Committee and reported without amendment; read the third time.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 32 **WHEAT MARKETING BILL**—Motion made and question proposed—That this Bill be now read a second time (*Mr Wilkes*).
- Motion made and question—That the debate be now adjourned (*Mr Austin*)—put and agreed to.
- Ordered—That the debate be adjourned until Thursday next.
- 33 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Transmitting a Bill for “*An Act to amend the ‘Education (Amendment) Act 1983’ by repealing or amending in section 11 of that Act sub-section (2) to (19), and to amend the ‘Education Act 1958’.*”.
- 34 **EDUCATION (AMENDMENT) BILL (NO. 2)**—On the motion of Mr Fordham, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 35 **PRE-SCHOOL TEACHERS AND ASSISTANTS (PORTABILITY OF LONG SERVICE LEAVE) BILL**—Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.
- Order—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 36 **MESSAGE FROM THE LEGISLATIVE COUNCIL**—Transmitting a Bill for “*An Act to re-enact with amendments the law relating to trustee companies, to repeal the ‘Trustee Companies Act 1958’ and for other purposes.*”.
- 37 **TRUSTEE COMPANIES BILL**—On the motion of Mr Cain, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 38 **POSTPONEMENT OF REMAINING BUSINESS**—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

39 ADJOURNMENT—Resolved—That the House do now adjourn.

And then the House, at thirty-four minutes past Eleven o'clock, adjourned until tomorrow.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 155—Wednesday, 31 October 1984

1 Mr Speaker took the Chair and read the Prayer.

2 QUESTIONS—(Pursuant to Standing Order No. 124).

3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:

ESSENDON AND DISTRICT MEMORIAL HOSPITAL—Seeking that the House take immediate action to open all services now available for patient care at the Essendon and District Memorial Hospital, bearing 1497 signatures (*by Mr Lieberman*).

CAPTURE AND DISPLAY OF WHALES AND DOLPHINS—Seeking that the proposal to capture and display whales and dolphins and the construction of a dolphinarium at Keysborough be examined by the Natural Resources and Environment Committee, bearing 92 signatures (*by Mr Newton*).

LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 22 signatures (*by Mr Tanner*).

Severally ordered to lie on the Table.

4 LEO CUSSEN INSTITUTE FOR CONTINUING LEGAL EDUCATION REPORT—Motion made, by leave, and question—That there be presented to this House a copy of the Report of the Leo Cussen Institute for Continuing Legal Education for the year 1983 (*Mr Cain*)—put and agreed to.

5 PAPER—Mr Cain presented:

Leo Cussen Institute for Continuing Legal Education—Report for the year 1983.
Return to the foregoing Order.
Ordered to lie on the Table.

6 ECONOMIC AND BUDGET REVIEW COMMITTEE—Mr Rowe, Chairman, brought up a Report from the Economic and Budget Review Committee upon a Review and Recommendations for the Victorian Parliamentary Superannuation Scheme; the Judges' Superannuation Schemes; the Governor's Pension; and other Special Superannuation Schemes; together with Appendices, Minority Report, Addendum and Minutes of Evidence.

Ordered to lie on the Table and the Report, Appendices, Minority Report and Addendum to be printed.

7 SOCIAL DEVELOPMENT COMMITTEE—Mr Ernst, Chairman, brought up a Report from the Social Development Committee upon the Inquiry into Compensation for the Dispossession and Dispersal of the Aboriginal People; together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

- 8 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Conservation Forests and Lands—Report of the Department for the year 1983–84 (eight papers).
 - Consumer Affairs—Report of the Ministry for the year 1983–84—Ordered to be printed.
 - Freedom of Information Act 1982—Report of the Attorney-General on the operation of the Act for the year 1983–84.
 - Land Act 1958—Resumption of Land at Melbourne for the purposes of a Coroner's Court and Mortuary Complex—Certificate of the Attorney-General.
 - Premier and Cabinet—Report of the Department for the year 1983–84.
 - State Board of Education—Report of the Board for the twenty months ended 30 June 1984.
- 9 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to meet with the Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Councils of Deakin University, Monash University and the Victorian Institute of Secondary Education, as proposed by the Assembly.
- 10 MESSAGE FROM THE LEGISLATIVE COUNCIL—Acquainting the Assembly that they have agreed to the Administrative Appeals Tribunal Bill (including the amendment made by the Assembly on the suggestion of the Council) and the further amendment made by the Assembly, without amendment.
- 11 GRIEVANCE DEBATE—TIME LIMIT—Motion made and question—That so much of Standing Order No. 59 as permits four hours debate on "Grievances" be suspended for tomorrow and the debate on the question that "Grievances" be noted be limited to two hours (*Mr Fordham*)—after debate, put.

The House divided.

AYES, 41

Mr Cain	Mrs Hill	Mr Norris	Mr Spyker
Miss Callister	Mr Hill	Mr Pope	Mr Stirling
Mr Cathie	Mr Hockley	Mrs Ray	Mrs Toner
Dr Coghill	Mr Jolly	Mr Remington	Mr Trezise
Mr Crabb	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Culpin	Mr Kirkwood	Mr Seitz	Mr Wilkes
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Wilton
Mr Fogarty	Mr McDonald	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Fordham	Mr Mathews	Mr Shell	Mr Micallef
Mr Gavin	Mr Miller	Mr Simmonds	Mr Sheehan
Mr Harrowfield	Mr Newton	Mr Simpson	(<i>Ivanhoe</i>)

NOES, 29

Mr Austin	Mr Evans	Mr Ramsay	Mr Wallace
Mr Brown	(<i>Gippsland East</i>)	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Hann	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Jasper	Mr Ross-Edwards	
Mr Dickinson	Mr Jona	Mr Saltmarsh	
Mr Ebery	Mr Kempton	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr Kennett	Mr Steggall	Mr Leigh
(<i>Ballarat North</i>)	Mr McGrath	Mr Tanner	Mr McNamara
	Mr Maclellan	Mr Templeton	

And so it was resolved in the affirmative.

- 12 POST-SECONDARY EDUCATION (PRACTICAL PLACEMENTS) BILL—Mr Fordham obtained leave, with Mr Simmonds, to bring in a Bill "to amend the 'Post-Secondary Education Act 1978' and the 'Workers Compensation Act 1958' to make provision for the practical placement of students undergoing certain technical and further education

programmes and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 13 SUPERANNUATION (REFUND OF CONTRIBUTIONS) BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Ramsay*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 14 TRUSTEE COMPANIES BILL—Motion made and question proposed—That this Bill be now read a second time (*Mr Jolly*).
Motion made and question—That the debate be now adjourned (*Mr Maclellan*)—put and agreed to.
Ordered—That the debate be adjourned until tomorrow.
- 15 DANGEROUS GOODS (ROAD TRANSPORT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
Amendment proposed—That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until further discussions have been held with industry and transport groups affected by the provisions contained in the Bill." (*Mrs Sibree*)—and, after debate—
Question—That the words proposed to be omitted stand part of the question—put.
The House divided.

AYES, 50

Mr Cain	Mr Ihlein	Mr Pope	Mr Spyker
Miss Callister	Mr Jasper	Mr Remington	Mr Steggall
Mr Cathic	Mr Jolly	Mr Roper	Mr Stirling
Dr Coghill	Mr Kennedy	Mr Ross-Edwards	Mrs Toner
Mr Crabb	Mr Kirkwood	Mr Rowe	Dr Vaughan
Mr Culpin	Mr McCutcheon	Mr Seitz	Mr Wallace
Mr Ernst	Mr McDonald	Mrs Setches	Mr Walsh
Mr Evans	Mr McGrath	Mr Shechan	Mr Wilkes
(<i>Gippsland East</i>)	Mr McNamara	(<i>Ivanhoe</i>)	Mr Wilton
Mr Fogarty	Mr Mathews	Mr Shechan	
Mr Fordham	Mr Micallef	(<i>Ballarat South</i>)	
Mr Hann	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Hassett
Mrs Hill	Mr Norris	Mr Simpson	Mrs Ray

NOES, 17

Mr Austin	Mr Evans	Mr Reynolds	Mr Williams
Mr Brown	(<i>Ballarat North</i>)	Mr Saltmarsh	
Mr Burgin	Mr Jona	Mrs Sibree	<i>Tellers</i>
Mr Delzoppo	Mr Maclellan	Mr Tanner	Mr Dickinson
Mr Ebery	Mr Ramsay	Mr Templeton	Mr Kempton

And so it was resolved in the affirmative.

Bill read a second time and committed: considered in Committee and reported with amendments: as amended, considered, and amendments agreed to; read the third time, after debate.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 16 ERROR IN DIVISION LIST—Mr Speaker informed the House that, in the division which took place in the House this morning on the motion of Mr Fordham to limit the "Grievances" debate to two hours, the Tellers for the "Noes" inadvertently omitted to record the name of the Honourable Member for Balwyn, Mr Ramsay.
Mr Speaker then directed the Clerk to correct the Division List accordingly.

- 17 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:
 Lotteries Gaming and Betting (Gaming Machines) Bill.
 Lotteries Gaming and Betting (Amendment) Bill (No. 2).
 Constitution (Council Vacancies) Bill.
 Extractive Industries (Amendment) Bill.
 Firearms (General Amendment) Bill.
- 18 POST-SECONDARY EDUCATION (PRACTICAL PLACEMENTS)—Read a second time, after debate, and, by leave, read the third time forthwith.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 EDUCATION (AMENDMENT) BILL (No. 2)—Motion made and question proposed—That this Bill be now read a second time (*Mr Fordham*)—and, after debate—
 Motion made and question—That the debate be now adjourned (*Mr Hann*)—put and agreed to.
 Ordered—That the debate be adjourned until tomorrow.
- 20 MEDICAL PRACTITIONERS (FURTHER AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read the third time.
 Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 DEATH OF THE PRIME MINISTER OF INDIA—Motion made and question—That the Legislative Assembly of the State of Victoria expresses its sincere sorrow at the untimely death of Mrs Indira Gandhi, Prime Minister of India, places on record its acknowledgement of the valuable contribution which she has made towards world peace and mutual understanding between the nations of the world and conveys its heartfelt condolences to her family and to the people of India (*Mr Cain*)—put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion, and Honourable Members rising in their places to signify their assent, agreed to unanimously.
 Ordered—That the foregoing resolution be conveyed by Mr Speaker through the appropriate channels to the Government and Parliament of India.
- 22 THE CONSTITUTION ACT AMENDMENT (DONATIONS AND ELECTORAL EXPENDITURE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.
 Amendment proposed—That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until the provisions contained therein have been examined and reported upon by the Legal and Constitutional Committee.” (*Mr Ebery*)—and, after debate—
 Question—That the words proposed to be omitted stand part of the question—put.
 The House divided.

AYES, 43

Mr Cain	Mr Hockley	Mr Pope	Mr Trezise
Miss Callister	Mr Ihlein	Mrs Ray	Dr Vaughan
Mr Cathie	Mr Jolly	Mr Remington	Mr Walsh
Dr Coghill	Mr Kennedy	Mr Roper	Mr Wilkes
Mr Culpin	Mr Kirkwood	Mr Rowe	Mr Wilton
Mr Ernst	Mr McCutcheon	Mr Seitz	
Mr Fogarty	Mr McDonald	Mrs Setches	
Mr Fordham	Mr Mathews	Mr Simmonds	
Mr Gavin	Mr Micallef	Mr Simpson	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Spyker	Mr Sheehan
Mr Harrowfield	Mr Newton	Mr Stirling	<i>(Ballarat South)</i>
Mr Hassett	Mr Norris	Mrs Toner	Mr Shell

NOES, 24

Mr Austin	Mr Hann	Mr Ross-Edwards	
Mr Brown	Mr Jasper	Mr Saltmarsh	
Mr Burgin	Mr Kennett	Mr Steggall	
Mr Ebery	Mr Leigh	Mr Tanner	
Mr Evans	Mr Lieberman	Mr Templeton	
(Ballarat North)	Mr McGrath	Mr Wallace	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Whiting	Mr Kempton
(Gippsland East)	Mr Ramsay	Mr Williams	Mr McNamara

And so it was resolved in the affirmative.

Business having been interrupted at 10.32 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put.

The House divided.

AYES, 42

Miss Callister	Mr Hockley	Mrs Ray	Mr Spyker
Mr Cathic	Mr Ihlein	Mr Remington	Mr Stirling
Dr Coghill	Mr Jolly	Mr Roper	Mr Toner
Mr Culpin	Mr Kirkwood	Mr Rowe	Mr Trezise
Mr Ernst	Mr McCutcheon	Mr Seitz	Dr Vaughan
Mr Fogarty	Mr McDonald	Mrs Setches	Mr Walsh
Mr Fordham	Mr Mathews	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Micallef	(Ballarat South)	Mr Wilton
Mr Gray	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Kennedy
Mr Hassett	Mr Pope	Mr Simpson	Mr Norris

NOES, 25

Mr Austin	Mr Hann	Mr Ramsay	Mr Williams
Mr Brown	Mr Jasper	Mr Ross-Edwards	
Mr Burgin	Mr Jona	Mr Saltmarsh	
Mr Ebery	Mr Kempton	Mrs Sibree	
Mr Evans	Mr Lieberman	Mr Tanner	
(Ballarat North)	Mr McGrath	Mr Templeton	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Wallace	Mr Leigh
(Gippsland East)	Mr Maclellan	Mr Whiting	Mr Steggall

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read the third time forthwith.

Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Post-Secondary Education (Practical Placements) Bill without amendment.

- 24 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Liquor Control (Amendment) Bill (No. 2) with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 25 ENVIRONMENT PROTECTION (GENERAL AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with an amendment with which they desire the concurrence of the Legislative Council.

- 26 LAND (MISCELLANEOUS MATTERS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 27 PORT BELLARINE TOURIST RESORT (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 28 MINISTERIAL STATEMENT—GOVERNMENT ACHIEVEMENTS FOR WOMEN—Mr Cain made a Ministerial Statement relating to the Government's Achievements for Women.

Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement (*Mr Cain*)—and, after debate—

And the House having continued to sit till after Twelve of the clock—

THURSDAY, 1 NOVEMBER 1984

Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put and agreed to.

Ordered—That the debate be adjourned until tomorrow.

- 29 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.

- 30 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at forty-nine minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 156—Thursday, 1 November 1984

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 PETITIONS—The Clerk announced that the following petitions had been lodged for presentation:
 - RED MEAT TRADING HOURS—Seeking that the restrictions on red meat trading hours be removed by the deletion of Section 81 of the Labour and Industry Act, bearing 1266, 2174 and 1616 signatures respectively (*by Mr Ross-Edwards, Mr Sheehan (Ballarat South) and Mr Austin*).
 - CAPTURE AND DISPLAY OF WHALES AND DOLPHINS—Seeking that the proposal to capture and display whales and dolphins and the construction of a dolphinarium at Keysborough be examined by the Natural Resources and Environment Committee, bearing 35 signatures (*by Mr McDonald*).
 - MOSQUITO PLAGUE—Seeking that the Government pass legislation to eradicate the mosquito plague, making the National Parks Service and Crown Lands Department responsible for such action, bearing 440 signatures (*by Mr Wallace*).
 - LIQUOR CONTROL ACT—Seeking that the House not proceed with the currently proposed amendments to the Liquor Control Act, bearing 21 signatures (*by Mr Pope*).

BATTERY HEN EGG PRODUCTION—Seeking that the Government direct the Victorian Egg Board to separately market eggs from caged hens and those from non-caged hens, and draw up a plan to phase out battery cages, bearing 208 signatures (*by Mr Norris*).

Severally ordered to lie on the Table.

- 4 PUBLIC BODIES REVIEW COMMITTEE—Mr Miller, Chairman, brought up a Report from the Public Bodies Review Committee on Future Structures for Water Management—Final Report On Irrigation and Water Resource Management; together with Appendices, a Minority Report and Minutes of Evidence.

Ordered to lie on the Table and the Report, Appendices and Minority Report to be printed.

- 5 NATURAL RESOURCES AND ENVIRONMENT COMMITTEE—Mr Burgin brought up a Report from the Natural Resources and Environment Committee upon Augmentation of Geelong's Water Supply to the Year 1995; together with Appendices, Minutes of Evidence and a Background Information Paper.

Ordered to lie on the Table and the Report and Appendices to be printed.

- 6 PAPERS—Mr Speaker presented:

Auditor-General—Second Report for the year 1983–84.

Ordered to lie on the Table and to be printed.

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

Chiropractors and Osteopaths Registration Board—Report and Financial Statements for the year 1983.

Community Welfare Services—Report of the Department for the year 1983–84—Ordered to be printed.

Housing Ministry—Report of the Director for the year 1983–84—Ordered to be printed.

Industry, Commerce and Technology—Report of the Department for the year 1983–84.

Local Government—Report of the Department for the year 1983–84.

Management and Budget—Report of the Department for the year 1983–84.

Members of Parliament (Register of Interests) Act 1978—Summary of Variations notified to 31 October 1984—Ordered to be printed.

Public Service Board—Report for the year 1983–84—Ordered to be printed.

Rural Finance Commission—Report and Statement of Accounts for the year 1983–84—Ordered to be printed.

Statutory Rules under the following Acts:

Annual Reporting Act 1983—Nos. 334, 342.

Coal Mines Act 1958—No. 371.

County Court Act 1958 and the Interpretation of Legislation Act 1984—No. 319 (*In lieu of Statutory Rule tabled on 2 October 1984*).

Financial Institutions Duty Act 1982—No. 374.

Motor Car Act 1958—No. 379 (together with documents required by s. 32 of the Interpretation of Legislation Act 1984 to accompany the statutory rule—

Method for Determination of Ethyl Alcohol for Medicolegal Purposes.

Standards Manual 1984 of the Tyre and Rim Association of Australia.

Volume 1 containing ADR Nos. 1, 2, 3, 3A, 4A, 4B, 4C, 5A, 5B, 6, 6A, 7, 8, 10A, 10B, 11, 12, 14, 15, 16, 17, 18, 18A, 20, 21, 22, 22A, 23, 24, 25, 25A, 26, 27, 27A, 28, 28A, 29, 30, 31, 32, 32A, 33, 34, 35, 35A, 36.

Volume 2 containing AS Nos. R1-1968, CC1-1969, CB4-1969, CB19-1963, CB20-1971.

Volume 3 containing AS Nos. CB22-1969, D26-1972, D31-1973, E35 Part 1-1970, E35 Part 2-1970, E47-1971, A137-1968, 1110-1984, 1425-1973, 1429-1979, 1425-1982, 1432-1983, 1572-1974, 1587-1973, 1596-1983, 1674-1980.

Volume 4 containing AS Nos. 1743-1975, 1751-1975, 1753-1983, 1754-1975, 1869-1983, 1973-1976, 2030-1977, 2337-1980, 2430 Part 1, 2430 Part 2, 2465-1981, 2473-1981, 2596-1983, 2597.

Volume 5 containing SAE Standards Nos. J527, J5276, J726, J826, J8396, J850, J879, J903, J934, J941, J941a, J941e, J944, J953, J964, J985, J1100a.

Chief Commissioner of Police exempting certain motor cars from the fitting of seat belts pursuant to section 31A (5) of the Motor Car Act 1958. (Victorian Gazette No. 107, page 4089, 18 December 1968).

ASTM Nos. B117-73, A254-79, A266-83, D523-62T, D571-55, D622-65.

British Standards Nos. B128-1963, B281-1969, B240-1966, BS1580-1962, BS3463-1975.

Volume 6 containing No. AS 1210-1982 Supplement No. 1 to AS 1210.)

Town and Country Planning Act 1961—No. 364.

Totalizator Agency Board—Report and Statement of Accounts for the year ended 31 July, 1984.

Victorian Development Fund—Financial Report and Report of the Auditor-General for the year 1983-84.

Victorian Ethnic Affairs Commission—Report for the year 1983-84.

Victorian Solar Energy Council—Report for the year 1983-84.

7 GRIEVANCES—Question—That grievances be noted—put, after debate, and agreed to.

8 PAPER—Mr Cain presented, by Command of His Excellency the Governor:

Report of the Royal Commission on the Activities of the Federated Ship Painters and Dockers Union, Volumes 1 to 5 and Appendices 1A, 1B and 1C (six volumes).

Ordered to lie on the Table and to be printed.

9 MINISTERIAL STATEMENT—FEDERATED SHIP PAINTERS AND DOCKERS UNION INQUIRY—Mr Cain made a Ministerial Statement relating to the Report of the Royal Commission the Activities of the Federated Ship Painters and Dockers Union.

Motion made, by leave, and question proposed—That this House takes note of the Ministerial Statement and the Report of the Royal Commission (*Mr Cain*)—and, after debate—

Motion made and question—That the debate be now adjourned (*Mr Fordham*)—put.

The House divided.

AYES, 45

Mr Cain	Mrs Hill	Mr Newton	Mr Shell
Miss Callister	Mr Hill	Mr Norris	Mr Spyker
Mr Cathie	Mr Hockley	Mrs Ray	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Remington	Mrs Toner
Mr Crabb	Mr Jolly	Mr Roper	Mr Trezise
Mr Culpin	Mr Kennedy	Mr Rowe	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Seitz	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mrs Setches	Mr Wilkes
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Gavin	Mr Mathews	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gray	Mr Micallef	Mr Sheehan	Mr Harrowfield
Mr Hassett	Mr Miller	(<i>Ballarat South</i>)	Mr Pope

NOES, 27

Mr Brown	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	
Mr Evans	Mr McNamara	Mr Steggall	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Maclellan	Mr Tanner	Mr Leigh
Mr Hann	Mr Ramsay	Mr Templeton	Mr Wallace

And so it was resolved in the affirmative.

Ordered, after debate—That the debate be adjourned until tomorrow.

- 10 WANT OF CONFIDENCE IN THE GOVERNMENT—Motion made and question—That the Government no longer possesses the confidence of this House (*Mr Kennett*)—after debate, put.

The House divided.

AYES, 25

Mr Austin	Mr Hann	Mr Ramsay	Mr Templeton
Mr Brown	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Kennett	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Leigh	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Steggall	Mr Dickinson
(<i>Gippsland East</i>)	Mr Maclellan	Mr Tanner	Mr McNamara

NOES, 44

Mr Cain	Mrs Hill	Mr Pope	Mr Stirling
Miss Callister	Mr Hill	Mrs Ray	Mrs Toner
Mr Cathie	Mr Hockley	Mr Remington	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Roper	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Rowe	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Wilton
Mr Fordham	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Gavin	Mr McDonald	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Micallef	Mr Simmonds	Mrs Setches
Mr Harrowfield	Mr Newton	Mr Simpson	Mr Sheehan
Mr Hassett	Mr Norris	Mr Spyker	(<i>Ballarat South</i>)

And so it passed in the negative.

- 11 VACANCIES IN MEMBERSHIP OF THE DEAKIN UNIVERSITY COUNCIL, MONASH UNIVERSITY COUNCIL AND THE VICTORIAN INSTITUTE OF SECONDARY EDUCATION COUNCIL—Mr Speaker reported that, this day, the House met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to choose members of the Parliament of Victoria to be recommended for appointment to the Deakin

University Council, Monash University Council, and the Victorian Institute of Secondary Education Council, and that Harley Rivers Dickinson, Esq. M.P. has been duly chosen to be recommended for appointment to Deakin University Council; Edward James Hann, Esq. M.P. has been duly chosen to be recommended for appointment to the Monash University Council; and that the Honourables Bernard Phillip Dunn, M.L.C., Walter Jona, M.P., and Joan Elizabeth Kirner, M.L.C. have been duly chosen to be recommended for appointment to the Victorian Institute of Secondary Education Council.

- 12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Pre-school Teachers and Assistants (Portability of Long Service Leave) Bill without amendment.
- 13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Dairy Industry Bill with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 14 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Industrial Relations (Amendment) Bill (No. 2) with amendments.
Ordered—That the said amendments be printed and taken into consideration later this day.
- 15 LIQUOR CONTROL (AMENDMENT) BILL (No. 2)—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House with consequential amendments in the Bill.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 16 SUPERANNUATION (REFUND OF CONTRIBUTIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the National Parks (Further Amendment) Bill with amendments.
Order—That the said amendments be printed and taken into consideration later this day.
- 18 WATER (MISCELLANEOUS AMENDMENTS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 19 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 and 5, be postponed until later this day.
- 20 WINE GRAPE PROCESSING INDUSTRY (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 21 CANNED FRUITS MARKETING (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 22 WHEAT MARKETING (HOME CONSUMPTION PRICE) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 23 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Crown Land (Reserves) (Amendment) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration later this day.

- 24 WHEAT MARKETING BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

- 25 DAIRY INDUSTRY BILL—Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time.

Motion made and question proposed—That amendment No. 1 be disagreed with (*Mr Wilkes*)—and, after debate—

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put.

The House divided.

AYES, 43

Miss Callister
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Ernst
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Gray
Mr Hassett
Mrs Hill

Mr Hill
Mr Hockley
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McDonald
Mr Mathews
Mr Micallef
Mr Miller
Mr Newton
Mr Norris
Mr Pope

Mrs Ray
Mr Remington
Mr Roper
Mr Rowe
Mrs Setches
Mr Sheehan
(*Ivanhoe*)
Mr Sheehan
(*Ballarat South*)
Mr Shell
Mr Simmonds
Mr Simpson

Mr Spyker
Mr Stirling
Mrs Toner
Dr Vaughan
Mr Walsh
Mr Wilkes
Mr Wilton

Tellers
Mr Harrowfield
Mr Seitz

NOES, 23

Mr Austin	Mr Jona	Mr Richardson	Mr Williams
Mr Burgin	Mr Leigh	Mrs Sibree	
Mr Ebery	Mr Lieberman	Mr Steggall	
Mr Evans	Mr McGrath	Mr Tanner	
(<i>Gippsland East</i>)	Mr McNamara	Mr Templeton	<i>Tellers</i>
Mr Hann	Mr Maclellan	Mr Wallace	Mr Delzoppo
Mr Jasper	Mr Ramsay	Mr Whiting	Mr Dickinson

And so it was resolved in the affirmative.

Amendment No. 1 disagreed with.

On the motion of Mr Wilkes, and after debate—Amendment Nos. 2 to 6 inclusive agreed to.

Motion made and question—That amendment No. 7 be disagreed with (*Mr Wilkes*)—after debate. put.

The House divided.

AYES, 43

Miss Callister	Mrs Hill	Mr Ray	Mr Spyker
Mr Cathic	Mr Hill	Mr Remington	Mr Stirling
Dr Coghill	Mr Hockley	Mr Roper	Mrs Toner
Mr Crabb	Mr Jolly	Mr Rowe	Dr Vaughan
Mr Culpin	Mr Kennedy	Mr Seitz	Mr Walsh
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilton
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Micallef	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Miller	(<i>Ballarat South</i>)	Mr McCutcheon
Mr Harrowfield	Mr Newton	Mr Shell	Mr Norris
Mr Hassett	Mr Pope	Mr Simpson	

NOES, 23

Mr Austin	Mr Hann	Mr Richardson	Mr Williams
Mr Burgin	Mr Jasper	Mrs Sibree	
Mr Delzoppo	Mr Jona	Mr Steggall	
Mr Dickinson	Mr Lieberman	Mr Tanner	
Mr Ebery	Mr McGrath	Mr Templeton	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Wallace	Mr Leigh
(<i>Gippsland East</i>)	Mr Ramsay	Mr Whiting	Mr McNamara

And so it was resolved in the affirmative—Amendment No. 7 disagreed with.

Motion made and question—That amendment No. 8 be disagreed with but further amendments made in the Bill—after debate. put.

The House divided.

AYES, 42

Miss Callister	Mr Hockley	Mr Remington	Mr Stirling
Mr Cathic	Mr Jolly	Mr Rowe	Mr Toner
Dr Coghill	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Culpin	Mr McCutcheon	Mrs Setches	Mr Walsh
Mr Ernst	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr Mathews	(<i>Ivanhoe</i>)	Mr Wilton
Mr Fordham	Mr Micallef	Mr Sheehan	
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	
Mr Gray	Mr Newton	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Hill
Mr Hassett	Mr Pope	Mr Simpson	Mr Kennedy
Mrs Hill	Mrs Ray	Mr Spyker	

NOES. 24

Mr Austin	Mr Jasper	Mr Richardson	Mr Whiting
Mr Burgin	Mr Jona	Mr Ross-Edwards	Mr Williams
Mr Dickinson	Mr Lieberman	Mrs Sibree	
Mr Ebery	Mr McGrath	Mr Steggall	
Mr Evans	Mr McNamara	Mr Tanner	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton	Mr Delzoppo
Mr Hann	Mr Ramsay	Mr Wallace	Mr Leigh

And so it was resolved in the affirmative—Amendment No. 8 disagreed with and further amendments made in the Bill.

On the motion of Mr Wilkes, and after debate—Amendment Nos. 9 to 13 inclusive agreed to.

On the motion of Mr Wilkes—Amendment No. 14 disagreed with.

On the motion of Mr Wilkes—Amendment Nos. 15 to 21 inclusive agreed to.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.

25 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 8, be postponed until later this day.

26 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Racing (Amendment) Bill (No. 2) without amendment.

27 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Chinatown (Historic Precinct) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration later this day.

28 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Health (General Amendment) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration later this day.

29 TRUSTEE COMPANIES BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.

And having continued to sit till after Twelve of the clock—

FRIDAY, 2 NOVEMBER 1984

Bill reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

30 MESSAGES FROM THE LEGISLATIVE COUNCIL—Agreeing to the following Bills without amendment:

State Electricity Commission (Coal Corporation of Victoria) Bill.

Medical Practitioners (Further Amendment) Bill.

31 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Health (Radiation Safety) Bill (No. 2) with amendments.

Ordered—That the said amendments be printed and taken into consideration tomorrow.

- 32 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until later this day at Ten o'clock (*Mr Fordham*)—put and agreed to.
- 33 POSTPONEMENT OF REMAINING BUSINESS—Motion made and question—That the consideration of remaining business be postponed (*Mr Fordham*)—put and agreed to.
- 34 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at six minutes past One o'clock in the morning, adjourned until later this day.

J. H. CAMPBELL

Clerk of the Legislative Assembly

C. T. EDMUNDS

Speaker

No. 157—Friday, 2 November 1984

- 1 The House met pursuant to adjournment—Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS—(Pursuant to Standing Order No. 124).
- 3 LEGAL AND CONSTITUTIONAL COMMITTEE—Mr Whiting, Chairman, brought up a Report from the Legal and Constitutional Committee on Overseas Court Delays and Remedies: together with Appendices.
- Ordered to lie on the Table and the Report and Appendices to be printed.
- 4 MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—Mr Kirkwood, Chairman, brought up the Third Report from the Mortuary Industry and Cemeteries Administration Committee: together with Appendices and Minutes of Evidence.
- Ordered to lie on the Table and the Report and Appendices to be printed.
- 5 SALINITY COMMITTEE—Mr Fogarty, Chairman, brought up two Reports from the Salinity Committee—
- Causes, Effects and Control of Land and River Salinity in Victoria; together with Appendices, Extracts from the Proceedings of the Committee and Minutes of Evidence; and
- Water Allocations in Northern Victoria; together with Appendices, and Minutes of Evidence.
- Severally ordered to lie on the Table and the Reports, Appendices and Extracts of the Proceedings to be printed.
- 6 PAPER—Mr Mathews presented, by Command of His Excellency the Governor:
- Police Department—Report for the year 1983–84.
- Ordered to lie on the Table and to be printed.

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

Estate Agents Board—Report for the year 1983–84.

Greyhound Racing Control Board—Report for the year ended 31 July 1984.

Harness Racing Board—Report for the year ended 31 July 1984.

Small Business Development Corporation—Report for the year 1983–84.

Transport Act 1983—Order for the Transfer of Assets and Liabilities from the State Transport Authority to the Metropolitan Transit Authority.

Victorian Arts—Report of the Council and the Ministry for the year 1983–84.

Victorian Economic Development Corporation—Report for the year 1983–84.

Water and Sewerage Authorities (Restructuring) Act 1983—Reasons of Minister of Water Resources for making a recommendation to the Governor in Council to make an Order constituting the Shepparton Water Board and abolishing the Shepparton Urban Waterworks Trust, the Shepparton Sewerage Authority, the Dookie Waterworks Trust and the Rural Water Commission (Tallygaroopna Urban District).

- 7 FILMS (CLASSIFICATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 8 NATIONAL CRIME AUTHORITY (STATE PROVISIONS) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 9 INFERTILITY (MEDICAL PROCEDURES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

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

Equal Opportunity Act 1977—Report of the Commissioner for Equal Opportunity for the year 1983–84—Ordered to be printed.

Equal Opportunity Board—Report for the year 1983–84—Ordered to be printed.

Geelong Regional Commission—Report and Statement of Accounts for the year 1983–84.

Historic Buildings Council—Report for the year 1983–84.

* * * *

The following Proclamations fixing operative dates for various Acts were laid upon the Table by the Clerk pursuant to an Order of the House dated 2 October 1984:

Credit Act 1984—Sections 3 (1) and (2), 4 to 6, 8, 9, 12, 15, 16, 19, 20, 22, 24 to 29, 48 and 157 to 161—1 November 1984 (*Government Gazette* No. 123, 31 October 1984).

Country Fire Authority (Amendment) Act 1983—Remaining provisions of Act—1 November 1984 (*Government Gazette* No. 123, 31 October 1984).

11 MESSAGES FROM THE LEGISLATIVE COUNCIL—

Agreeing to the Superannuation (Refund of Contributions) Bill without amendment.

Agreeing to the amendment made by the Assembly in the Environment Protection (General Amendment) Bill.

Agreeing to the consequential amendments made by the Assembly in the Liquor Control (Amendment) Bill (No. 2).

Agreeing to the amendments made by the Assembly in the following Bills:

Trustee Companies Bill.

Wheat Marketing Bill.

12 MESSAGE FROM THE LEGISLATIVE COUNCIL—Not insisting on some of their amendments disagreed with by the Assembly and insisting on another in the Dairy Industry Bill.

Ordered—That the Message be taken into consideration later this day.

13 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Dangerous Goods (Road Transport) Bill with amendments.

Ordered—That the said amendments be printed and taken into consideration later this day.

14 EDUCATION (AMENDMENT) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.

Committee reported progress.

Business having been interrupted at 10.30 p.m.—

Motion made and question—That the sitting be continued (*Mr Fordham*)—put.

The House divided.

AYES. 40

Mr Cain	Mr Hassett	Mr Pope	Mr Stirling
Miss Callister	Mrs Hill	Mr Remington	Mrs Toner
Dr Coghill	Mr Hill	Mr Roper	Dr Vaughan
Mr Crabb	Mr Hockley	Mr Rowe	Mr Walsh
Mr Culpin	Mr Ihlein	Mr Seitz	Mr Wilkes
Mr Ernst	Mr Jolly	Mrs Setches	Mr Wilton
Mr Fogarty	Mr Kirkwood	Mr Sheehan	
Mr Fordham	Mr Micallef	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Simmonds	Mr McCutcheon
Mr Harrowfield	Mr Norris	Mr Simpson	Mr McDonald

NOES. 17

Mr Burgin	Mr Lieberman	Mr Saltmarsh	
Mr Dickinson	Mr McNamara	Mr Tanner	
Mr Hann	Mr Maclellan	Mr Templeton	<i>Tellers</i>
Mr Jasper	Mr Richardson	Mr Whiting	Mr Kempton
Mr Jona	Mr Ross-Edwards	Mr Williams	Mr Leigh

And so it was resolved in the affirmative.

Bill further considered in Committee and reported without amendment; read the third time.

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

15 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the Appropriation (1984–85, No. 1) Bill without amendment.

16 COMMERCIAL ARBITRATION BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

17 SUBORDINATE LEGISLATION (REVIEW AND REVOCATION) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

18 MESSAGE FROM THE LEGISLATIVE COUNCIL—Agreeing to the amendments made by the Assembly in the Infertility (Medical Procedures) Bill.

19 PENALTIES AND SENTENCES (AMENDMENT) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed.

And the House having continued to sit till after Twelve of the clock—

SATURDAY, 3 NOVEMBER 1984

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read the third time.

Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them that the Legislative Assembly have agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

20 FISHERIES (RECIPROCAL LICENCES) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.

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

- 21 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 9 and 10, be postponed until later this day.
- 22 HEALTH (RADIATION SAFETY) BILL (No. 2)—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time.
On the motion of Mr Roper and, after debate—Amendment No. 1 agreed to with an amendment.
On the motion of Mr Roper—Amendment No. 2 agreed to.
Ordered—That the Bill be returned to the Legislative Council with a Message acquainting them accordingly.
- 23 HEALTH (GENERAL AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 24 CHINATOWN HISTORIC PRECINCT BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 25 DAIRY INDUSTRY BILL—Order read for the consideration of the Message of the Legislative Council.
Motion made and question—That this House do not insist on—
(a) disagreeing with the amendment made and insisted on by the Council; and
(b) its amendments made in the Bill (*Mr Wilkes*)—put and agreed to.
Ordered—That a Message be sent to the Legislative Council acquainting them accordingly.
- 26 DAIRY INDUSTRY BILL—CORRECTION BY CLERK OF THE PARLIAMENTS—Motion made, by leave, and question—That, prior to the presentation of the Dairy Industry Bill for assent by His Excellency the Governor, the Clerk of the Parliaments be authorized to correct, so far as may be necessary, internal references consequential upon the omission of clause 20 thereof, and to report such corrections to each House at the next sitting (*Mr Wilkes*)—put, after debate, and agreed to.
Ordered—That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.
- 27 INDUSTRIAL RELATIONS (AMENDMENT) BILL (No. 2)—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 28 NATIONAL PARKS (FURTHER AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and, after debate, agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 29 CROWN LAND (RESERVES) (AMENDMENT) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 30 DANGEROUS GOODS (ROAD TRANSPORT) BILL—Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and agreed to by the House.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 31 TRANSFER OF LAND (AMENDMENT) BILL (No. 2)—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 32 TRUSTEE (AMENDMENT) BILL—Order read for resuming debate on question—That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read the third time forthwith.
Ordered—That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 33 SITTING OF THE HOUSE—Motion made and question—That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified to each Member of the House by telegram or letter (*Mr Cain*)—put, after debate, and agreed to.
- 34 POSTPONEMENT OF REMAINING BUSINESS—Ordered—That the consideration of remaining business be postponed.
- 35 ADJOURNMENT—Resolved, after debate—That the House do now adjourn.

And then the House, at two minutes past Two o'clock in the morning, adjourned until a day and hour to be fixed by Mr Speaker and notified to each Member of the House by telegram or letter, as determined by resolution of the House at this sitting.

J. H. CAMPBELL

C. T. EDMUNDS

Clerk of the Legislative Assembly

Speaker

SESSION 1982-85

COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT
OF THE HOUSE ON 3 NOVEMBER, 1984

MESSAGES FROM THE LEGISLATIVE COUNCIL

Dated 3 November, 1984 -

Agreeing to the amendments made by the Assembly in the
Commercial Arbitration (Amendment) Bill;
Subordinate Legislation (Review and Revocation) Bill; and
Penalties and Sentences (Amendment) Bill (No.2)

Agreeing to the amendment made by the Assembly in the
Health (Radiation Safety) Bill (No.2)

Acquainting the Assembly that they have concurred with the Resolution
adopted by the Assembly on 3 November 1984 that, prior to the presentation
of the Dairy Industry Bill for assent by His Excellency the Governor, the
Clerk of the Parliaments be authorized to correct, so far as may be
necessary, internal references consequential upon the omission of clause 20
thereof, and to report such corrections to each House at the next sitting.

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR

Dated 7 November, 1984 -

Informing the Assembly that he had, that day, given the Royal Assent to the following
Bills presented to him by the Clerk of the Parliaments:-

Stamps (Amendment) Bill (No.2)
Water Charge Concessions Bill
Youth, Sport and Recreation (Advisory Councils) Bill
Land Tax (Amendment) Bill (No.2)
Audit (Amendment) Bill
Pay-roll Tax (Amendment) Bill (No.3)
Firearms (General Amendment) Bill
Constitution (Council Vacancies) Bill
Motor Car (Insurance Surcharge) Bill
Lotteries Gaming and Betting (Amendment) Bill (No.2)
Transfer of Land (Amendment) Bill (No.2)
Fisheries (Reciprocal Licences) Bill
Liquor Control (Amendment) Bill (No.2)

Dated 13 November, 1984 -

Informing the Assembly that he had, that day, given the Royal Assent to the following
Bills presented to him by the Clerk of the Parliaments:-

Law Reform Commission Bill
Medical Practitioners (Further Amendment) Bill
Racing (Amendment) Bill (No.2)

Lotteries Gaming and Betting (Gaming Machines) Bill
 Pre-school Teachers and Assistants (Portability of Long Service Leave) Bill
 Wheat Marketing (Home Consumption Price) Bill
 Canned Fruits Marketing (Amendment) Bill
 Fundraising Appeals Bill
 Lands (Miscellaneous Matters) Bill (No.2)
 Industrial Relations (Amendment) Bill (No.2)
 Port Bellarine Tourist Resort (Amendment) Bill
 Health (Radiation Safety) Bill (No.2)
 Trustee (Amendment) Bill
 Crown Land (Reserves) (Amendment) Bill
 State Electricity Commission (Coal Corporation of Victoria) Bill
 The Constitution Act Amendment (Electoral Legislation) Bill
 Wine Grape Processing Industry (Amendment) Bill
 Education (Amendment) Bill (No.2)
 Fire Authorities Bill (No.2)
 Adoption Bill (No.2)

Informing the Assembly that he had, that day, given the Royal Assent to the following Bill presented to him by the Speaker of the Legislative Assembly:-

Appropriation (1984-85, No.1) Bill

Dated 20 November, 1984 -

Informing the Assembly that he had, that day, given the Royal Assent to the following Bills presented to him by the Clerk Assistant of the Legislative Council for and in the absence of the Clerk of the Parliaments:-

Penalties and Sentences (Amendment) Bill (No.2)
 South Yarra Project Bill
 Water (Miscellaneous Amendments) Bill
 Administrative Appeals Tribunal Bill
 Post-Secondary Education (Practical Placements) Bill
 National Crime Authority (State Provisions) Bill
 Health (General Amendment) Bill
 Dangerous Goods (Road Transport) Bill
 Environment Protection (General Amendment) Bill
 Superannuation (Refund of Contributions) Bill
 Wheat Marketing Bill
 Infertility (Medical Procedures) Bill
 Extractive Industries (Amendment) Bill
 Chinatown Historic Precinct Bill
 National Parks (Further Amendment) Bill
 Commercial Arbitration Bill
 Trustee Companies Bill

Dated 29 November, 1984 -

Informing the Assembly that he had, that day, given the Royal Assent to the following Bills presented to him by the Clerk of the Parliaments:-

Subordinate Legislation (Review and Revocation) Bill
 Films (Classification) Bill
 Dairy Industry Bill

 COMMUNICATION FROM THE CLERK OF THE PARLIAMENTS

Dated 13 November, 1984

Informing the Assembly that pursuant to Resolutions of the Council and Assembly, dated 3 November, 1984, he had made corrections to the Dairy Industry Bill as follows:-

SCHEDULE
DAIRY INDUSTRY BILL

1. Clause 25, omit "section 29(4)" and insert "section 28(4)".
2. Clause 27, omit "section 24" and insert "section 23".
3. Clause 32, sub-clause (1), omit "section 37(1)" and insert "section 36(1)".
4. Clause 32, sub-clause (1) omit "section 34" and insert "section 33".
5. Clause 37, sub-clause (1), omit "section 50(1)" and insert "section 49(1)".
6. Clause 37, sub-clause (3), omit "section 50(1)" and insert "section 49(1)".
7. Clause 37, sub-clause (6), omit "section 54, 55(3) or 55(4)" and insert "section 53, 54(3) or 54(4)".
8. Clause 37, sub-clause (8), omit "section 55(2)" and insert "section 54(2)".
9. Clause 38, sub-clause (1), omit "section 38" and insert "section 37".
10. Clause 42, sub-clause (2), omit "section 44(1)" and insert "section 43(1)".
11. Clause 42, sub-clause (2), omit "section 44(2)" and insert "section 43(2)".
12. Clause 43, sub-clause (1), omit "section 43(1)" and insert "section 42(1)".
13. Clause 44, sub-clause (1), omit "section 46" and insert "section 45".
14. Clause 44, sub-clause (5), omit "section 33(2)" and insert "section 32(2)".
15. Clause 44, sub-clause (5), omit "section 46" and insert "section 45".
16. Clause 45, sub-clause (1), omit "section 45" and insert "section 44".
17. Clause 45, sub-clause (2), omit "section 45" and insert "section 44".
18. Clause 46, omit "section 48" and insert "section 47".
19. Clause 46, paragraph (a), omit "section 45" and insert "section 44".
20. Clause 46, paragraph (b), omit "section 45" and insert "section 44".
21. Clause 47, sub-clause (1), omit "section 45" and insert "section 44".

22. Clause 47, sub-clause (2), omit "section 47" and insert "section 46".
23. Clause 48, omit "section 45" and insert "section 44".
24. Clause 56, omit "section 59(6)" and insert "section 58(6)".
25. Clause 56, omit "section 58" and insert "section 57".
26. Clause 59, sub-clause (1), omit "section 88" and insert "section 87".
27. Clause 59, sub-clause (1), omit "section 129(1)(n)" and insert "section 128(1)(n)".
28. Clause 59, sub-clause (4), omit "section 61" and insert "section 60".
29. Clause 74, sub-clause (3)(a), omit "section 85" and insert "section 84".
30. Clause 74, sub-clause (3)(b), omit "section 85" and insert "section 84".
31. Clause 74, sub-clause (5), omit "section 76" and insert "section 75".
32. Clause 81, sub-clause (1), omit "section 81(1)(a), 81(1)(b), 81(1)(c) or 81(1)(d)" and insert "section 80(1)(a), 80(1)(b), 80(1)(c) or 80(1)(d)".
33. Clause 92, sub-clause (1), omit "section 70" and insert "section 69".
34. Clause 100, sub-clause (1), omit "section 102" and insert "section 101".
35. Clause 101, sub-clause (3), omit "section 50(1)" and insert "section 49(1)".
36. Clause 104, sub-clause (1), omit "section 103" and insert "section 102".
37. Clause 105, omit "section 103" and insert "section 102".
38. Clause 106, sub-clause (1), omit "section 104" and insert "section 103".
39. Clause 106, sub-clause (1), omit "section 105" and insert "section 104".
40. Clause 107, omit "section 112(1)" and insert "section 111(1)".
41. Clause 113, sub-clause (1), omit "section 79" and insert "section 78".
42. Clause 113, sub-clause (2), omit "section 79" and insert "section 78".
43. Clause 114, sub-clause (1), omit "section 114(2)(f)" and insert "section 113(2)(f)".
44. Clause 114, sub-clause (2), omit "section 114(2)(f)" and insert "section 113(2)(f)".
45. Clause 115, sub-clause (1), omit "section 115" and insert "section 114".
46. Clause 115, sub-clause (2), omit "section 115(1)" and insert "section 114(1)".
47. Clause 115, sub-clause (2), omit "section 115(2)" and insert "section 114(2)".
48. Clause 115, sub-clause (2), omit "section 115(5)" and insert "section 114(5)".

49. Clause 117, sub-clause (1), omit "section 113(1)(h)" and insert "section 112(1)(h)".
50. Clause 118, paragraph (d), omit "section 113(1)(d)" and insert "section 112(1)(d)".
51. Clause 118, paragraph (e), omit "section 113(1)(d)" and insert "section 112(1)(d)".
52. Clause 118, paragraph (g), omit "section 113(1)" and insert "section 112(1)".
53. Clause 118, paragraph (h), omit "section 113(3)" and insert "section 112(3)".
54. Clause 119, omit "section 119(d)" and insert "section 118(d)".
55. Clause 128, sub-clause (1)(c), omit "section 56" and insert "section 55".
56. Clause 128, sub-clause (1)(d), omit "section 59(2) or 59(3)" and insert "section 58(2) or 58(3)".
57. Clause 128, sub-clause (1)(g), omit "section 80" and insert "section 79".
58. Clause 128, sub-clause (1)(h), omit "section 80" and insert "section 79".
59. Clause 128, sub-clause (1)(l), omit "section 84" and insert "section 83".
60. Clause 128, sub-clause (1)(l), omit "section 84(3)" and insert "section 83(3)".
61. Clause 128, sub-clause (1)(m), omit "section 85" and insert "section 84".
62. Clause 136, sub-clause (1), omit "section 130" and insert "section 129".
63. Clause 136, sub-clause (2), omit "section 130" and insert "section 129".

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PUBLISHED BY AUTHORITY



Victoria Government Gazette

Extracts from No. 5—Friday, 25 January 1985

PROROGUING THE LEGISLATIVE COUNCIL AND DISSOLVING THE LEGISLATIVE ASSEMBLY

PROCLAMATION

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

Whereas sub-section 8 (1) of the *Constitution Act 1975* provides that the Governor may by proclamation or otherwise fix such places within Victoria and subject to the said Act such times for holding every session of the Legislative Council and Legislative Assembly and may vary and alter the same respectively in such manner as he thinks fit:

And whereas sub-section 8 (2) of the said Act provides that subject to sub-section (3) the Governor may if he thinks fit by proclamation or otherwise from time to time prorogue the Legislative Council, the Legislative Assembly or both the Council and the Assembly or from time to time dissolve the Assembly:

Now therefore I, the Governor of the State of Victoria, pursuant to the provisions of the *Constitution Act 1975* and all other powers invested in me, do by this my proclamation prorogue the Legislative Council forthwith. And I do dissolve the Legislative Assembly, such dissolution to take effect forthwith. And I do hereby declare that I have this day given Order that Writs be issued in due form and according to law for a general election of Members to be duly returned to serve in the Legislative Assembly and for a periodical election of Members to be duly returned to serve in the Legislative Council.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this twenty-fifth day of January in the year of our Lord One thousand nine hundred and eighty-five and in the thirty-third year of the reign of Her Majesty Queen Elizabeth the Second, Queen of Australia.

(L.S.)

B. S. MURRAY

By His Excellency's Command

JOHN CAIN
Premier

GOD SAVE THE QUEEN!

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, on the day first hereinafter mentioned, viz:—

Date of Issue of Writs	Saturday, 26 January 1985
Date for Close of the Rolls	Saturday, 2 February 1985
Day of Nomination (before or on which nominations are to be made)	Thursday, 7 February 1985
Day of Polling	Saturday, 2 March 1985
Return of Writs	On or before Friday, 22 March 1985.

By His Excellency's Command

L. G. HOUSTON
Official Secretary

The Governor's Office,
Melbourne, 25 January 1985

COMMITTEES

SESSION 1982-85

**1 - ECONOMIC AND BUDGET REVIEW
(JOINT)**

(Appointed 25 August 1982)

Mr Gavin	Mr Ramsay (a)
Mr Harrowfield	Mr Richardson (b)
Mr McCutcheon	Mr Rowe
Mr McNamara	Mr Sheehan (Ivanhoe)

(a) Appointed 6 March 1984

(b) Discharged 6 March 1984

2 - HOUSE (JOINT)

(Appointed 29 June 1982)

Mr Speaker (ex officio)	
Mr Hann	Mrs Patrick (a)
Mr Hockley	Mr Templeton
Mr McCutcheon	Mr Wood (b)

(a) Appointed 24 May 1983.

(b) Membership lapsed upon resignation from Parliament 29 March 1983.

3 - LEGAL AND CONSTITUTIONAL (JOINT)

(Appointed 25 August 1982)

Mr Ebery	Mr Hockley
Mr Evans	Mr Jasper
(Ballarat North)	Mr King (a)
Mr Gray	Mr Whiting
Mr Hill	

(a) Deceased 28 January 1983.

4 - LIBRARY (JOINT)

(Appointed 27 April 1982)

Mr Speaker	Mrs Hill (a)
Mr Evans	Mr King (b)
(Ballarat North)	Mr Wallace
Mr Harrowfield	

(a) Appointed 31 March 1983.

(b) Deceased 28 January 1983.

**5 - MORTUARY INDUSTRY AND
CEMETERIES ADMINISTRATION
(JOINT)**

(Appointed 1 July 1982)

Mr Culpin	Mr Lieberman
Mr Kirkwood	Mr Ross-Edwards

**6 - NATURAL RESOURCES AND
ENVIRONMENT (JOINT)**

(Appointed 25 August 1982)

Mr Burgin (a)	Mr McKellar
Mr Ihlein	Mr Reynolds (b)
Mr McDonald	Mr Tanner
Mr McGrath	Dr Vaughan

(a) Appointed 23 March 1983

(b) Discharged 23 March 1983

7 - PRINTING

(Appointed 27 April 1982)

Mr. Speaker	Mr. McNamara
Mr Gray	Mr Ramsay
Mr Ihlein	Mr Stirling
Mr McGrath	Mr Williams

8 - PRIVILEGES

(Appointed 27 April 1982)

Miss Callister	Mr Lieberman
Mr Evans	Mr Miller
(Gippsland East)	Mr Walsh
Mr Jona	Mr Wilton

9 - PUBLIC BODIES REVIEW (JOINT)

(Appointed 25 August 1982)

Mr Delzoppo	Mr Pope
Mr Evans	Mr Remington
(Gippsland East)	Mrs Sibree
Mr Miller	Mr Sidiropoulos

11 - SOCIAL DEVELOPMENT (JOINT)

(Appointed 25 August 1982)

Mr Ernst	Mr Shell
Mr Jona	Mr Steggall (a)
Mr Newton	Mr Wallace
Mr Saltmarsh	Mr Williams

(a) Appointed 31 May 1983

10 - SALINITY (JOINT)

(Appointed 1 July 1982)

Mr Dickinson (a)	Mr Ramsay (b)(c)
Mr Fogarty	Mr Stirling
Mr Hann	Mr Wood (d)

(a) Appointed 6 March 1984.

(b) Appointed 24 May 1983.

(c) Discharged 6 March 1984.

(d) Membership lapsed upon resignation from Parliament 29 March 1983.

12 - STANDING ORDERS

(Appointed 27 April 1982)

Mr Speaker	Mrs Ray
Mr Gavin	Mr Templeton
Mrs Jasper	Mr Whiting
Mr MacIellan	Mr Wilton

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 1
 —

Tuesday, 8 June 1982

No. 1—HEALTH (PRIVATE HOSPITALS) BILL—Clause 3.

In section 182 of the Principal Act for sub-section (4) there shall be substituted the following sub-sections:

“(4) The Commission shall not approve the plans and specifications if it considers that the proposed works—

- (a) are not consistent with the proper supervision, maintenance and co-ordination of health services in Victoria; or
- (b) would result in more than adequate facilities becoming available for the provision of care of a prescribed kind or kinds to the population of the area in which the works are proposed.

(5) Subject to the *Administrative Law Act 1978* a decision of the Commission not to approve plans and specifications pursuant to the provisions of sub-section (4) shall be conclusive.”.

—(Mr Roper)

Amendment proposed—That the expression “(4) The Commission shall not approve the plans and” be omitted with the view of inserting in place thereof—

“(4) In considering any application under this section for approval of plans and specifications the Commission shall have regard to the following in addition to any other matters it considers relevant, namely—

- (a) the cost effectiveness of the proposals;
- (b) the whole of the facilities available in all public, private, repatriation or other hospitals or institutions in the district likely to be served by the proposed works;
- (c) the valuable contribution made by private organizations towards health services;
- (d) the relative costs and benefits of locating public, private or other facilities within a district and the most efficient use of resources; and
- (e) the development between hospitals of co-operative service provision ventures and the co-ordination of services in the interests of efficiency—

and shall not approve the plans and”.

—(Mr Lieberman)

Question—That the expression proposed to be omitted stand part of the clause—
 put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 46

Mr Cain	Mr Hill	Mrs Ray	Mr Stirling
Miss Callister	(<i>Warrandyte</i>)	Mr Remington	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Roper	Mr Trezise
Dr Coghill	Mr Jolly	Mr Rowe	Dr Vaughan
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Culpin	Mr King	Mr Sheehan	Mr Wilkes
Mr Ernst	Mr Kirkwood	(<i>Ivanhoe</i>)	
Mr Fogarty	Mr McCutcheon	Mr Sheehan	
Mr Fordham	Mr McDonald	(<i>Ballarat South</i>)	
Mr Gray	Mr Mathews	Mr Shell	
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	
Mr Hassett	Mr Newton	Mr Simmonds	<i>Tellers</i>
Mrs Hill	Mr Norris	Mr Simpson	Mr Gavin
(<i>Frankston</i>)	Mr Pope	Mr Spyker	Mr Hockley

NOES, 30

Mr Austin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Brown	Mr Jona	Mr Richardson	Mr Williams
Mr Burgin	Mr Kennett	Mr Ross-Edwards	Mr Wood
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	
Mr Evans	Mr McKellar	Mr Smith	
(<i>Ballarat North</i>)	Mr McNamara	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Thompson	Mr Jasper
(<i>Gippsland East</i>)	Mrs Patrick	Mr Wallace	Mr Reynolds

And so it was resolved in the affirmative.

Wednesday, 9 June 1982

No. 2—LOCAL GOVERNMENT (BOARD OF REVIEW) BILL—Clause 2.

(1) For Divisions 1 to 4 of Part II. of the Principal Act there shall be substituted the following Divisions:

[Sections 16–24F of proposed Divisions not printed]

24G. In conducting an inquiry a Division may at its discretion have regard to all or any of the following considerations:

- (a) Community or diversity of interest in the municipal districts likely to be affected by the proposal;
- (b) The means of communication in the municipal districts likely to be affected by the proposal;
- (c) The topography of the municipal districts likely to be affected by the proposal;
- (d) Historic patterns and factors in the municipal districts likely to be affected by the proposal;
- (e) Sociological patterns and factors in the municipal districts likely to be affected by the proposal;
- (f) Demographic economic and employment patterns and factors in the municipal districts likely to be affected by the proposal;
- (g) Where the proposal concerns the subdivision of or a resubdivision of a municipal district, that the number of electors in each proposed subdivision does not vary by more than 5 per cent from the average number of electors for all the subdivisions within the municipal district;

- (h) The financial position, including viability efficiency of operation, levels of rates, rating capacity, revenue and expenditure and assets and liabilities of the municipalities in the municipal districts likely to be affected by the proposal;
- (i) The demand for and the supply of facilities and services by municipalities and the capacity to supply such facilities and services by the municipalities in the municipal districts likely to be affected by the proposal;
- (j) Any regional pattern of demand for and the supply of facilities and services and the level of communication and co-operation between neighbouring municipalities in the supply of facilities and services in the municipal districts likely to be affected by the proposal;
- (k) Community identity, expectations and involvement in the municipal districts likely to be affected by the proposal;
- (l) Any other matters that the Division considers relevant.

[Sections 24H–24o of proposed Divisions and sub-clause (2) not printed]

—(Mr Wilkes)

Amendment proposed—That the words “municipal district” (where first occurring) in paragraph (g) be omitted with the view of inserting in place thereof “borough, town or city”.

—(Mr McNamara)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 40

Mr Cain	Mr Hill	Mr Remington	Dr Vaughan
Miss Callister	(Warrandyte)	Mr Roper	Mr Walsh
Mr Cathie	Mr Hockley	Mrs Setches	Mr Wilkes
Dr Coghill	Mr Ihlein	Mr Sheehan	
Mr Crabb	Mr Jolly	(Ivanhoe)	
Mr Culpin	Mr Kennedy	Mr Sheehan	
Mr Ernst	Mr Kirkwood	(Ballarat South)	
Mr Fogarty	Mr McDonald	Mr Shell	
Mr Gavin	Mr Miller	Mr Simmonds	
Mr Harrowfield	Mr Newton	Mr Simpson	
Mr Hassett	Mr Norris	Mr Stirling	<i>Tellers</i>
Mrs Hill	Mr Pope	Mrs Toner	Mr McCutcheon
(Frankston)	Mrs Ray	Mr Trezise	Mr Rowe

NOES, 25

Mr Brown	Mr Hann	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Jona	Mr Ross-Edwards	Mr Wood
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McNamara	Mrs Sibree	
Mr Evans	Mr Maclellan	Mr Thompson	
(Ballarat North)	Mrs Patrick	Mr Wallace	<i>Tellers</i>
Mr Evans	Mr Ramsay	Mr Whiting	Mr Jasper
(Gippsland East)	Mr Reynolds		Mr Tanner

And so it was resolved in the affirmative.

No. 3—Clause 2, *as amended*.

Motion made and question—That the question (That Clause 2, as amended, stand part of the Bill) be now put (*Mr Walsh*)—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Miss Callister	Mrs Hill	Mr Newton	Mr Simmonds
Mr Cathie	(<i>Frankston</i>)	Mr Norris	Mr Simpson
Dr Coghill	Mr Hill	Mr Pope	Mr Stirling
Mr Crabb	(<i>Warrandyte</i>)	Mrs Ray	Mrs Toner
Mr Culpin	Mr Ihlein	Mr Remington	Mr Trezise
Mr Ernst	Mr Jolly	Mr Roper	Dr Vaughan
Mr Fogarty	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Fordham	Mr King	Mrs Setches	Mr Wilkes
Mr Gavin	Mr Kirkwood	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Hockley
Mr Harrowfield	Mr McDonald	Mr Shell	Mr Sheehan
Mr Hassett	Mr Miller	Mr Sidiropoulos	(<i>Ballarat South</i>)

NOES, 25

Mr Brown	Mr Hann	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Ebery	Mr Jona	Mr Richardson	Mr Williams
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr Wood
(<i>Ballarat North</i>)	Mr McNamara	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Tanner	Mr Dickinson
(<i>Gippsland East</i>)	Mrs Patrick	Mr Thompson	Mr Saltmarsh

And so it was resolved in the affirmative.

No. 4—Clause 2, *as amended*.

Question—That Clause 2, as amended, stand part of the Bill—accordingly put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Miss Callister	Mrs Hill	Mr Newton	Mr Simmonds
Mr Cathie	(<i>Frankston</i>)	Mr Norris	Mr Simpson
Dr Coghill	Mr Hill	Mr Pope	Mr Stirling
Mr Crabb	(<i>Warrandyte</i>)	Mrs Ray	Mrs Toner
Mr Culpin	Mr Ihlein	Mr Remington	Mr Trezise
Mr Ernst	Mr Jolly	Mr Roper	Dr Vaughan
Mr Fogarty	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Fordham	Mr King	Mrs Setches	Mr Wilkes
Mr Gavin	Mr Kirkwood	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Hockley
Mr Harrowfield	Mr McDonald	Mr Shell	Mr Sheehan
Mr Hassett	Mr Miller	Mr Sidiropoulos	(<i>Ballarat South</i>)

NOES, 26

Mr Brown	Mr Jasper	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Jona	Mr Richardson	Mr Wood
Mr Ebery	Mr Kennett	Mr Ross-Edwards	
Mr Evans	Mr Lieberman	Mrs Sibree	
(<i>Ballarat North</i>)	Mr McNamara	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Thompson	Mr Dickinson
(<i>Gippsland East</i>)	Mrs Patrick	Mr Wallace	Mr Saltmarsh
Mr Hann	Mr Ramsay	Mr Whiting	

And so it was resolved in the affirmative.

No. 5—Clause 6.

In section 158 of the Principal Act after sub-section (1) there shall be inserted the following sub-sections:

“(2) The council may enter into an agreement with any officer with respect to any term or condition of employment of that officer which is not otherwise provided for by this Act, any other Act providing for terms and conditions of employment of municipal officers or any industrial award or agreement applicable to that officer.

(2A) The council may name one of its officers to be the Chief Executive Officer or may employ some other person for this purpose and in doing so shall have regard to the need to appoint a person having knowledge of and experience in local government matters.

(2B) The Chief Executive Officer shall have administrative charge of the municipality and shall perform his duties in accordance with the directions of the council and the provisions of this Act or any other Act imposing duties on municipal officers.”

—(Mr Wilkes)

Amendment proposed—That the words “and in doing so shall have regard to the need to appoint a person having knowledge of and experience in local government matters”, in proposed sub-section (2A), be omitted with the view of inserting in place thereof “who shall be qualified in a discipline relevant to local government and has had a wide experience in local government matters”.

—(Mr McNamara)

Question—That the words proposed to be omitted stand part of the clause—put. Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Mr Cain	Mr Hassett	Mr Norris	Mr Simpson
Miss Callister	Mrs Hill	Mr Pope	Mr Stirling
Mr Cathie	(Frankston)	Mrs Ray	Mrs Toner
Dr Coghill	Mr Hill	Mr Remington	Mr Trezise
Mr Crabb	(Warrandyte)	Mr Roper	Dr Vaughan
Mr Culpin	Mr Hockley	Mr Rowe	Mr Walsh
Mr Ernst	Mr Ihlein	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr King	(Ivanhoe)	
Mr Fordham	Mr Kirkwood	Mr Sheehan	
Mr Gavin	Mr McCutcheon	(Ballarat South)	Tellers
Mr Gray	Mr McDonald	Mr Shell	Mr Kennedy
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Miller

NOES, 24

Mr Brown	Mr Hann	Mrs Patrick	Mr Wallace
Mr Delzoppo	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Dickinson	Mr Jona	Mr Reynolds	Mr Wood
Mr Evans	Mr Kennett	Mr Richardson	
(Ballarat North)	Mr Lieberman	Mr Ross-Edwards	Tellers
Mr Evans	Mr McNamara	Mr Tanner	Mr Ebery
(Gippsland East)	Mr Maclellan	Mr Thompson	Mr Williams

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 2
 —

Tuesday, 15 June 1982

**No. 1—MELBOURNE AND METROPOLITAN BOARD OF WORKS (DIFFERENTIAL RATING)
 BILL—Clause 3.**

Section 99 of the Principal Act shall be amended as follows:

(a) In sub-section (2) for the expression “paragraph (b) of sub-section (1) in respect of different areas of included land” there shall be substituted the expression “paragraphs (a) and (b) of sub-section (1) in respect of different areas of land or different rateable properties in the metropolis”;

(b) After sub-section (3) there shall be inserted the following sub-sections:

“(4) Where the Board is of the opinion that relief should be given under this sub-section in respect of any land or class of land upon which a rate would otherwise be made and levied under this section, the Board may by resolution exempt the person or persons who would otherwise be from time to time liable to pay the rate in respect of the land or land of that class from liability to pay the rate in respect thereof either wholly or to such an extent as is specified by the resolution.

(5) A resolution shall not be made under sub-section (4) in a case where the land or class of land is used primarily for residential commercial or industrial purposes.

(6) Any resolution made under sub-section (4) may be revoked by resolution of the Board and shall have effect in each year until so revoked.”.

—(Mr Simpson)

Motion made and question—That the Chairman do report progress and ask for leave to sit again (Mrs Patrick)—put.

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 31

Mr Austin
 Mr Brown
 Mr Burgin
 Mr Delzoppo
 Mr Dickinson
 Mr Ebery
 Mr Evans
 (Ballarat North)
 Mr Evans
 (Gippsland East)

Mr Hann
 Mr Jasper
 Mr Jona
 Mr Kennett
 Mr Lieberman
 Mr McKellar
 Mr McNamara
 Mr Maclellan
 Mrs Patrick

Mr Ramsay
 Mr Reynolds
 Mr Richardson
 Mr Ross-Edwards
 Mr Saltmarsh
 Mrs Sibree
 Mr Smith
 Mr Tanner
 Mr Thompson

Mr Wallace
 Mr Whiting
 Mr Wood

Tellers
 Mr McGrath
 Mr Williams

NOES, 42

Mr Cain	Mrs Hill	Mr Miller	Mr Simpson
Miss Callister	(<i>Frankston</i>)	Mr Newton	Mr Spyker
Mr Cathie	Mr Hill	Mr Pope	Mr Stirling
Dr Coghill	(<i>Warrandyte</i>)	Mrs Ray	Mrs Toner
Mr Crabb	Mr Hockley	Mr Remington	Mr Trezise
Mr Culpin	Mr Ihlein	Mr Roper	Dr Vaughan
Mr Ernst	Mr Jolly	Mr Rowe	Mr Walsh
Mr Fogarty	Mr Kennedy	Mr Sheehan	
Mr Fordham	Mr King	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gavin	Mr McCutcheon	Mr Shell	Mr Norris
Mr Gray	Mr McDonald	Mr Sidiropoulos	Mr Sheehan
Mr Harrowfield	Mr Mathews	Mr Simmonds	(<i>Ballarat South</i>)

And so it passed in the negative.

No. 2—Clause 3.

Question—That clause 3 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 50

Mr Cain	Mrs Hill	Mr Miller	Mr Sidiropoulos
Miss Callister	(<i>Frankston</i>)	Mr Newton	Mr Simmonds
Mr Cathie	Mr Hill	Mr Norris	Mr Simpson
Dr Coghill	(<i>Warrandyte</i>)	Mr Pope	Mr Spyker
Mr Culpin	Mr Hockley	Mrs Ray	Mr Stirling
Mr Ernst	Mr Ihlein	Mr Remington	Mrs Toner
Mr Evans	Mr Jasper	Mr Roper	Mr Trezise
(<i>Gippsland East</i>)	Mr Jolly	Mr Ross-Edwards	Dr Vaughan
Mr Fogarty	Mr Kennedy	Mr Rowe	Mr Wallace
Mr Fordham	Mr King	Mr Sheehan	Mr Walsh
Mr Gavin	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Whiting
Mr Gray	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Hann	Mr McGrath	(<i>Ballarat South</i>)	Mr McCutcheon
Mr Harrowfield	Mr Mathews	Mr Shell	Mr McNamara

NOES, 22

Mr Austin	Mr Jona	Mr Ramsay	Mr Thompson
Mr Brown	Mr Kennett	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Lieberman	Mr Saltmarsh	Mr Wood
Mr Dickinson	Mr McKellar	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr MacLellan	Mr Smith	Mr Burgin
(<i>Ballarat North</i>)	Mrs Patrick	Mr Tanner	Mr Ebery

And so it was resolved in the affirmative.

No. 3—HISTORIC BUILDINGS (AMENDMENT) BILL—Clause 12.

Section 15 of the Principal Act shall be repealed.

—(*Mr Cain*)

Question—That clause 12 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hill	Mr Newton	Mr Sidiropoulos
Miss Callister	(<i>Warrandyte</i>)	Mr Norris	Mr Simmonds
Mr Cathie	Mr Hockley	Mr Pope	Mr Simpson
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Spyker
Mr Crabb	Mr Jolly	Mr Remington	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Roper	Mrs Toner
Mr Ernst	Mr King	Mr Rowe	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Fordham	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Walsh
Mr Harrowfield	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mrs Hill	Mr Mathews	(<i>Ballarat South</i>)	Mr Gavin
(<i>Frankston</i>)	Mr Miller	Mr Shell	Mr Gray

NOES, 28

Mr Austin	Mr Evans	Mr Maclellan	Mr Wallace
Mr Brown	(<i>Gippsland East</i>)	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Hann	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Jasper	Mr Richardson	Mr Wood
Mr Dickinson	Mr Jona	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Tanner	Mr McNamara
(<i>Ballarat North</i>)	Mr McKellar	Mr Thompson	Mrs Sibree

And so it was resolved in the affirmative.

No. 4—Clause 15.

Section 18 of the Principal Act shall be amended as follows:

- (a) For sub-section (1) (c) there shall be substituted the following:
“(c) on the application of the owner or any person in the prescribed form;”
- (b) Sub-sections (3), (4), (5) and (10) shall be repealed;
- (c) For sub-section (7) there shall be substituted the following:
“(7) In making an examination the Council shall consider whether the building is of architectural or historic importance.”;
- (d) Paragraph (a) of sub-section (8) and the expression “; and (b)” following that paragraph shall be repealed.

—(*Mr Cain*)

Question—That clause 15 stand part of the Bill—put.

Committee divided.

(Chairman—*Mr Wilton*)

AYES, 43

Mr Cain	Mr Hill	Mr Newton	Mr Sidiropoulos
Miss Callister	(<i>Warrandyte</i>)	Mr Norris	Mr Simmonds
Mr Cathie	Mr Hockley	Mr Pope	Mr Simpson
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Spyker
Mr Crabb	Mr Jolly	Mr Remington	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Roper	Mr Toner
Mr Ernst	Mr King	Mr Rowe	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Fordham	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Walsh
Mr Harrowfield	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mrs Hill	Mr Mathews	(<i>Ballarat South</i>)	Mr Gavin
(<i>Frankston</i>)	Mr Miller	Mr Shell	Mr Gray

NOES, 27

Mr Austin	Mr Evans	Mrs Patrick	Mr Whiting
Mr Brown	(<i>Gippsland East</i>)	Mr Reynolds	Mr Williams
Mr Burgin	Mr Hann	Mr Richardson	Mr Wood
Mr Delzoppo	Mr Jasper	Mr Ross-Edwards	
Mr Dickinson	Mr Jona	Mr Saltmarsh	
Mr Ebery	Mr Lieberman	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Thompson	Mr McNamara
(<i>Ballarat North</i>)	Mr Maclellan	Mr Wallace	Mrs Sibree

And so it was resolved in the affirmative.

No. 5—Clause 17.

Sections 22, 23, 24 and 25 of the Principal Act shall be repealed.

—(*Mr Cain*)

Question—That clause 17 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hill	Mr Newton	Mr Sidiropoulos
Miss Callister	(<i>Warrandyte</i>)	Mr Norris	Mr Simmonds
Mr Cathie	Mr Hockley	Mr Pope	Mr Simpson
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Spyker
Mr Crabb	Mr Jolly	Mr Remington	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Roper	Mrs Toner
Mr Ernst	Mr King	Mr Rowe	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Fordham	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Walsh
Mr Harrowfield	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mrs Hill	Mr Mathews	(<i>Ballarat South</i>)	Mr Gavin
(<i>Frankston</i>)	Mr Miller	Mr Shell	Mr Gray

NOES, 28

Mr Austin	Mr Evans	Mr Maclellan	Mr Wallace
Mr Brown	(<i>Gippsland East</i>)	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Hann	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Jasper	Mr Richardson	Mr Wood
Mr Dickinson	Mr Jona	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr Kennett	Mr Saltmarsh	Mr McNamara
Mr Evans	Mr Lieberman	Mr Tanner	Mrs Sibree
(<i>Ballarat North</i>)	Mr McKellar	Mr Thompson	

And so it was resolved in the affirmative.

No. 6—Clause 18.

Section 26 of the Principal Act shall be amended as follows:

(a) Sub-section (9) shall be repealed;

(b) For sub-section (11) there shall be substituted the following:

“(11) In determining an application in respect to any alteration to a registered building or registered land (being a church or land within the precinct of a church) for purposes which are of a religious or liturgical nature the Council shall not make a determination which will prevent the carrying out of religious rites liturgies or accepted practices of worship in or relating to that church.”.

—(*Mr Cain*)

Question—That clause 18 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mrs Hill	Mr Miller	Mr Simmonds
Miss Callister	(<i>Frankston</i>)	Mr Newton	Mr Simpson
Mr Cathie	Mr Hill	Mr Norris	Mr Spyker
Dr Coghill	(<i>Warrandyte</i>)	Mr Pope	Mr Stirling
Mr Crabb	Mr Hockley	Mrs Ray	Mrs Toner
Mr Culpin	Mr Ihlein	Mr Remington	Mr Trezise
Mr Ernst	Mr Jolly	Mr Roper	Dr Vaughan
Mr Fogarty	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Fordham	Mr King	Mr Sheehan	<i>Tellers</i>
Mr Gavin	Mr Kirkwood	(<i>Ballarat South</i>)	Mr McDonald
Mr Gray	Mr McCutcheon	Mr Shell	Mr Sheehan
Mr Harrowfield	Mr Mathews	Mr Sidiropoulos	(<i>Ivanhoe</i>)

NOES, 27

Mr Austin	Mr Jasper	Mr Reynolds	Mr Williams
Mr Brown	Mr Jona	Mr Richardson	Mr Wood
Mr Burgin	Mr Kennett	Mr Ross-Edwards	
Mr Delzoppo	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McKellar	Mrs Sibree	
Mr Evans	Mr McNamara	Mr Tanner	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Maclellan	Mr Thompson	Mr Dickinson
Mr Hann	Mrs Patrick	Mr Whiting	Mr Wallace

And so it was resolved in the affirmative.

No. 7—Clause 21.

(1) In section 40 (2) of the Principal Act—

(a) for the words “with the consent of the Minister” there shall be substituted the words “or the Chairman of the council”;

(b) after the word “Council” (where third occurring) there shall be inserted the words “or the Chairman”.

(2) After section 40 (2) of the Principal Act there shall be inserted the following:

“(2A) Where the Chairman has caused to be served an interim preservation order under sub-section (2), the order shall cease to have any force or effect 14 days after service of the order unless the Council confirms the order”.

(3) In section 40 (9) of the Principal Act before the words “An interim preservation order” there shall be inserted the words “Subject to sub-section (2A)”.

—(*Mr Cain*)

Question—That clause 21 stand part of the Bill—put.

Committee divided.

(Temporary Chairman—Mr Hockley)

AYES, 42

Mr Cain	Mrs Hill	Mr Miller	Mr Simpson
Miss Callister	(<i>Frankston</i>)	Mr Newton	Mr Spyker
Mr Cathie	Mr Hill	Mr Pope	Mr Stirling
Dr Coghill	(<i>Warrandyte</i>)	Mrs Ray	Mrs Toner
Mr Crabb	Mr Ihlein	Mr Remington	Mr Trezise
Mr Culpin	Mr Jolly	Mr Roper	Dr Vaughan
Mr Ernst	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Fogarty	Mr King	Mr Sheehan	
Mr Fordham	Mr Kirkwood	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gavin	Mr McCutcheon	Mr Shell	Mr Norris
Mr Gray	Mr McDonald	Mr Sidiropoulos	Mr Sheehan
Mr Harrowfield	Mr Mathews	Mr Simmonds	(<i>Ivanhoe</i>)

NOES, 27

Mr Austin	Mr Jasper	Mr Reynolds	Mr Williams
Mr Burgin	Mr Jona	Mr Richardson	Mr Wood
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	
Mr Ebery	Mr McKellar	Mrs Sibree	
Mr Evans	Mr McNamara	Mr Thompson	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Maclellan	Mr Wallace	Mr Brown
Mr Hann	Mrs Patrick	Mr Whiting	Mr Tanner

And so it was resolved in the affirmative.

No. 8--Schedule.

SCHEDULE

Section 2

<i>Number of Act</i>	<i>Title of Act</i>	<i>Extent of Repeal</i>
8265	<i>Government Buildings Advisory Council Act 1972</i>	The whole
9580	<i>Government Buildings Advisory Council (Amendment) Act 1981</i>	The whole

—(Mr Cain)

Question—That the Schedule be the Schedule to the Bill—put.

Committee divided.

(Temporary Chairman—Mr Hockley)

AYES, 49

Mr Cain	Mr Harrowfield	Mr Mathews	Mr Simpson
Miss Callister	Mrs Hill	Mr Miller	Mr Spyker
Mr Cathie	(<i>Frankston</i>)	Mr Newton	Mr Stirling
Dr Coghill	Mr Hill	Mr Pope	Mrs Toner
Mr Crabb	(<i>Warrandyte</i>)	Mrs Ray	Mr Trezise
Mr Culpin	Mr Ihlein	Mr Remington	Dr Vaughan
Mr Ernst	Mr Jasper	Mr Roper	Mr Wallace
Mr Evans	Mr Jolly	Mr Ross-Edwards	Mr Walsh
(<i>Gippsland East</i>)	Mr Kennedy	Mr Rowe	Mr Whiting
Mr Fogarty	Mr King	Mr Sheehan	
Mr Fordham	Mr Kirkwood	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gavin	Mr McCutcheon	Mr Shell	Mr Norris
Mr Gray	Mr McDonald	Mr Sidiropoulos	Mr Sheehan
Mr Hann	Mr McNamara	Mr Simmonds	(<i>Ivanhoe</i>)

NOES, 20

Mr Austin	Mr Jona	Mrs Patrick	Mr Thompson
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Lieberman	Mr Richardson	Mr Wood
Mr Dickinson	Mr McKellar	Mr Saltmarsh	<i>Tellers</i>
Mr Ebery	Mr Maclellan	Mrs Sibree	Mr Brown
			Mr Tanner

And so it was resolved in the affirmative.

Thursday, 17 June 1982

No. 9—MELBOURNE CORPORATION (ELECTION OF COUNCIL) BILL—Clause 5.

(1) A person who on the entitlement date has attained the age of eighteen years—

- (a) shall, where that person would if a roll of persons entitled to vote on the entitlement date at an election for the Legislative Assembly was prepared be enrolled on the roll of the Legislative Assembly and entitled to vote at an election for the Legislative Assembly, be enrolled and entitled to vote at an election to choose persons to hold office as members of the council to represent the ward in which he has his principal place of residence; or

(b) shall, where that person—

- (i) would have been entitled under paragraph (a) but for the fact that he was not a natural-born or naturalized subject of Her Majesty on the entitlement date; and

(ii) has resided in Australia for at least six months continuously and in Victoria for at least three months and in the municipal district for at least one month immediately preceding the entitlement date—

be entitled to enrol and vote at an election to choose persons to hold office as members of the council to represent the ward in which he has his principal place of residence; or

(c) shall, subject to sub-sections (2) and (4) where that person is not a person referred to in paragraph (a) or (b) and is on the entitlement date the owner of any rateable property (whether jointly or not) be entitled to enrol and vote at an election to choose persons to hold office as members of the council to represent the ward in which that property is situated; or

(d) shall, subject to sub-sections (3) and (4) where that person is not a person referred to in paragraph (a), (b) or (c) and is on the entitlement date liable to be rated in respect of any property (whether jointly or not) be entitled to enrol and vote at an election to choose persons to hold office as members of the council to represent the ward in which that property is situated.

(2) In the case of persons who are joint owners of any property only one of those persons shall be entitled to enrol and vote under paragraph (c) of sub-section (1) and for that purpose they may appoint one of their number to represent them and that person shall be entitled to be enrolled and vote on their behalf.

(3) In the case of persons who are liable to be jointly rated in respect of any property only one of those persons shall be entitled to enrol and vote under paragraph (d) of sub-section (1) and for that purpose they may appoint one of their number to represent them and that person shall be entitled to be enrolled and vote on their behalf.

(4) Where the owner of any property or the person liable to be rated in respect of any property is a corporation, that corporation may, where it is entitled under this section to be enrolled and vote at an election, appoint a person to be enrolled and vote on its behalf.

(5) Any entitlement to enrol and vote under this section shall be subject to compliance with the provisions of this Act or any regulations made thereunder relating to enrolment and voting.

(6) For the purposes of this section "Owner" in relation to any property means the person for the time being entitled to receive, or who, if the same were let to a tenant at rack-rent, would be entitled to receive the rack-rent thereof.

—(Mr Roper)

Amendment proposed—That paragraph (b) of sub-clause (1) be omitted.

—(Mrs Patrick)

Question—That the paragraph proposed to be omitted stand part of the clause—
put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mr Hockley	Mrs Ray	Mrs Toner
Miss Callister	Mr Ihlein	Mr Remington	Mr Trezise
Mr Cathie	Mr Jolly	Mr Roper	Dr Vaughan
Dr Coghill	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Culpin	Mr King	Mr Sheehan	
Mr Ernst	Mr Kirkwood	(<i>Ivanhoe</i>)	
Mr Fogarty	Mr McCutcheon	Mr Sheehan	
Mr Gavin	Mr McDonald	(<i>Ballarat South</i>)	
Mr Gray	Mr Mathews	Mr Sidiropoulos	
Mr Harrowfield	Mr Miller	Mr Simmonds	
Mr Hassett	Mr Newton	Mr Simpson	<i>Tellers</i>
Mr Hill	Mr Norris	Mr Spyker	Mr Rowe
(<i>Warrandyte</i>)	Mr Pope	Mr Stirling	Mr Shell

NOES, 26

Mr Brown	Mr Hann	Mr Maclellan	Mr Smith
Mr Burgin	Mr Jasper	Mrs Patrick	Mr Thompson
Mr Delzoppo	Mr Jona	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Kennett	Mr Richardson	Mr Wood
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Saltmarsh	Mr Tanner
(<i>Gippsland East</i>)	Mr McNamara	Mrs Sibree	Mr Wallace

And so it was resolved in the affirmative.

No. 10—Clause 11.

(1) A person elected as a councillor shall not be capable of acting as a councillor, except in administering the following declaration, until he has made and signed before a councillor a declaration to the following effect:

“I, A.B., do solemnly declare that I will faithfully and impartially according to the best of my skill and judgment execute all the powers and authorities reposed in me as a councillor by virtue of the *Local Government Act 1958* or any other Act.”

(2) The declaration made under sub-section (1) shall be entered and signed together with the date on which it is signed in the minute book of the council.

(3) Where a person elected a councillor does not within three months after the day on which he has been declared to be elected make the declaration required by sub-section (1) his seat shall become vacant.

(4) A councillor whether or not he has made the declaration may administer the declaration to another councillor.

—(*Mr Roper*)

Question—That the clause 11 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hill	Mr Newton	Mr Simmonds
Miss Callister	(<i>Warrantdyte</i>)	Mr Norris	Mr Simpson
Mr Cathie	Mr Hockley	Mr Pope	Mr Spyker
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Crabb	Mr Jolly	Mr Remington	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Roper	Mr Trezise
Mr Ernst	Mr King	Mrs Setches	Dr Vaughan
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Gavin	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Gray	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Mathews	(<i>Ballarat South</i>)	Mr Rowe
Mr Hassett	Mr Miller	Mr Sidiropoulos	Mr Shell

NOES, 23

Mr Brown	Mr Jona	Mr Ramsay	Mr Smith
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Thompson
Mr Delzoppo	Mr McGrath	Mr Richardson	Mr Williams
Mr Dickinson	Mr McNamara	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr Maclellan	Mr Saltmarsh	Mr Tanner
Mr Jasper	Mrs Patrick	Mrs Sibree	Mr Wallace

And so it was resolved in the affirmative.

No. 11—Clause 53.

(1) Notwithstanding anything to the contrary in any other act but subject to any regulations made under section 76, it shall be compulsory for any person whose name is on a voters' roll in respect of an election to vote at that election.

(2) The provisions of this section and of any regulations made under section 76 shall with such adaptations as are necessary extend and apply in respect of a poll conducted under any of the provisions of the *Local Government Act 1958* that apply to the City of Melbourne.

—(Mr Roper)

Question—That clause 53 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hill	Mr Newton	Mr Simmonds
Miss Callister	(<i>Warrantdyte</i>)	Mr Norris	Mr Simpson
Mr Cathie	Mr Hockley	Mr Pope	Mr Spyker
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Crabb	Mr Jolly	Mr Remington	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Roper	Mr Trezise
Mr Ernst	Mr King	Mrs Setches	Dr Vaughan
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Gavin	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Gray	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Mathews	(<i>Ballarat South</i>)	Mr Rowe
Mr Hassett	Mr Miller	Mr Sidiropoulos	Mr Shell

NOES, 19

Mr Brown	Mr Kennett	Mr Reynolds	Mr Thompson
Mr Delzoppo	Mr McNamara	Mr Richardson	Mr Williams
Mr Dickinson	Mr Maclellan	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mrs Patrick	Mr Saltmarsh	Mr Tanner
Mr Jona	Mr Ramsay	Mrs Sibree	Mr Wallace

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 3
 —

Tuesday, 29 June 1982

No. 1—HOSPITAL BENEFITS (LEVY) BILL—Clause 1.

- (1) This Act may be cited as the *Hospital Benefits (Levy) Act* 1982.
 (2) This Act shall come into operation on 1 July 1982.

—(Mr Roper)

Amendment proposed—That after the word “shall” in sub-clause (2) there shall be inserted the words “be deemed to have”.

—(Mr Roper)

Question—That the words proposed to be inserted be so inserted—put.
 Committee divided.

(Chairman—Mr Wilton)

AYES, 44

Mr Cain	Mrs Hill	Mr Newton	Mr Spyker
Miss Callister	(<i>Frankston</i>)	Mr Norris	Mr Stirling
Mr Cathie	Mr Hill	Mr Pope	Mrs Toner
Dr Coghill	(<i>Warrandyte</i>)	Mrs Ray	Mr Trezise
Mr Crabb	Mr Hockley	Mr Remington	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Roper	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Rowe	
Mr Fogarty	Mr King	Mrs Setches	
Mr Fordham	Mr Kirkwood	Mr Sheehan	
Mr Gavin	Mr McCutcheon	(<i>Ballarat South</i>)	
Mr Gray	Mr McDonald	Mr Sidiropoulos	<i>Tellers</i>
Mr Harrowfield	Mr Mathews	Mr Simmonds	Mr Ihlein
Mr Hassett	Mr Miller	Mr Simpson	Mr Shell

NOES, 28

Mr Austin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Brown	Mr Jasper	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mr Saltmarsh	
Mr Evans	Mr McGrath	Mrs Sibree	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McKellar	Mr Smith	Mr Reynolds
Mr Evans	Mr McNamara	Mr Thompson	Mr Tanner
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative.

No. 2—Clause 2.

- (1) In this Act, unless the contrary intention appears—

“Basic hospital benefits” means those benefits payable to a contributor by an organization in accordance with the basic hospital benefits table of the organization.

“Contributor” in relation to a hospital benefits fund, means a person who is a contributor to that fund in accordance with the rules of that organization, and includes a person for whom or on whose behalf contributions are made.

“Hospitals and Charities Fund” means the fund established under the *Hospitals and Charities Act 1958*.

“Hospital benefits fund” means a fund out of which an organization makes payments to contributors for periods of accommodation and maintenance in hospitals, and for surgical therapeutic or other medical or health treatment, service or procedure in hospitals.

“Monthly levy” in relation to an organization means—

$$\frac{AC}{B}$$

where—

where—

A is the total amount of contributions received from contributors to the organization in the month which is three months immediately prior to the month in which the monthly levy is payable for the purpose of securing entitlement to basic hospital benefits;

B is the amount of weekly contribution as at the fifteenth day of the month to which *A* applies required to be paid to the organization by a single person for the purpose of securing entitlement to basic hospital benefits; and

C is the prescribed rate.

“Organization” means a society, body or group of persons whether corporate or unincorporate which conducts a hospital benefits business.

“Out-patient service” in relation to a hospital means a health service or procedure provided by the hospital to a person other than an in-patient in the hospital.

“Prescribed rate” means such amount as may be prescribed in the regulations from time to time being an amount not greater than—

(a) 40 cents; or

(b) an amount which shall bear to 40 cents the same proportion as the daily bed fee charged for shared accommodation in Victorian public hospitals bears to 40 cents as at the date of the commencement of this Act—

whichever is the greater.

(2) An organization shall be deemed to carry on the business in Victoria of providing hospital benefits to contributors if for the purposes of or purposes related to the enrolment of contributors to a hospital benefits fund conducted by it or the payment of benefits to such contributors—

(i) it uses premises in Victoria; or

(ii) it uses the services of a servant or agent in Victoria.

(3) Where an organization conducts business in other States or Territories in addition to Victoria—

(i) contributions received by the organization from persons permanently resident outside Victoria shall not be included in *A*; and

- (ii) the Comptroller of Stamps may agree with the organization upon the total amount of contributions received by the organization from Victorian contributors in a particular month and such amount shall be deemed to be *A* and in default of agreement the Minister shall determine an attributable amount and that amount shall be deemed to be *A*.

—(Mr Roper)

Question—That clause 2 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 44

Mr Cain	Mrs Hill	Mr Newton	Mr Spyker
Miss Callister	(Frankston)	Mr Norris	Mr Stirling
Mr Cathie	Mr Hill	Mr Pope	Mrs Toner
Dr Coghill	(Warrandyte)	Mrs Ray	Mr Trezise
Mr Crabb	Mr Hockley	Mr Remington	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Roper	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Rowe	
Mr Fogarty	Mr King	Mrs Setches	
Mr Fordham	Mr Kirkwood	Mr Sheehan	
Mr Gavin	Mr McCutcheon	(Ballarat South)	
Mr Gray	Mr McDonald	Mr Sidiropoulos	Tellers
Mr Harrowfield	Mr Mathews	Mr Simmonds	Mr Ihlein
Mr Hassett	Mr Miller	Mr Simpson	Mr Shell

NOES, 28

Mr Austin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Brown	Mr Jasper	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mr Saltmarsh	
Mr Evans	Mr McGrath	Mrs Sibree	Tellers
(Ballarat North)	Mr McKellar	Mr Smith	Mr Reynolds
Mr Evans	Mr McNamara	Mr Thompson	Mr Tanner
(Gippsland East)			

And so it was resolved in the affirmative.

Wednesday, 30 June 1982

No. 3—PARLIAMENTARY COMMITTEES (JOINT INVESTIGATORY COMMITTEES) BILL—
Clause 5.

For Part I. of the Principal Act there shall be substituted the following Part:

“PART I.—JOINT INVESTIGATORY COMMITTEES

[Proposed sections 4–4E not printed]

4F. (1) A Joint Investigatory Committee—

(a) is required to inquire into, consider and report to the Parliament on any proposal, matter or thing relevant to the functions of the Committee which is referred to the Committee—

(i) by resolution of the Council and the Assembly; or

(ii) by Order of the Governor in Council published in the *Government Gazette*; and

(b) may inquire into, consider and report to the Parliament on any annual report or other document relevant to the functions of the Committee which is laid before either House of the Parliament pursuant to a requirement imposed by or under an Act.

(2) The Economic and Budget Review Committee may, in addition to the powers and duties conferred or imposed on it by sub-section (1), inquire into, consider and report to the Parliament on any matter arising out of the annual Estimates of Receipts and Payments of the Consolidated Fund or other Budget Papers.

(3) A resolution of the Council and the Assembly or an Order of the Governor in Council referring a proposal, matter or thing to a Joint Investigatory Committee pursuant to paragraph (a) of sub-section (1) may specify a period of time within which the Committee is required to make a final report to the Parliament on the proposal, matter or thing.

(4) In carrying out its functions a Joint Investigatory Committee is required—

(a) to give priority—

(i) firstly, to all proposals, matters or things referred to it by resolution of the Council and the Assembly; and

(ii) secondly, to all proposals, matters or things referred to it by Order of the Governor in Council published in the *Government Gazette*—

before all other proposals, matters or things being inquired into or being considered by the Committee; and

(b) to comply with any limitation of time specified pursuant to sub-section (3).

(5) Notwithstanding anything to the contrary in this section the Legal and Constitutional Committee shall give priority to considering whether the special attention of Parliament should be drawn to any statutory rules within the meaning of the *Subordinate Legislation Act 1962* laid before both Houses of Parliament on any ground mentioned in paragraph (b) of section 4b.”

[Proposed sections 4G–4U not printed]

—(Mr Fordham)

Amendment proposed—That after the word “Assembly” in proposed section 4F (1) (a) (i), there shall be inserted the words “or by resolution of the Council or the Assembly”.

—(Mr Hann)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 27

Mr Austin	Mr Jasper	Mrs Patrick	Mr Wallace
Mr Brown	Mr Jona	Mr Richardson	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	Mr Williams
Mr Evans	Mr Lieberman	Mr Saltmarsh	
(Ballarat North)	Mr McGrath	Mrs Sibree	
Mr Evans	Mr McKellar	Mr Tanner	Tellers
(Gippsland East)	Mr McNamara	Mr Templeton	Mr Ebery
Mr Hann	Mr Maclellan	Mr Thompson	Mr Reynolds

NOES, 43

Mr Cain	Mr Hassett	Mr Miller	Mr Shell
Miss Callister	Mrs Hill	Mr Newton	Mr Sidiropoulos
Mr Cathie	(<i>Frankston</i>)	Mr Norris	Mr Simmonds
Dr Coghill	Mr Hill	Mr Pope	Mr Simpson
Mr Crabb	(<i>Warrandyte</i>)	Mr Remington	Mr Stirling
Mr Culpin	Mr Jolly	Mr Roper	Mr Trezise
Mr Ernst	Mr Kennedy	Mr Rowe	Dr Vaughan
Mr Fogarty	Mr King	Mrs Setches	Mr Walsh
Mr Fordham	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr McCutcheon	(<i>Ivanhoe</i>)	Tellers
Mr Gray	Mr McDonald	Mr Sheehan	Mr Hockley
Mr Harrowfield	Mr Mathews	(<i>Ballarat South</i>)	Mrs Ray

And so it passed in the negative.

No. 4—Clause 7.

Section 51A of the Principal Act shall be amended as follows:

- (a) In sub-section (1) for the expression “2 per centum” there shall be substituted the expression “10 per centum”;
- (b) In sub-section (1A) after the words “is present” there shall be inserted the expression “or, in the case of a member of a sub-committee of a Joint Investigatory Committee, for each attendance to take evidence pursuant to section 4L (6)”;
- (c) For sub-section (5) there shall be substituted the following sub-section:
“(5) Sub-section (1) applies to any Joint Investigatory Committee.”;
- (d) For paragraph (c) of sub-section (6) there shall be substituted the following paragraphs:
“(b) any Joint Investigatory Committee or any sub-committee of a Joint Investigatory Committee;
(c) any joint select committee where the resolution of the Council and the Assembly establishing the committee expressly provides that sub-section (1A) applies to the committee.”; and
- (e) Sub-section (7) shall be repealed.

—(*Mr Fordham*)

Amendment proposed—That paragraph (a) be omitted.

—(*Mr Hann*)

Question—That the paragraph proposed to be omitted stand part of the clause—put.

(Chairman—*Mr Wilton*)

AYES, 43

Mr Cain	Mrs Hill	Mr Miller	Mr Simmonds
Miss Callister	(<i>Frankston</i>)	Mr Newton	Mr Simpson
Mr Cathie	Mr Hill	Mr Pope	Mr Stirling
Dr Coghill	(<i>Warrandyte</i>)	Mrs Ray	Mrs Toner
Mr Culpin	Mr Hockley	Mr Remington	Mr Trezise
Mr Ernst	Mr Jolly	Mr Roper	Dr Vaughan
Mr Fogarty	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Fordham	Mr King	Mrs Setches	Mr Wilkes
Mr Gavin	Mr Kirkwood	Mr Sheehan	Tellers
Mr Gray	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Norris
Mr Harrowfield	Mr McDonald	Mr Shell	Mr Sheehan
Mr Hassett	Mr Mathews	Mr Sidiropoulos	(<i>Ballarat South</i>)

NOES, 28

Mr Austin	Mr Hann	Mr Maclellan	Mr Thompson
Mr Brown	Mr Jasper	Mrs Patrick	Mr Wallace
Mr Burgin	Mr Jona	Mr Richardson	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	Mr Williams
Mr Evans	Mr Lieberman	Mr Saltmarsh	
(Ballarat North)	Mr McGrath	Mr Smith	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Tanner	Mr Ebery
(Gippsland East)	Mr McNamara	Mr Templeton	Mr Reynolds

And so it was resolved in the affirmative.

No. 5—PUBLIC ACCOUNT (CASH MANAGEMENT ACCOUNT) BILL—Clause 2.

After section 6 of the Principal Act there shall be inserted the following heading and sections:

‘THE CASH MANAGEMENT ACCOUNT

7. (1) There shall be established in the Trust Fund an account to be called the Cash Management Account.

(2) In this section—

“Relevant account” means a Trust Account declared under sub-section (3) to be a relevant account for the purposes of this section.

“Relevant authority” means a public authority declared under sub-section (4) to be a relevant authority for the purposes of this section.

(3) The Governor in Council, on the recommendation of the Treasurer, may declare any Trust Account in the Trust Fund to be a relevant account for the purposes of this section.

(4) The Governor in Council, on the recommendation of the Treasurer, may declare any public authority to be a relevant authority for the purposes of this section.

(5) There shall be deposited in the Cash Management Account such amount or amounts standing to the credit of each relevant account as the Treasurer from time to time determines for such period, not exceeding twelve months, as the Treasurer from time to time determines.

(6) A relevant authority may, after consultation with the Treasurer or a person or persons nominated by him, deposit in the Cash Management Account from time to time such amount or amounts for such period or periods, not exceeding in the case of each deposit 12 months, as are agreed in that consultation.

(7) Interest shall be paid from the Cash Management Account to the relevant account or relevant authority as the case may be on the total amount deposited from that account or by that authority in the Cash Management Account for the time being under this section at such rate or rates or calculated on such basis or bases and at such time or times as are determined by the Treasurer from time to time.

(8) The provisions of sub-section (6) have effect notwithstanding anything to the contrary in any other Act.’

[Remainder of clause 2 not printed]

—(Mr Jolly)

Amendment proposed—That the expression “on the recommendation of the Treasurer, may declare any”, in sub-section (4) of proposed section 7, be omitted with the view of inserting in place thereof the expression “at the request of a public authority, may declare that”.

—(Mr Thompson)

Question—That the expression proposed to be omitted stand part of the clause—
put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 44

Mr Cain	Mr Hill	Mrs Ray	Mrs Toner
Miss Callister	(Warrandyte)	Mr Remington	Mr Trezise
Mr Cathie	Mr Hockley	Mr Roper	Dr Vaughan
Dr Coghill	Mr Jolly	Mr Rowe	Mr Walsh
Mr Crabb	Mr Kennedy	Mrs Setches	
Mr Culpin	Mr King	Mr Sheehan	
Mr Ernst	Mr Kirkwood	(Ivanhoe)	
Mr Fogarty	Mr McCutcheon	Mr Sheehan	
Mr Fordham	Mr McDonald	(Ballarat South)	
Mr Gavin	Mr Mathews	Mr Sidiropoulos	
Mr Gray	Mr Miller	Mr Simmonds	
Mr Harrowfield	Mr Newton	Mr Simpson	<i>Tellers</i>
Mrs Hill	Mr Norris	Mr Spyker	Mr Ihlein
(Frankston)	Mr Pope	Mr Stirling	Mr Shell

NOES, 26

Mr Austin	Mr Jasper	Mr Maclellan	Mr Smith
Mr Brown	Mr Jona	Mrs Patrick	Mr Tanner
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Thompson
Mr Ebery	Mr Lieberman	Mr Richardson	Mr Wallace
Mr Evans	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
(Gippsland East)	Mr McKellar	Mr Saltmarsh	Mr Delzoppo
Mr Hann	Mr McNamara	Mrs Sibree	Mr Williams

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 4

Wednesday, 15 September 1982

MEDICAL PRACTITIONERS (PRIVATE HOSPITALS) BILL—Clause 3.

After section 27 of the Principal Act, there shall be inserted the following:

“PART IVA.—NOTIFIABLE INTERESTS IN PRIVATE HOSPITALS.

[Proposed sections 27A and 27B not printed]

27c. (1) A medical practitioner who has a notifiable interest in a private hospital and who—

- (a) is in any way concerned in arranging for or facilitating the admission of a person to or the reception of a person at that private hospital; or
- (b) treats a person or arranges for the care of a person in that private hospital—

shall be guilty of an offence.

Penalty: \$5000.

(2) A medical practitioner who at the date of commencement of this section has a notifiable interest in a private hospital shall not be guilty of an offence under this section by reason that he is concerned in arranging for or facilitating the admission of persons to or the reception of persons at that private hospital or in treating persons or arranging for the care of persons at that private hospital where he has applied in writing to the Minister for authority to do so and the Minister has granted that authority to him in writing.

(3) An authority under sub-section (2) shall—

- (a) be given by the Minister where, after consultation with the Commission, he is satisfied that special circumstances exist in respect of the medical practitioner or of the private hospital which in the opinion of the Minister render an authorization desirable; and
- (b) be for such period and subject to such terms and conditions as the Minister determines, and may at any time be revoked or amended by the Minister.”

[Proposed sections 27D–27F not printed]

—(Mr Roper)

Amendment proposed—That the expression after “hospital—” in proposed section 27c (1) (b) to the end of the proposed section be omitted with the view of inserting in place thereof—

“shall, before doing anything described in paragraph (a) or (b)—

- (c) give notice in the prescribed form of the said notifiable interest to the person or where the person is unable to accept the notice to a responsible relative of the person; and

(d) obtain the signature of the person to the notice or where the person is unable to sign the notice the signature of a responsible relative of the person.

(2) A medical practitioner who is required by sub-section (1) to give any notice or obtain any signature and fails to give the notice or obtain the signature within the time required by sub-section (1) shall be guilty of an offence.

Penalty: \$5000.

(3) A medical practitioner shall not be guilty of an offence under this section by reason only that he treats a person before giving any notice or obtaining any signature required by sub-section (1) where—

(a) the giving of the notice or the obtaining of the signature would delay the treatment of the person and that delay would be detrimental to the health of the person; and

(b) he gives the notice and obtains the signature as soon as possible.”

—(Mr Lieberman)

Question—That the expression proposed to be omitted stand part of the clause—
put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mrs Hill	Mr Pope	Mr Stirling
Miss Callister	Mr Hockley	Mrs Ray	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Remington	Mr Trezise
Dr Coghill	Mr Kennedy	Mr Roper	Mr Walsh
Mr Crabb	Mr King	Mr Rowe	Mr Wilkes
Mr Culpin	Mr Kirkwood	Mr Seitz	
Mr Ernst	Mr McCutcheon	Mrs Setches	
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(Ivanhoe)	<i>Tellers</i>
Mr Gavin	Mr Miller	Mr Shell	Mr Sheehan
Mr Harrowfield	Mr Newton	Mr Simmonds	(Ballarat South)
Mr Hassett	Mr Norris	Mr Simpson	Dr Vaughan

NOES, 29

Mr Brown	Mr Hann	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jasper	Mr Richardson	Mr Whiting
Mr Delzoppo	Mr Jona	Mr Ross-Edwards	
Mr Dickinson	Mr Kennett	Mr Saltmarsh	
Mr Ebery	Mr Lieberman	Mrs Sibree	
Mr Evans	Mr McGrath	Mr Smith	
(Ballarat North)	Mr McKellar	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Templeton	Mr McNamara
(Gippsland East)	Mrs Patrick	Mr Thompson	Mr Williams

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 5
 —

Wednesday, 20 October 1982

APPROPRIATION (1982-83, No. 1) BILL—

Clause 2, Table, Division No. 282—Workers Compensation Board.

Motion made and question—That the Chairman do report progress and ask for leave to sit again (*Mr Reynolds*)—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 20

Mr Brown	Mr Kennett	Mrs Patrick	Mr Tanner
Mr Burgin	Mr Lieberman	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr McKellar	Mr Reynolds	<i>Tellers</i>
Mr Dickinson	Mr McNamara	Mr Richardson	Mr McGrath
Mr Hann	Mr Maclellan	Mr Saltmarsh	Mr Williams
Mr Jasper			

NOES, 37

Miss Callister	Mr Ihlein	Mr Seitz	Mr Spyker
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Stirling
Mr Culpin	Mr King	Mr Sheehan	Mr Toner
Mr Ernst	Mr Kirkwood	<i>(Ivanhoe)</i>	Mr Trezise
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Dr Vaughan
Mr Fordham	Mr McDonald	<i>(Ballarat South)</i>	Mr Walsh
Mr Gray	Mr Newton	Mr Shell	Mr Wilkes
Mr Hassett	Mr Norris	Mr Sidiropoulos	<i>Tellers</i>
Mrs Hill	Mr Pope	Mr Simmonds	Mr Gavin
Mr Hockley	Mr Remington	Mr Simpson	Mr Miller

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

—
No. 6
 —

Wednesday, 3 November 1982

APPROPRIATION (1982-83, No. 1) BILL—Clause 2.

(Clauses 2-6 inclusive not printed)

*In accordance with Standing Order No. 105 and on the expiry of time adopted
 by resolution of the House for the Committee stage of the Bill—*

Question—That Division 620 and the remaining Divisions and Clauses 2 to 6
 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 44

Mr Cain	Mr Hockley	Mrs Ray	Mr Simpson
Mr Cathie	Mr Jolly	Mr Remington	Mr Spyker
Dr Coghill	Mr King	Mr Roper	Mr Stirling
Mr Crabb	Mr Kirkwood	Mr Rowe	Mrs Toner
Mr Culpin	Mr McDonald	Mr Seitz	Mr Trezise
Mr Fogarty	Mr McGrath	Mr Sheehan	Dr Vaughan
Mr Fordham	Mr McNamara	(<i>Ivanhoe</i>)	Mr Walsh
Mr Hann	Mr Mathews	Mr Sheehan	Mr Wilkes
Mr Harrowfield	Mr Miller	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Hassett	Mr Newton	Mr Shell	Mr Kennedy
Mrs Hill	Mr Norris	Mr Sidiropoulos	Mr McCutcheon
Mr Hill	Mr Pope	Mr Simmonds	

NOES, 15

Mr Brown	Mr Kennett	Mr Richardson	Mr Williams
Mr Burgin	Mr Lieberman	Mrs Sibree	<i>Tellers</i>
Mr Delzoppo	Mr McKellar	Mr Tanner	Mr Ebery
Mr Jona	Mrs Patrick	Mr Templeton	Mr Reynolds

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

—
No. 7
—

Tuesday, 9 November 1982

No. 1—MOTOR CAR (REGISTRATION AND DRIVERS' LICENCES) BILL—Clause 2.

Section 7 (1) of the Principal Act is amended as follows:

- (a) In paragraph (ba) the words “and no fee or charge shall be made in respect of any registration label therefor or transfer thereof or otherwise in relation thereto” shall be repealed;
- (b) For the word “no fee” (wherever occurring) there shall be substituted the expression “a fee of \$10”; and
- (c) After paragraph (bb) there shall be inserted the following paragraph:
“(bc) a fee of \$10 shall be payable in respect of the registration or renewal of registration of any private trailer which is owned by any municipality or is constructed and used exclusively as a road making machine or is used exclusively as an office shed or shelter in road construction works by a body incorporated by or under any Act for a public purpose;”.

—(Mr Crabb)

Question—That clause 2 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 51

Mr Cain	Mr Hill	Mr Norris	Mr Simmonds
Miss Callister	Mr Ihlein	Mr Pope	Mr Simpson
Mr Cathie	Mr Jasper	Mrs Ray	Mr Stirling
Dr Coghill	Mr Jolly	Mr Remington	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Roper	Mr Trezise
Mr Culpin	Mr King	Mr Ross-Edwards	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Seitz	Mr Wallace
Mr Evans	Mr McCutcheon	Mrs Setches	Mr Walsh
(Gippsland East)	Mr McDonald	Mr Sheehan	Mr Whiting
Mr Fogarty	Mr McGrath	(Ivanhoe)	Mr Wilkes
Mr Fordham	Mr McNamara	Mr Sheehan	
Mr Hann	Mr Mathews	(Ballarat South)	<i>Tellers</i>
Mr Hassett	Mr Miller	Mr Shell	Mr Gray
Mrs Hill	Mr Newton	Mr Sidiropoulos	Mr Harrowfield

NOES, 19

Mr Austin	Mr Jona	Mr Ramsay	Mr Templeton
Mr Brown	Mr Lieberman	Mr Reynolds	Mr Williams
Mr Burgin	Mr McKellar	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr Maclellan	Mr Saltmarsh	Mr Delzoppo
Mr Evans	Mrs Patrick	Mr Smith	Mr Tanner
(Ballarat North)			

And so it was resolved in the affirmative.

No. 2—Clause 18.

The Second Schedule to the Principal Act is amended as follows:

- (a) Under the heading “B.—Motor cars other than motor cycles—”, paragraph (ab) is amended as follows:
- (i) For the word “either” there shall be substituted the word “any”; and
- (ii) After the expression “M.C. (Metropolitan Special Service Omnibus)” there shall be inserted the expression “U.C. (Urban Special Service Omnibus, C.C. (Country Special Service Omnibus)”;
- (b) Under the heading “C.—Trailers attached to motor cars (other than motor cycles)—”, the expression commencing with the words “For any private trailer which is owned by any municipality” and ending with the expression “for a public purpose—\$4.60” shall be repealed.

—(Mr Crabb)

Question—That clause 18 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 53

Mr Cain	Mr Hassett	Mr Newton	Mr Simmonds
Miss Callister	Mrs Hill	Mr Norris	Mr Simpson
Mr Cathie	Mr Hill	Mr Pope	Mr Stirling
Dr Coghill	Mr Ihlein	Mrs Ray	Mrs Toner
Mr Crabb	Mr Jasper	Mr Remington	Mr Trezise
Mr Culpin	Mr Jolly	Mr Roper	Mr Wallace
Mr Ernst	Mr Kennedy	Mr Ross-Edwards	Mr Walsh
Mr Evans	Mr King	Mr Rowe	Mr Whiting
(Gippsland East)	Mr Kirkwood	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr McCutcheon	Mrs Setches	
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr McGrath	(Ivanhoe)	
Mr Gray	Mr McNamara	Mr Sheehan	<i>Tellers</i>
Mr Hann	Mr Mathews	(Ballarat South)	Mr Sidiropoulos
Mr Harrowfield	Mr Miller	Mr Shell	Dr Vaughan

NOES, 21

Mr Austin	Mr Jona	Mr Ramsay	Mr Templeton
Mr Brown	Mr Kennett	Mr Richardson	
Mr Burgin	Mr Lieberman	Mr Saltmarsh	
Mr Delzoppo	Mr McKellar	Mrs Sibree	<i>Tellers</i>
Mr Ebery	Mr Maclellan	Mr Smith	Mr Reynolds
Mr Evans	Mrs Patrick	Mr Tanner	Mr Williams
(Ballarat North)			

And so it was resolved in the affirmative.

Wednesday, 10 November 1982

No. 3—LAND (AMENDMENT) BILL—Clause 2.

The Principal Act is amended as follows:

- (a) In section 130 (2) after the words “Secretary for Lands” there shall be inserted the words “or by any person duly authorized by him in that behalf”;
- (b) After sub-section (2) of section 130 there shall be inserted the following sub-section:

“(2A) The annual fee fixed pursuant to sub-section (2) shall be not less than the minimum fee determined from time to time by the Minister in respect of licences under this section.”;

- (c) In section 138 (2) for the words “and to the payment of such reasonable fee as the Governor in Council by regulations thinks fit to impose” there shall be substituted the words “as the Governor in Council by regulations thinks fit to impose and to the payment of a fee fixed by the Secretary for Lands or by any person duly authorized by him in that behalf”;
- (d) After sub-section (2) of section 138 there shall be inserted the following sub-section:
 “(2A) The fee fixed pursuant to sub-section (2) shall be not less than the minimum fee determined from time to time by the Minister in respect of licences under this section.”;
- (e) In sections 140D and 140E for the word “rent” (wherever occurring) there shall be substituted the words “licence fee”;
- (f) After section 140D there shall be inserted the following section:
 “140DA. (1) The amount of the licence fee referred to in section 140D shall be fixed by the Secretary for Lands or by any person duly authorized by him in that behalf.
 (2) The licence fee fixed pursuant to sub-section (1) shall be not less than the minimum licence fee determined from time to time by the Minister in respect of licences under section 140A”;
- (g) In section 140H for the word “rental” (where twice occurring) there shall be substituted the words “licence fee”;
- (h) In section 149 the expression “not exceeding \$10” is repealed; and
- (i) For sub-section (2) of section 405 there shall be substituted the following sub-sections:
 “(2) The amount of the yearly licence fee referred to in sub-section (1) (b) shall be fixed by the Secretary for Lands or by any person duly authorized by him in that behalf.
 (3) The yearly licence fee fixed pursuant to sub-section (2) shall be not less than the minimum licence fee determined from time to time by the Minister in respect of licences under section 401.
 (4) Where owing to drought or other adversity the income of any licensee from the land which is the subject of his licence has during any period been seriously diminished, the Minister may remit all or any part of the yearly licence fee paid or waive all or any part of the yearly licence fee payable by the licensee in respect of that period.”.

—(Mr Wilkes)

Question—That clause 2 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 37

Miss Callister	Mrs Hill	Mr Roper	Mr Spyer
Mr Cathie	Mr Hockley	Mr Rowe	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Seitz	Mrs Toner
Mr Crabb	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Ernst	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr Mathews	(Ivanhoe)	Mr Wilkes
Mr Fordham	Mr Miller	Mr Shell	Tellers
Mr Gavin	Mr Newton	Mr Sidiropoulos	Mr McCutcheon
Mr Harrowfield	Mr Pope	Mr Simmonds	Mr Sheehan
Mr Hassett	Mr Remington	Mr Simpson	(Ballarat South)

NOES, 24

Mr Austin	Mr Evans	Mr Maclellan	Mr Tanner
Mr Brown	(<i>Gippsland East</i>)	Mrs Patrick	Mr Wallace
Mr Burgin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Jasper	Mr Reynolds	
Mr Ebery	Mr McGrath	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Saltmarsh
(<i>Ballarat North</i>)	Mr McNamara	Mr Smith	Mr Williams

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 8
—

Wednesday, 17 November 1982

No. 1—ELECTORAL COMMISSION BILL—Clause 3.

(1) For the purposes of this Act there shall be an Electoral Commission constituted as provided in sub-section (2).

(2) The Electoral Commission shall consist of three persons of whom—

- (a) one, who shall be chairman, shall be the Chief Judge of the County Court or his duly appointed nominee;
- (b) one shall be the Chief Electoral Officer for the time being; and
- (c) one shall be the Surveyor-General for the time being.

—(Mr Simpson)

Amendment proposed—That after the sub-clause (2) be inserted the following sub-clause:

“(3) In carrying out its functions under this Act, the Commission shall be assisted by a person, appointed by the Commission, who resides more than 100 kilometres from the Post Office at the corner of Bourke and Elizabeth Streets, Melbourne and who shall advise the Commission and shall be entitled to be present at any meeting of the Commission and to vote on any question before the Commission.”

—(Mr Ross-Edwards)

Question—That the expression proposed to be inserted be so inserted—put.
Committee divided.

(Chairman, Mr Wilton)

AYES, 8

Mr Evans
(Gippsland East)
Mr Hann

Mr McGrath
Mr Ross-Edwards

Mr Wallace
Mr Whiting

Tellers
Mr Jasper
Mr McNamara

NOES 62

Mr Austin
Mr Brown
Mr Burgin
Miss Callister
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Delzoppo
Mr Dickinson
Mr Ebery
Mr Ernst
Mr Evans
(Ballarat North)
Mr Fogarty
Mr Fordham
Mr Gavin

Mr Gray
Mr Harrowfield
Mrs Hill
Mr Hill
Mr Hockley
Mr Ihlein
Mr Jolly
Mr Jona
Mr Kennedy
Mr Kennett
Mr King
Mr Kirkwood
Mr Lieberman
Mr McCutcheon
Mr McDonald
Mr McKellar
Mr Maclellan

Mr Mathews
Mr Miller
Mr Newton
Mr Norris
Mrs Patrick
Mr Pope
Mrs Ray
Mr Richardson
Mr Roper
Mr Rowe
Mr Saltmarsh
Mr Seitz
Mrs Setches
Mr Sheehan
(Ivanhoe)
Mr Shell
Mrs Sibree

Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mr Tanner
Mr Templeton
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh

Tellers
Mr Remington
Mr Williams

And so it passed in the negative.

No. 2—Clause 9.

(1) In making any division of electors and in determining the number of electors to be allocated to a province or district the Commissioners shall give due consideration to—

- (a) area and physical features of terrain;
- (b) means of travel, traffic arteries, and communications and any special difficulties in connection therewith;
- (c) community or diversity of interests; and
- (d) the likelihood of changes in the number of electors in the various localities.

(2) For the purposes of this Act the Commission may take electoral provinces or electoral districts to be of approximately equal enrolment where the enrolment for each province or district does not vary by more than 10 per centum from the average enrolment of all provinces or districts (as the case requires).

—(Mr Simpson)

Amendment proposed—That the expression “(1)” be omitted.

—(Mr Evans, Gippsland East)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman, Mr Wilton)

AYES, 59

Mr Austin	Mr Gavin	Mr Maclellan	Mrs Sibree
Mr Brown	Mr Gray	Mr Mathews	Mr Sidiropoulos
Mr Burgin	Mr Harrowfield	Mr Miller	Mr Simpson
Miss Callister	Mrs Hill	Mr Newton	Mr Spyker
Mr Cathie	Mr Hill	Mr Norris	Mr Stirling
Dr Coghill	Mr Hockley	Mrs Patrick	Mr Tanner
Mr Crabb	Mr Ihlein	Mr Pope	Mr Templeton
Mr Culpin	Mr Jona	Mrs Ray	Mrs Toner
Mr Delzoppo	Mr Kennedy	Mr Richardson	Mr Trezise
Mr Dickinson	Mr Kennett	Mr Roper	Dr Vaughan
Mr Ebery	Mr King	Mr Rowe	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Seitz	
Mr Evans	Mr Lieberman	Mrs Setches	
(Ballarat North)	Mr McCutcheon	Mr Sheehan	<i>Tellers</i>
Mr Fogarty	Mr McDonald	(Ivanhoe)	Mr Remington
Mr Fordham	Mr McKellar	Mr Shell	Mr Williams

NOES, 8

Mr Evans	Mr Jasper	Mr Ross-Edwards	<i>Tellers</i>
(Gippsland East)	Mr McGrath	Mr Whiting	Mr McNamara
Mr Hann			Mr Wallace

And so it was resolved in the affirmative.

No. 3—SALE OF LAND (AMENDMENT) BILL—Clause 3.

After section 29 of the Principal Act there shall be inserted the following Part:

[Heading and proposed section 30 not printed]

DIVISION 1.—COOLING-OFF PERIODS

31. (1) This section applies to a contract for the sale of residential land and chattels (if any) at a price not exceeding \$200 000.

(2) Where a purchaser under a contract for the sale of land signs that contract he may at any time before the expiration of three clear business days after he has signed the contract give notice to the vendor that he wishes to terminate the contract and where he has signed that notice and served it in accordance with the provisions of this section the contract shall be terminated.

(3) A notice under sub-section (2) shall be served either personally or by posting it by certified or registered mail within three clear business days after the purchaser has signed the contract.

(4) Where a contract for the sale of land has been terminated in accordance with the provisions of this section the purchaser shall be entitled to the return of all moneys paid by him under that contract except for the sum of \$100 which may be retained by the vendor.

(5) This section does not apply to a contract for the sale of land where—

- (a) the sale is by publicly advertised auction;
- (b) the land is sold before midnight on the day on which a publicly advertised auction for the sale of that land was held; or
- (c) the vendor and purchaser have previously entered into a contract for the sale of the same land in substantially the same terms.

(6) A contract to which this section applies shall contain a conspicuous notice advising the purchaser that he may before the expiration of three clear business days after the signing of the contract give notice that he wishes to terminate the contract.

(7) Where a contract to which this section applies does not contain the notice required by sub-section (6) the purchaser may rescind that contract at any time before he becomes entitled to possession or to the receipt of rents and profits.

(8) Any provision in the contract or in any other document whereby any right conferred by this section on the purchaser is excluded, modified or restricted shall be void and of no effect.”

[Heading and proposed section 32 not printed]

“33. (1) A solicitor shall not act for both vendor and purchaser under a terms contract.

(2) Where by reason of sub-section (1) a solicitor is prohibited from acting for one party to a terms contract a solicitor who is in partnership with that solicitor, or any person employed by that solicitor shall not act for that party.

(3) Where a solicitor has contravened the provisions of this section—

- (a) he shall be guilty of misconduct and be liable to be dealt with according to the provisions of the *Legal Profession Practice Act 1958*; and
- (b) the purchaser for whom he has acted may rescind the contract at any time before he becomes entitled to possession or to the receipt of rents and profits.

(4) Notwithstanding sub-section (3) (b) the purchaser may not rescind the contract if the court is satisfied that the solicitor has acted honestly and reasonably and ought fairly to be excused for the contravention and that the purchaser is substantially in as good a position as if all the relevant provisions of this section had been complied with.

(5) Any provision in any contract for the sale of land or other document whereby any provision of this section is excluded, modified or rescinded shall be void and of no effect.

(6) This section shall not operate where any of the parties to the transaction are related to each other.

(7) For the purposes of sub-section (6) a person is related to another person where the first-mentioned person is—

(a) the spouse, brother, sister, parent, child, grand-parent, grand-child, uncle, aunt, nephew or niece; or

(b) the spouse of a brother, sister, parent, child, grand-parent, grand-child, uncle, aunt, nephew or niece—

of the second-mentioned person.”

[Heading and proposed sections 34 and 35 not printed]

—(Mr Cain)

Amendment proposed—That after paragraph (c) of the proposed new section 31 (5) there be inserted the following paragraph:

“(d) the purchaser is an estate agent within the meaning of the *Estate Agents Act 1980* or a corporate body.”.

—(Mr Cain)

Further amendment proposed—That after the expression “1980” in the proposed amendment there be inserted the words “or a solicitor”.

—(Mr McNamara)

Question—That the words proposed to be inserted in the proposed amendment be so inserted—put.

Committee divided.

(Chairman, Mr Wilton)

AYES, 27

Mr Austin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Brown	Mr Jona	Mr Reynolds	Mr Williams
Mr Burgin	Mr Kennett	Mr Richardson	
Mr Delzoppo	Mr Lieberman	Mr Ross-Edwards	
Mr Dickinson	Mr McGrath	Mrs Sibree	
Mr Ebery	Mr McKellar	Mr Smith	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Templeton	Mr Jasper
(Gippsland East)	Mrs Patrick	Mr Wallace	Mr Tanner

NOES, 37

Mr Cain	Mr Gray	Mr Mathews	Mr Sheehan
Miss Callister	Mr Harrowfield	Mr Miller	(Ballarat South)
Mr Cathie	Mrs Hill	Mr Norris	Mr Shell
Dr Coghill	Mr Hill	Mr Pope	Mr Simmonds
Mr Crabb	Mr Jolly	Mr Remington	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Roper	Mr Trezise
Mr Ernst	Mr King	Mr Seitz	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mrs Setches	<i>Tellers</i>
Mr Fordham	Mr McCutcheon	Mr Sheehan	Mr Hockley
Mr Gavin	Mr McDonald	(Ivanhoe)	Dr Vaughan

And so it passed in the negative.

No. 4—Further amendment proposed—That after paragraph (d) of the proposed new section 31 (5) there be inserted the following expression:

“; or

(e) the purchaser has sought and received independent legal advice from a solicitor before signing the contract.”

—(Mr McNamara)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided.

(Chairman, Mr Wilton)

AYES, 8

Mr Evans (<i>Gippsland East</i>)	Mr McNamara	Mr Wallace	<i>Tellers</i>
Mr Hann	Mr Ross-Edwards	Mr Whiting	Mr Jasper
			Mr McGrath

NOES, 55

Mr Austin	Mr Harrowfield	Mr Miller	Mr Shell
Mr Brown	Mrs Hill	Mr Norris	Mrs Sibree
Mr Burgin	Mr Hill	Mrs Patrick	Mr Simpson
Mr Cain	Mr Hockley	Mr Pope	Mr Smith
Miss Callister	Mr Ihlein	Mr Ramsay	Mr Stirling
Mr Cathie	Mr Jona	Mrs Ray	Mr Templeton
Mr Culpin	Mr Kennedy	Mr Remington	Mrs Toner
Mr Delzoppo	Mr Kennett	Mr Reynolds	Mr Trezise
Mr Dickinson	Mr King	Mr Richardson	Mr Walsh
Mr Ebery	Mr Kirkwood	Mr Seitz	Mr Williams
Mr Ernst	Mr Lieberman	Mrs Setches	
Mr Fogarty	Mr McCutcheon	Mr Sheehan	<i>Tellers</i>
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	Mr Tanner
Mr Gavin	Mr McKellar	Mr Sheehan	Dr Vaughan
Mr Gray	Mr Mathews	(<i>Ballarat South</i>)	

And so it passed in the negative.

No 5—Clause 3.

Further amendment proposed—That after the word “solicitor” in proposed new section 33 (1) there be inserted the words “whose principal place of business is within a 50 kilometre radius of the General Post Office on the corner of Elizabeth and Bourke Streets in Melbourne”.

—(*Mr McNamara*)

Question—That the expression proposed to be inserted be so inserted—put.
Committee divided.

(Chairman, Mr Wilton)

AYES, 27

Mr Austin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Brown	Mr Kennett	Mr Richardson	Mr Williams
Mr Burgin	Mr Lieberman	Mr Ross-Edwards	
Mr Delzoppo	Mr McGrath	Mrs Sibree	
Mr Dickinson	Mr McKellar	Mr Smith	<i>Tellers</i>
Mr Evans (<i>Gippsland East</i>)	Mr McNamara	Mr Tanner	Mr Ebery
Mr Hann	Mrs Patrick	Mr Templeton	Mr Jasper
	Mr Ramsay	Mr Wallace	

NOES, 42

Mr Cain	Mrs Hill	Mr Pope	Mr Stirling
Miss Callister	Mr Hill	Mrs Ray	Mrs Toner
Mr Cathie	Mr Hockley	Mr Remington	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Roper	Dr Vaughan
Mr Crabb	Mr Jolly	Mr Rowe	Mr Walsh
Mr Culpin	Mr Kennedy	Mr Seitz	
Mr Ernst	Mr King	Mrs Setches	
Mr Fogarty	Mr Kirkwood	Mr Sheehan	<i>Tellers</i>
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	Mr McCutcheon
Mr Gavin	Mr Mathews	Mr Shell	Mr Sheehan
Mr Gray	Mr Miller	Mr Simmonds	(<i>Ballarat South</i>)
Mr Harrowfield	Mr Norris	Mr Simpson	

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 9

Tuesday, 30 November 1982

No. 1—HOSPITAL AND CHARITIES (AMENDMENT) BILL—Clause 6.

(1) Section 70 of the Principal Act shall be amended as follows:

(a) In sub-section (1)—

- (i) the words “not exceeding the actual cost of such maintenance or relief” shall be repealed; and
- (ii) after the words “having regard to” there shall be inserted the words “any right which the patient may have to recover from any other person the amount that he is required to contribute towards the funds of the institution in accordance with this Act and the regulations and having regard also to”;

(b) Sub-sections (1A) and (1B) shall be repealed; and

(c) In the proviso to sub-section (2) for the words “patient in a public bed in a public ward of a” there shall be substituted the words “prescribed class of patient in a registered institution or of any patient in a prescribed registered institution or in a prescribed class of”.

(2) The Hospitals and Charities (Public Bed Fees) Regulations 1975 are hereby revoked.

—(Mr Roper)

Amendment proposed—That the words and expression ‘(i) the words “not exceeding the actual cost of such maintenance relief” shall be repealed; and (ii)’ be omitted.

—(Mr Lieberman)

[The Chairman decided to have this amendment tested on the question—That the expression—‘(i) the words “not exceeding the actual cost of such . . .”’ be omitted so as not to preclude a proposed amendment by another Honourable Member.]

Question—That the words and expression proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Mr Cain	Mr Hassett	Mr Miller	Mr Simmonds
Miss Callister	Mrs Hill	Mr Newton	Mr Simpson
Mr Cathie	Mr Hill	Mr Norris	Mr Spyker
Dr Coghill	Mr Hockley	Mr Pope	Mr Stirling
Mr Crabb	Mr Ihlein	Mr Roper	Mrs Toner
Mr Culpin	Mr Jolly	Mr Rowe	Dr Vaughan
Mr Fogarty	Mr Kennedy	Mr Seitz	Mr Walsh
Mr Fordham	Mr King	Mrs Setches	
Mr Gavin	Mr Kirkwood	Mr Sheehan	
Mr Gray	Mr McDonald	(Ivanhoe)	
Mr Harrowfield	Mr Mathews	Mr Sheehan	
		(Ballarat South)	

Tellers

Mr Ernst
Mr Sidiropoulos

NOES, 25

Mr Austin	Mr Jona	Mr Reynolds	Mr Wallace
Mr Burgin	Mr Lieberman	Mr Richardson	Mr Whiting
Mr Ebery	Mr McKellar	Mr Ross-Edwards	Mr Williams
Mr Evans	Mr McNamara	Mr Saltmarsh	
(Ballarat North)	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mr Hann	Mrs Patrick	Mr Tanner	Mr Delzoppo
Mr Jasper	Mr Ramsay	Mr Templeton	Mr McGrath

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 10
 —

Tuesday, 7 December 1982

No. 1—FISHERIES (FEES) BILL—Clause 2.

Section 15 (1) of the Principal Act is amended as follows:

(a) In paragraph (a)—

- (i) for the expression "\$70" there shall be substituted the expression "\$80 or such greater amount not exceeding \$200 as is prescribed from time to time";
- (ii) in sub-paragraph (i) for the expression "\$17.50" there shall be substituted the expression "\$20 or such greater amount not exceeding \$50 as is prescribed from time to time";
- (iii) in sub-paragraph (ii) for the expression "\$60" there shall be substituted the expression "\$70 or such greater amount not exceeding \$150 as is prescribed from time to time"; and
- (iv) in sub-paragraph (iii) for the expression "\$60" there shall be substituted the expression "\$70 or such greater amount not exceeding \$150 as is prescribed from time to time" and for the expression "\$10" there shall be substituted the expression "\$15 or such greater amount not exceeding \$40 as is prescribed from time to time";

(b) In paragraph (c)—

- (i) for the expression "\$55" there shall be substituted the expression "\$65 or such greater amount not exceeding \$150 as is prescribed from time to time"; and
- (ii) for the expression "\$10" there shall be substituted the expression "\$20 or such greater amount not exceeding \$40 as is prescribed from time to time";

(c) In paragraph (d) for the expression "\$675" there shall be substituted the expression "\$1100 or such greater amount not exceeding \$10 000 as is prescribed from time to time";

(d) In paragraph (e)—

- (i) in sub-paragraph (i) for the expression "\$480" there shall be substituted the expression "\$550 or such greater amount not exceeding \$2000 as is prescribed from time to time";
- (ii) in sub-paragraph (ii) for the expression "\$175" there shall be substituted the expression "\$200 or such greater amount not exceeding \$500 as is prescribed from time to time";
- (iii) in sub-paragraph (iii) for the expression "\$75" there shall be substituted the expression "\$90 or such greater amount not exceeding \$300 as is prescribed from time to time"; and
- (iv) in sub-paragraph (iv) for the expression "\$150" there shall be substituted the expression "\$180 or such greater amount not exceeding \$400 as is prescribed from time to time";

(e) In paragraph (f) for the expression "\$200" there shall be substituted the expression "\$250 or such greater amount not exceeding \$500 as is prescribed from time to time";

- (f) In paragraph (g) for the expression “\$6” there shall be substituted the expression “\$7 or such greater amount not exceeding \$15 as is prescribed from time to time”;
- (g) In paragraph (h)—
- (i) in sub-paragraphs (i) and (ii) for the expression “\$525” (wherever occurring) there shall be substituted the expression “\$600 or such greater amount not exceeding \$5000 as is prescribed from time to time”; and
 - (ii) in sub-paragraph (iii) for the expression “\$675” there shall be substituted the expression “\$780 or such greater amount not exceeding \$8000 as is prescribed from time to time”;
- (h) In paragraph (i)—
- (i) in sub-paragraph (i) after the expression “\$65” there shall be inserted the expression “or such greater amount not exceeding \$200 as is prescribed from time to time”;
 - (ii) in sub-paragraph (ii) after the expression “\$125” there shall be inserted the expression “or such greater amount not exceeding \$350 as is prescribed from time to time”;
 - (iii) in sub-paragraph (iii) after the expression “\$190” there shall be inserted the expression “or such greater amount not exceeding \$500 as is prescribed from time to time”; and
 - (iv) in sub-paragraph (iv) after the expression “\$250” there shall be inserted the expression “or such greater amount not exceeding \$600 as is prescribed from time to time”;
- (i) In paragraph (j) after the expression “\$125” there shall be inserted the words “or such greater amount not exceeding \$500 as is prescribed from time to time”.

—(Mr Cathie)

Question—That clause 2 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Miss Callister	Mr Hockley	Mr Pope	Mr Stirling
Mr Cathie	Mr Ihlein	Mrs Ray	Mrs Toner
Dr Coghill	Mr Kennedy	Mr Remington	Mr Trezise
Mr Ernst	Mr King	Mr Roper	Dr Vaughan
Mr Fogarty	Mr Kirkwood	Mr Rowe	Mr Walsh
Mr Fordham	Mr McCutcheon	Mr Seitz	Mr Wilkes
Mr Gray	Mr McDonald	Mrs Setches	
Mr Harrowfield	Mr Mathews	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Miller	Mr Sidiropoulos	Mr Gavin
Mrs Hill	Mr Newton	Mr Simpson	Mr Sheehan
Mr Hill	Mr Norris	Mr Spyker	(<i>Ivanhoe</i>)

NOES, 31

Mr Austin	Mr Hann	Mrs Patrick	Mr Templeton
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Jona	Mr Reynolds	Mr Whiting
Mr Dickinson	Mr Kennett	Mr Richardson	Mr Williams
Mr Ebery	Mr Leigh	Mr Ross-Edwards	
Mr Evans	Mr Lieberman	Mr Saltmarsh	
(<i>Ballarat North</i>)	Mr McKellar	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Smith	Mr Burgin
(<i>Gippsland East</i>)	Mr Maclellan	Mr Tanner	Mr McGrath

And so it was resolved in the affirmative.

No. 2—VICTORIAN TOURISM COMMISSION BILL—Clause 7.

The Commission shall consist of not more than seven members appointed by the Governor in Council of whom—

- (a) one shall be Chairman;
- (b) one shall be Deputy Chairman.

—(Mr Trezise)

Amendment proposed—That the following words be inserted after paragraph (b)—

“(c) two shall represent the interests of the Regional Tourists Authorities outside the metropolitan area.”

—(Mr Jasper)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 29

Mr Austin	Mr Hann	Mr Maclellan	Mr Tanner
Mr Brown	Mr Jona	Mrs Patrick	Mr Templeton
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Wallace
Mr Delzoppo	Mr Leigh	Mr Richardson	Mr Whiting
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Jasper
(Gippsland East)	Mr McNamara	Mr Smith	Mr Williams

NOES, 42

Miss Callister	Mr Hill	Mr Roper	Mr Spyker
Mr Cathie	Mr Hockley	Mr Rowe	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Seitz	Mrs Toner
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Ernst	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr McDonald	(Ivanhoe)	Mr Walsh
Mr Fordham	Mr Miller	Mr Sheehan	
Mr Gavin	Mr Newton	(Ballarat South)	
Mr Gray	Mr Norris	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Pope	Mr Sidiropoulos	Mr King
Mr Hassett	Mrs Ray	Mr Simmonds	Mr McCutcheon
Mrs Hill	Mr Remington	Mr Simpson	

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 11
 —

Tuesday, 14 December 1982

No. 1—FINANCIAL INSTITUTIONS DUTY BILL—Clause 7.

(1) For the purposes of this Act, an amount is received by a person in the course of short-term dealings where—

- (a) the amount is an amount of cash of not less than \$100 000 received by that person by way of loan, advance or deposit repayable by him—
 - (i) at call;
 - (ii) within 185 days; or
 - (iii) at call after a term of not more than 185 days—
 not being an amount received by a bank by way of deposit repayable on demand or for the credit of a current account kept by it for another person;
- (b) the amount is a repayment of a loan, advance or deposit of not less than \$100 000 made by that person within 185 days before the amount is repaid;
- (c) the amount is an amount (not including a fee or commission) in respect of the issue of securities, bills of exchange (other than cheques), promissory notes or certificates of deposit the term of which is not more than 185 days;
- (d) the amount is an amount (not including a fee or commission) in respect of a sale or purchase of securities the term of which is not more than 185 days, being a sale or purchase that is not liable to duty under sub-division (4) or (4A) of Division 3 of Part II. of the *Stamps Act* 1958;
- (e) the amount is the proceeds of the sale by that person of a bill of exchange or a promissory note before maturity and not later than 185 days after its acquisition by that person, not being a bill of exchange or a promissory note issued by that person;
- (f) the amount is the proceeds of the sale by that person of securities or certificates of deposit before maturity and not later than 185 days after their acquisition by that person; or
- (g) the amount is the amount received by that person on maturity of securities, bills of exchange, promissory notes or certificates of deposit acquired by him within 185 days before the amount was received.

[Sub-clauses (2)–(4) not printed]

—(Mr Crabb)

Amendment proposed—That the expression “\$100 000” in paragraph (a) be omitted with the view of inserting in place thereof the expression “\$50 000”.

—(Mr Ramsay)

Question—That the expression proposed to be omitted stand part of the clause—
 put.

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 42

Mr Cain	Mr Harrowfield	Mr Norris	Mr Simpson
Miss Callister	Mr Hassett	Mr Pope	Mr Spyker
Mr Cathie	Mrs Hill	Mrs Ray	Mr Stirling
Dr Coghill	Mr Hockley	Mr Remington	Mrs Toner
Mr Crabb	Mr Ihlein	Mr Roper	Mr Trezise
Mr Culpin	Mr Kennedy	Mr Rowe	Dr Vaughan
Mr Ernst	Mr King	Mr Seitz	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mrs Setches	<i>Tellers</i>
Mr Fordham	Mr McDonald	Mr Shell	Mr Hill
Mr Gavin	Mr Mathews	Mr Sidiropoulos	Mr Sheehan
Mr Gray	Mr Miller	Mr Simmonds	(<i>Ivanhoe</i>)

NOES, 31

Mr Austin	Mr Hann	Mrs Patrick	Mr Templeton
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Dickinson	Mr Kennett	Mr Richardson	Mr Williams
Mr Ebery	Mr Leigh	Mr Ross-Edwards	
Mr Evans	Mr Lieberman	Mr Saltmarsh	
(<i>Ballarat North</i>)	Mr McGrath	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Smith	Mr Delzoppo
(<i>Gippsland East</i>)	Mr Maclellan	Mr Tanner	Mr McNamara

And so it was resolved in the affirmative.

No. 2—Clause 18.

(1) Subject to this Act, a financial institution that receives money in Victoria during a month is liable to pay financial institutions duty in respect of each such receipt of money.

(2) The amount of financial institutions duty payable by a financial institution in respect of each receipt of money is—

- (a) 0.03 per centum of the money received; or
- (b) \$300—

whichever is the less.

(3) Sub-section (1) does not apply to—

- (a) a receipt of money by a bank that is a registered financial institution for the credit of an exempt bank account kept by it;
- (b) a receipt of money, being a bill of exchange (other than a cheque);
- (c) a receipt of money in the course of short-term dealings during a month by a registered financial institution that is a registered short-term money market operator, being a receipt that is included in the liability of the financial institution to a person for the purposes of ascertaining the average daily liability of the financial institution during that month;
- (d) a receipt of money by a registered financial institution, not being a bank, for the credit of an account kept by it of—
 - (i) a Department of the Government of the Commonwealth, a State or a Territory of the Commonwealth; or
 - (ii) a council of a municipality otherwise than in the course of a business undertaking within the meaning of section 29;
- (e) a receipt of money by a bank that is a registered financial institution from another such bank for the purposes of settling a balance due to the bank from the other bank in accordance with section 64 of the *Banking Act* 1959 of the Commonwealth as amended and in force for the time being;
- (f) a receipt of money by a bank that is a registered financial institution from another bank or from a person carrying on banking or financial business in a place outside Australia, being the proceeds of dealing as principal in foreign currency;

- (g) a receipt of money, being cash or a cheque, by a registered financial institution in exchange for which the financial institution forthwith gives, to the person from whom it received the money, cash or a cheque of the same value as the money received, being a receipt in respect of which an entry is not made in an account kept by the financial institution in the name of that person;
- (h) a receipt of money by a dealer as agent in respect of the issue of securities, bills of exchange (other than cheques), promissory notes or certificates of deposit (not including an amount that is a fee or commission);
- (i) a receipt of money by a dealer in respect of a sale or purchase of securities that is liable to duty under subdivision (4) or (4A) of Division 3 of Part II. of the *Stamps Act* 1958 (not including an amount that is a fee or commission);
- (j) a receipt of money—
 - (i) by a management company from a person who is the trustee or representative for the purposes of a deed relating to the management company in accordance with Division 6 of Part IV. of the *Companies (Victoria) Code* or a corresponding law in force in another State or in a Territory; or
 - (ii) by such a trustee or representative from such a management company;
- (k) a receipt of money by a trustee company or the Public Trustee from the estate of a deceased person committed to the management of the trustee company;
- (l) a receipt of money by a person who is a financial institution by reason only that he is a credit provider, other than a receipt that is a repayment of the whole or any part of the amount financed under a credit contract;
- (m) a receipt of money by a financial institution solely by reason of the reversing of an entry previously made in an account kept by the financial institution in error or by reason of the dishonour of a cheque;
- (n) a receipt of money by a financial institution in consideration of the supply of goods by the financial institution (otherwise than under a credit contract or in the course of carrying on rental business within the meaning of section 131AA of the *Stamps Act* 1958); or
- (o) a receipt, or class of receipts, that is prescribed as a receipt to which, or class of receipts to which, this Act does not apply.

(4) For the purposes of paragraph (g) of sub-section (3), the value of a cheque is the nominal or face value of the cheque.

—(Mr Crabb)

Amendment proposed—That after paragraph (g) of sub-clause (3) the following paragraph be inserted:

“(h) a receipt of money by a person in respect of the issue, sale or purchase of securities issued by the Commonwealth or the issue by a public statutory body constituted under the law of the Commonwealth of securities guaranteed by the Commonwealth;”.

—(Mr Ramsay)

Question—That the paragraph proposed to be inserted be so inserted—put.

Committee divided.

(Temporary Chairman—Mr Stirling)

AYES, 29

Mr Brown	Mr Jasper	Mr Ramsay	Mr Templeton
Mr Burgin	Mr Jona	Mr Reynolds	Mr Wallace
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Whiting
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	Mr Williams
Mr Ebery	Mr McGrath	Mr Saltmarsh	
Mr Evans	Mr McKellar	Mrs Sibree	<i>Tellers</i>
(Gippsland East)	Mr Maclellan	Mr Smith	Mr Leigh
Mr Hann	Mrs Patrick	Mr Tanner	Mr McNamara

NOES, 40

Mr Cain	Mrs Hill	Mr Norris	Mr Simpson
Miss Callister	Mr Hill	Mr Pope	Mr Spyker
Mr Cathie	Mr Hockley	Mrs Ray	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Remington	Dr Vaughan
Mr Culpin	Mr Kennedy	Mr Roper	Mr Walsh
Mr Ernst	Mr King	Mr Rowe	
Mr Fogarty	Mr Kirkwood	Mr Seitz	<i>Tellers</i>
Mr Fordham	Mr McCutcheon	Mrs Setches	Mr Harrowfield
Mr Gavin	Mr McDonald	Mr Shell	Mr Sheehan
Mr Gray	Mr Mathews	Mr Sidiropoulos	(Ivanhoe)
Mr Hassett	Mr Miller	Mr Simmonds	

And so it passed in the negative.

No. 3—Clause 25.

(1) A non-bank financial institution may make application in the prescribed form and matter to the Commissioner for approval of an account kept in the name of the non-bank financial institution by a bank that is a registered financial institution as a special account for the purposes of this Act.

(2) A bank that is a registered financial institution may make application in the prescribed form and manner to the Commissioner for approval of an account kept in the name of the bank by another bank that is a registered financial institution as a special account for the purposes of this Act.

(3) Where an application is made under sub-section (1) or (2), the Commissioner may issue to the applicant a certificate of approval of the account to which the application relates as a special account for the purposes of this Act.

(4) Where a certificate under this section is produced to a bank that is a registered financial institution, the bank shall designate the account to which the certificate relates as a special account for the purposes of this Act.

(5) Where the Commissioner is satisfied that an account to which a certificate issued under sub-section (1) applies has ceased to be an account of a non-bank financial institution—

- (a) the Commissioner may, by notice given to the bank by which account is kept, cancel the certificate;
 - (b) the Commissioner may determine a period, not exceeding one year, during which the person in whose name the account is kept is ineligible to make application under this section; and
 - (c) the Commissioner shall send a copy of the notice to the person in whose name the account was kept.
- (6) In this section, “non-bank financial institution” means—
- (a) a registered financial institution, not being a bank and not being a person who is a registered financial institution by reason only that he is a credit provider;
 - (b) the Victorian Credit Co-operative Association Limited;
 - (c) the Stock Exchange of Melbourne Limited;

- (d) Funds Transfer Services (Vic.) Limited;
 (e) Building Societies Resources Limited; and
 (f) any other prescribed person.

—(Mr Crabb)

Amendment proposed—That after sub-clause (4) there shall be inserted the following sub-clauses:

“(5) An amount shall not be paid to the credit of a special account kept by a bank in the name of the Law Institute of Victoria unless the amount—

- (a) is an amount deposited with the Law Institute of Victoria under section 40 (2A) of the *Legal Profession Practice Act 1958*; or
 (b) forms part of the Solicitors’ Guarantee Fund under that Act.

(6) An amount shall not be paid to the credit of a special account kept by a bank in the name of a person who carries on an armoured car service unless the amount is an amount received by that person in the course of carrying on that service.

(7) An amount shall not be paid to the credit of a special account kept by a bank in the name of a charitable institution unless the amount is an amount received by the charitable institution wholly and exclusively in furtherance of its objects.

(8) Where there has been a contravention of sub-section (5), (6) or (7) by reason of the payment of an amount to the credit of a special account kept in the name of the Law Institute of Victoria, a person who carries on an armoured car service or a charitable institution, the Commissioner may determine that, for the purposes of sub-section (9), the account has ceased to be an account of a non-bank financial institution.”

—(Mr Ramsay)

Question—That the sub-clauses proposed to be inserted be so inserted—put.

Committee divided.

(Temporary Chairman—Mr Stirling)

AYES, 29

Mr Austin	Mr Hann	Mrs Patrick	Mr Tanner
Mr Brown	Mr Jasper	Mr Ramsay	Mr Templeton
Mr Burgin	Mr Jona	Mr Reynolds	Mr Wallace
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Leigh
(<i>Gippsland East</i>)	Mr Maclellan	Mr Smith	Mr McNamara

NOES, 39

Mr Cain	Mrs Hill	Mr Norris	Mr Simpson
Miss Callister	Mr Hill	Mr Pope	Mr Spyker
Mr Cathie	Mr Hockley	Mrs Ray	Dr Vaughan
Mr Crabb	Mr Ihlein	Mr Remington	Mr Walsh
Mr Culpin	Mr Kennedy	Mr Roper	
Mr Ernst	Mr King	Mr Rowe	
Mr Fogarty	Mr Kirkwood	Mr Seitz	
Mr Fordham	Mr McCutcheon	Mrs Setches	<i>Tellers</i>
Mr Gavin	Mr McDonald	Mr Shell	Mr Harrowfield
Mr Gray	Mr Mathews	Mr Sidiropoulos	Mr Sheehan
Mr Hassett	Mr Miller	Mr Simmonds	(<i>Ivanhoe</i>)

And so it was passed in the negative.

No. 4—Clause 27.

(1) An eligible person may make application in the prescribed form and manner to the Commissioner for approval of an account kept in the name of the eligible person by a bank that is a registered financial institution, being an account—

(a) that is a dealer's trust account for the purposes of the *Securities Industry (Victoria) Code*; or

(b) that is a prescribed trust account required to be kept under a prescribed Act—

as a trust fund account for the purposes of this Act.

[Sub-clauses (2)–(6) not printed]

—(Mr Crabb)

Amendment proposed—That the word “or” in paragraph (a) of sub-clause (1) be omitted.

—(Mr Ramsay)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

(Temporary Chairman—Mr Stirling)

AYES, 40

Mr Cain	Mr Hassett	Mr Pope	Mr Simmonds
Miss Callister	Mrs Hill	Mrs Ray	Mr Simpson
Mr Cathie	Mr Hill	Mr Remington	Mr Spyker
Mr Crabb	Mr Hockley	Mr Roper	Mr Trezise
Mr Culpin	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Ernst	Mr King	Mr Seitz	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mrs Setches	
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr Mathews	(Ivanhoe)	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Shell	Mr Kennedy
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	Mr McCutcheon

NOES, 28

Mr Austin	Mr Jona	Mr Patrick	Mr Templeton
Mr Brown	Mr Kennett	Mr Ramsay	Mr Williams
Mr Burgin	Mr Leigh	Mr Reynolds	
Mr Delzoppo	Mr Lieberman	Mr Richardson	
Mr Dickinson	Mr McGrath	Mr Ross-Edwards	
Mr Ebery	Mr McKellar	Mrs Sibree	<i>Tellers</i>
Mr Hann	Mr McNamara	Mr Smith	Mr Saltmarsh
Mr Jasper	Mr Maclellan	Mr Tanner	Mr Wallace

And so it was resolved in the affirmative.

No. 5—Clause 47.

Where the Commissioner finds in any case that duty has been overpaid he may refund to the financial institution or depositor who paid the duty the amount of duty found to be overpaid.

—(Mr Crabb)

Amendment proposed—That the following sub-clauses be added to the clause:

“(2) A person may apply to the Commissioner in the prescribed form for reimbursement of an amount, not being less than \$100, referred to in sub-section (3).

(3) The amount for the purposes of sub-section (2) is an amount paid by a person to a bank in respect of duty paid by the bank at any time within the period of twelve months before the application is made, being duty in respect of amounts transferred from an account kept in Victoria or New

South Wales in the name of that person (or of another person who is a member of a group within the meaning of section 23 of which the first-mentioned person is a member) to another account kept by the bank in the name of that person or that other person.

(4) Where the Commissioner is satisfied that an applicant under sub-section (2) has paid to a bank the amount claimed in respect of duty paid by the bank by reason of a transfer referred to in sub-section (3), the Commissioner may reimburse that amount to the applicant.”

—(Mr Ramsay)

Question—That the sub-clauses proposed to be added be so added—put.
Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 27

Mr Austin	Mr Jona	Mr Ramsay	Mr Tanner
Mr Brown	Mr Kennett	Mr Reynolds	Mr Templeton
Mr Burgin	Mr Leigh	Mr Richardson	Mr Wallace
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	Mr Williams
Mr Ebery	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Hann	Mr McKellar	Mrs Sibree	Mr Delzoppo
Mr Jasper	Mr Maclellan	Mr Smith	Mr McNamara

NOES, 39

Mr Cain	Mr Hassett	Mr Pope	Mr Spyker
Miss Callister	Mrs Hill	Mrs Ray	Mr Stirling
Mr Cathie	Mr Hockley	Mr Remington	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Roper	Mr Walsh
Mr Culpin	Mr Kennedy	Mr Rowe	
Mr Ernst	Mr King	Mr Seitz	
Mr Fogarty	Mr McCutcheon	Mrs Setches	<i>Tellers</i>
Mr Fordham	Mr McDonald	Mr Shell	Mr Hill
Mr Gavin	Mr Mathews	Mr Sidiropoulos	Mr Sheehan
Mr Gray	Mr Miller	Mr Simmonds	(<i>Ivanhoe</i>)
Mr Harrowfield	Mr Norris	Mr Simpson	

And so it passed in the negative.

No. 6—Clause 95.

(1) In section 131AA of the *Stamps Act 1958* after paragraph (c) of sub-section

(4) there shall be inserted the following words and paragraph—

“or

(d) any credit business carried on by a registered financial institution or an exempt financial institution within the meaning of the *Financial Institutions Duty Act 1982*.”

(2) This section applies to credit business carried on on or after 1 January, 1983.

—(Mr Crabb)

Amendment proposed—That after the words “credit business” in sub-clause (1) there shall be inserted the words “or rental business”.

—(Mr Ramsay)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 27

Mr Austin	Mr Jona	Mr Ramsay	Mr Tanner
Mr Brown	Mr Kennett	Mr Reynolds	Mr Templeton
Mr Burgin	Mr Leigh	Mr Richardson	Mr Wallace
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	Mr Williams
Mr Ebery	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Hann	Mr McKellar	Mrs Sibree	Mr Delzoppo
Mr Jasper	Mr Maclellan	Mr Smith	Mr McNamara

NOES, 38

Mr Cain	Mr Harrowfield	Mr Miller	Mr Sidiropoulos
Miss Callister	Mr Hassett	Mr Norris	Mr Simmonds
Mr Cathie	Mrs Hill	Mr Pope	Mr Simpson
Mr Crabb	Mr Hockley	Mr Ray	Mr Spyker
Mr Culpin	Mr Ihlein	Mr Remington	Mr Stirling
Mr Ernst	Mr Kennedy	Mr Roper	Mr Walsh
Mr Fogarty	Mr King	Mr Rowe	<i>Tellers</i>
Mr Fordham	Mr McCutcheon	Mr Seitz	Mr Hill
Mr Gavin	Mr McDonald	Mrs Setches	Mr Sheehan
Mr Gray	Mr Mathews	Mr Shell	<i>(Ivanhoe)</i>

And so it passed in the negative.

Wednesday, 15 December 1982

No. 7—FREEDOM OF INFORMATION BILL—Clause 22.

(1) Any charge that is, in accordance with the regulations, required to be paid by an applicant before access to a document is given, shall be calculated by an agency in accordance with the following principles or, where those principles require, shall be waived:

- (a) A charge shall only cover the time that would be spent by the agency in conducting a routine search for the document to which access is requested, and shall not cover additional time, if any, spent by the agency in searching for a document that was lost or misplaced;
- (b) The charge in relation to time made under paragraph (a) shall be fixed on an hourly rate basis;
- (c) A charge may be made for the identifiable cost incurred in supervising the inspection by the applicant of the material to which access is granted;
- (d) A charge may be made for the reasonable costs incurred by an agency in supplying copies of documents, in making arrangements for viewing documents, in providing a written transcript of the words recorded or contained in documents, or in providing a written document in accordance with section 19;
- (e) A charge shall not be made for the time spent by an agency in examining a document to determine whether it contains exempt matter, or in deleting exempt matter from a document;
- (f) A charge shall not be made for producing for inspection a document referred to in sections 8 (1) or 11 (1), whether or not that document has been specified in a statement published in accordance with sections 8 (2) or 11 (2) respectively;
- (g) A charge shall be waived if the request is a routine request for access to a document; and
- (h) A charge shall be waived or be reduced if the applicant's intended use of the document is a use of general public interest or benefit or if the applicant is impecunious.

[Sub-clauses (2)–(9) not printed]

—(Mr Cain)

Amendment proposed—That after paragraph (h) the following paragraphs be inserted:

- “(i) A charge shall be waived if the applicant is the subject of unfavourable criticism in the document to which he seeks access, and it has come to his attention that access to that document has previously been granted under the Act to another applicant;

- (j) A charge shall be waived if the applicant is a member or a former member of the Legislative Council or of the Legislative Assembly of Victoria; and
- (k) A charge (other than a charge for providing a written document in accordance with section 19) shall not exceed such amount, being not more than \$100, as may be prescribed by regulation from time to time."

—(Mr Maclellan)

[Amendment moved by Mr Cain that paragraph (i) be omitted from the proposed amendment was carried on the voices.]

Further amendment proposed—That paragraph (j) be omitted from the proposed amendment.

—(Mr Cain)

Question—That paragraph (j) stand part of the proposed amendment—put.
Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 28

Mr Austin	Mr Evans	Mr McKellar	Mr Smith
Mr Brown	(Gippsland East)	Mr Maclellan	Mr Tanner
Mr Burgin	Mr Hann	Mrs Patrick	Mr Templeton
Mr Delzoppo	Mr Jasper	Mr Ramsay	Mr Williams
Mr Dickinson	Mr Kennett	Mr Reynolds	
Mr Ebery	Mr Leigh	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr McNamara
(Ballarat North)	Mr McGrath	Mrs Sibree	Mr Saltmarsh

NOES, 41

Mr Cain	Mr Harrowfield	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Hockley	Mr Remington	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Roper	Mr Trezise
Mr Crabb	Mr King	Mr Rowe	Dr Vaughan
Mr Culpin	Mr McCutcheon	Mr Seitz	Mr Walsh
Mr Ernst	Mr McDonald	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr Mathews	Mr Sheehan	
Mr Fordham	Mr Miller	(Ivanhoe)	<i>Tellers</i>
Mr Gavin	Mr Newton	Mr Shell	Mr Hassett
Mr Gray	Mr Norris	Mr Sidiropoulos	Mr Kennedy

And so it passed in the negative.

No. 8—Clause 67.

(1) An applicant for access to records about himself, within the meaning of section 33, shall be entitled to receive access subject to this Act to any such record notwithstanding that the record came into existence at any time prior to the date of commencement of this section.

(2) An applicant for access to a record other than those referred to in sub-section (1) shall be entitled to receive access, subject to this Act, to any such record provided that it came into existence not more than five years prior to the date of commencement of this section.

(3) The Public Service Board shall in its report under section 65 include advice regarding the practicability of extending the period of retrospective access provided under sub-section (2) hereof.

—(Mr Cain)

Amendment proposed—That the word "five" in sub-clause (2) be omitted with the view of inserting in place thereof the expression "25".

—(Mr Maclellan)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

(Temporary Chairman—Mr Fogarty)

AYES, 46

Mr Cain	Mrs Hill	Mr Pope	Mr Sidiropoulos
Miss Callister	Mr Hockley	Mrs Ray	Mr Simmonds
Mr Cathie	Mr Ihlein	Mr Remington	Mr Simpson
Dr Coghill	Mr Jasper	Mr Roper	Mr Spyker
Mr Crabb	Mr Kennedy	Mr Ross-Edwards	Mr Stirling
Mr Culpin	Mr King	Mr Rowe	Mr Trezise
Mr Ernst	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Evans	Mr McDonald	Mrs Setches	Mr Walsh
(Gippsland East)	Mr McNamara	Mr Sheehan	
Mr Fordham	Mr Mathews	(Ivanhoe)	
Mr Gavin	Mr Miller	Mr Sheehan	<i>Tellers</i>
Mr Hann	Mr Newton	(Ballarat South)	Mr Gray
Mr Hassett	Mr Norris	Mr Shell	Mr Harrowfield

NOES, 22

Mr Austin	Mr Kennett	Mr Ramsay	Mr Templeton
Mr Brown	Mr Lieberman	Mr Reynolds	Mr Williams
Mr Burgin	Mr McGrath	Mr Richardson	
Mr Dickinson	Mr McKellar	Mr Saltmarsh	<i>Tellers</i>
Mr Ebery	Mr Maclellan	Mrs Sibree	Mr Leigh
Mr Evans	Mrs Patrick	Mr Tanner	Mr Delzoppo
(Ballarat North)			

And so it was resolved in the affirmative.

No. 9—STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—Clause 4.

For section 12 of the Principal Act there shall be substituted the following sections:

“12. (1) Subject to the Minister the Commission shall administer this Act.

(2) In carrying out its responsibilities the Commission shall as far as is practicable operate as a public utility and shall also achieve the following objectives:

- (a) Operation in accordance with criteria, established from time to time by the Minister, with respect to efficiency, economy, safety and reliability;
- (b) Efficient use of the State's natural resources in the production of electricity (including its production by co-generation) and the substitution of more plentiful or renewable resources for less plentiful resources;
- (c) The establishment of a working environment which is safe and satisfying, and with conditions of employment consistent with government policy;
- (d) Compliance with State Environmental Protection Policies other State government environmental policies and the giving of due consideration to environmental factors in the planning, design, construction and operational phases of every project;
- (e) The implementation of energy conservation goals consistent with policy established from time to time by the Government of Victoria; and
- (f) Operation in accordance with economic and social objectives established from time to time by the Government of Victoria.”

[Proposed new sections 12 (3)–(6) and 12A not printed]

—(Mr Mathews)

Amendment proposed—That the words “including the charging of uniform tariffs throughout the State” be added to the proposed new section 12 (2) (f).

—(Mr Evans, Gippsland East)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 28

Mr Austin	Mr Jasper	Mr Maclellan	Mr Templeton
Mr Brown	Mr Jona	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Kennett	Mr Ramsay	Mr Williams
Mr Dickinson	Mr Leigh	Mr Reynolds	
Mr Ebery	Mr Lieberman	Mr Richardson	
Mr Evans	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
(Gippsland East)	Mr McKellar	Mrs Sibree	Mr Delzoppo
Mr Hann	Mr McNamara	Mr Tanner	Mr Wallace

NOES, 39

Mr Cain	Mr Harrowfield	Mr Norris	Mr Stirling
Miss Callister	Mr Hassett	Mr Pope	Mrs Toner
Mr Cathie	Mr Hill	Mr Remington	Dr Vaughan
Dr Coghill	Mr Hockley	Mr Rowe	Mr Walsh
Mr Crabb	Mr Ihlein	Mr Seitz	Mr Wilkes
Mr Culpin	Mr Kennedy	Mr Sheehan	
Mr Ernst	Mr King	(Ballarat South)	
Mr Fogarty	Mr McCutcheon	Mr Sidiropoulos	
Mr Fordham	Mr Mathews	Mr Simmonds	<i>Tellers</i>
Mr Gavin	Mr Miller	Mr Simpson	Mrs Ray
Mr Gray	Mr Newton	Mr Spyker	Mrs Setches

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 12

Wednesday, 23 March 1983

No. 1—HEALTH (RADIATION SAFETY) BILL—Clause 5.

After section 108 of the Principal Act there shall be inserted the following heading and Division:

‘DIVISION 2AA.—RADIATION SAFETY

[Proposed new sections 108AA to 108AD not printed.]

108AE. (1) The owner of any—

- (a) ionizing radiation apparatus;
- (b) non-ionizing radiation apparatus of a prescribed class; or
- (c) sealed radio-active source—

shall register that apparatus or source with the Commission.

(2) The Commission may register the apparatus or source and impose conditions on the registration.

(3) A registration under this section shall be subject to the conditions that the registered owner—

- (a) unless exempted by the Commission, has appointed a Radiation Safety Officer approved by the Commission to supervise all radiation safety practices in respect of the registered apparatus or source;
- (b) keeps or causes to be kept the prescribed records in respect of the registered apparatus or source and makes those records available at the request of the Commission or an officer of the Commission;
- (c) has the registered apparatus or equipment incorporating a radio-active source tested by a specially authorized officer or a person licensed to do so at such times or intervals as the Commission from time to time directs; and
- (d) displays a certificate on or near the apparatus or source to which it relates signed by a specially authorized officer or a person licensed to test radiation apparatus that the apparatus or source has been tested as directed by the Commission and complies with the regulations.

(4) The Commission shall not register any radiation apparatus or sealed radio-active source unless it is satisfied that—

- (a) in the case of apparatus, it is constructed shielded and installed in accordance with the regulations;
- (b) in the case of a source, it is constructed sealed contained and its exposure controlled in accordance with the regulations; and
- (c) the proposed use is an appropriate use of a radio-active substance or radiation apparatus.

(5) The Commission shall not register any radiation apparatus or sealed radio-active source to be used for the diagnosis or therapy of human beings if it considers that the registration—

- (a) is not consistent with the proper regulation and supervision of radiation hazards in Victoria;

(b) is likely to result in excessive or unnecessary radiation exposure of human beings undergoing diagnosis or therapy; or

(c) would result in more than adequate diagnostic or therapeutic facilities of the type proposed to be registered becoming available having regard to the place where it is proposed to be used.

(6) A registration under this section shall, unless sooner cancelled or suspended by the Commission, continue in force for such period as is specified by the Commission in respect of that registration.'

[Proposed new sections 108AF to 108AJ not printed.]

—(Mr Roper)

Amendment proposed—That after the expression "Victoria;" in paragraph (a) of sub-section (5) of proposed new section 108AE there shall be inserted the word "or".

—(Mr Whiting)

Question—That the word proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 23

Mr Austin	Mr Hann	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Lieberman	Mr Ross-Edwards	
Mr Dickinson	Mr McKellar	Mr Saltmarsh	
Mr Ebery	Mr Maclellan	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr Ramsay	Mr Templeton	Mr Jasper
(Gippsland East)		Mr Wallace	Mr Leigh

NOES, 39

Mr Cain	Mr Hassett	Mr Pope	Mrs Toner
Mr Cathie	Mrs Hill	Mrs Ray	Mr Trezise
Dr Coghill	Mr Hockley	Mr Roper	Dr Vaughan
Mr Crabb	Mr Ihlein	Mr Rowe	Mr Walsh
Mr Culpin	Mr Jolly	Mr Seitz	Mr Wilkes
Mr Ernst	Mr Kirkwood	Mr Sheehan	
Mr Fogarty	Mr McDonald	(Ballarat South)	
Mr Fordham	Mr Mathews	Mr Shell	
Mr Gavin	Mr Micallef	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Simpson	Mr McCutcheon
Mr Harrowfield	Mr Norris	Mr Stirling	Mr Remington

And so it passed in the negative.

Thursday, 24 March 1983

NO. 2—WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) BILL—Clause 9.

(1) Where agreement has been reached between the Minister and a relevant authority or more than one relevant authority that as from a particular date—

(a) that relevant authority or those relevant authorities should be abolished and its or their (as the case may be) land easements works property powers rights liabilities and obligations transferred to a Water Board having a particular membership; or

(b) any land easements works property powers rights liabilities and obligations of that relevant authority or those relevant authorities should be transferred to a Water Board having a particular membership—

that relevant authority or those relevant authorities may apply to the Minister for that purpose as provided in this section.

(2) An application to the Minister under this section shall be made in writing and shall specify—

- (a) the name of the relevant authority or the names of the relevant authorities concerned;
- (b) the land easements works property powers rights liabilities and obligations to be transferred to the proposed Water Board;
- (c) the officers or employes of the relevant authority or relevant authorities concerned (not being a relevant authority or relevant authorities whose abolition is desired) to be transferred to the proposed Water Board;
- (d) a suggested corporate name for the proposed Water Board;
- (e) the boundaries of the district or districts over which the proposed Water Board is to have jurisdiction;
- (f) a suggested interim membership of the proposed Water Board;
- (g) a suggested number of members of the proposed Water Board;
- (h) a suggested manner of election or appointment for each of the members of the proposed Water Board;
- (i) the suggested electoral districts (if any) into which the area under the jurisdiction of the proposed Water Board could be subdivided and the boundaries of those districts;
- (j) a suggested date for the coming into existence of the proposed Water Board; and
- (k) such other matters as the applicant or applicants thinks fit.

(3) The Minister shall submit any application received by him under this section to the Governor in Council together with any recommendations as to the granting of the application or, subject to sub-section (4), as to any alterations or additions to the application he may think desirable.

(4) The Minister shall not submit a recommendation to the Governor in Council as to the making of any alterations or additions to an application received by him under this section unless—

- (a) he has consulted the relevant authority or authorities concerned; and
- (b) he is satisfied that it is desirable in the interests of the more effective and efficient management of water or sewerage services that the alterations or additions be made.

(5) Nothing in this section shall be construed as preventing the making by the Governor in Council of an Order under section 8 constituting a Water Board and abolishing a relevant authority or transferring land easements works property powers rights liabilities and obligations from a relevant authority notwithstanding that the relevant authority has not made an application under this section for the making of such an Order.

—(Mr Simpson)

Amendment proposed—That sub-clause (5) be omitted.

—(Mr Hann)

[The Chairman decided to have this amendment tested on the question—That the expression '(5)' be omitted so as not to preclude a proposed amendment by another Honourable Member.]

Question—That the expression proposed to be omitted stand part—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 39

Miss Callister	Mr Harrowfield	Mr Newton	Mr Spyker
Mr Cathie	Mr Hasset	Mr Norris	Mr Stirling
Dr Coghill	Mrs Hill	Mr Pope	Mrs Toner
Mr Crabb	Mr Hill	Mrs Ray	Mr Trezise
Mr Culpin	Mr Hockley	Mr Remington	Dr Vaughan
Mr Ernst	Mr Jolly	Mr Roper	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mr Rowe	Mr Wilkes
Mr Fordham	Mr McCutcheon	Mr Seitz	<i>Tellers</i>
Mr Gavin	Mr McDonald	Mr Shell	Mr Ihlein
Mr Gray	Mr Mathews	Mr Simpson	Mr Kennedy

NOES, 22

Mr Brown	Mr Jona	Mr Richardson	Mr Templeton
Mr Dickinson	Mr Leigh	Mr Ross-Edwards	Mr Whiting
Mr Ebery	Mr Maclellan	Mr Saltmarsh	Mr Williams
Mr Evans	Mrs Patrick	Mrs Sibree	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Ramsay	Mr Smith	Mr Delzoppo
Mr Hann	Mr Reynolds	Mr Tanner	Mr Wallace

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 13
 —

Tuesday, 29 March 1983

No. 1—WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) BILL—Clause 9.

(1) Where agreement has been reached between the Minister and a relevant authority or more than one relevant authority that as from a particular date—

- (a) that relevant authority or those relevant authorities should be abolished and its or their (as the case may be) land easements works property powers rights liabilities and obligations transferred to a Water Board having a particular membership; or
- (b) any land easements works property powers rights liabilities and obligations of that relevant authority or those relevant authorities should be transferred to a Water Board having a particular membership—

that relevant authority or those authorities may apply to the Minister for that purpose as provided in this section.

(2) An application to the Minister under this section shall be made in writing and shall specify—

- (a) the name of the relevant authority or the names of the relevant authorities concerned;
- (b) the land easements works property powers rights liabilities and obligations to be transferred to the proposed Water Board;
- (c) the officers or employées of the relevant authority or relevant authorities concerned (not being a relevant authority or relevant authorities whose abolition is desired) to be transferred to the proposed Water Board;
- (d) a suggested corporate name for the proposed Water Board;
- (e) the boundaries of the district or districts over which the proposed Water Board is to have jurisdiction;
- (f) a suggested interim membership of the proposed Water Board;
- (g) a suggested number of members of the proposed Water Board;
- (h) a suggested manner of election or appointment for each of the members of the proposed Water Board;
- (i) the suggested electoral districts (if any) into which the area under the jurisdiction of the proposed Water Board could be subdivided and the boundaries of those districts;
- (j) a suggested date for the coming into existence of the proposed Water Board; and
- (k) such other matters as the applicant or applicants think fit.

(3) The Minister shall submit any application received by him under this section to the Governor in Council together with any recommendations as to the granting of the application or, subject to sub-section (4), as to any alterations or additions to the application he may think desirable.

(4) The Minister shall not submit a recommendation to the Governor in Council as to the making of any alterations or additions to an application received by him under this section unless—

- (a) he has consulted the relevant authority or authorities concerned; and
- (b) he is satisfied that it is desirable in the interests of the more effective and efficient management of water or sewerage services that the alterations or additions be made.

(5) Nothing in this section shall be construed as preventing the making by the Governor in Council of an Order under section 8 constituting a Water Board and abolishing a relevant authority or transferring land easements works property powers rights liabilities and obligations from a relevant authority notwithstanding that the relevant authority has not made an application under this section for the making of such an Order.

— (Mr Simpson)

Amendment proposed—That the word “Nothing” in sub-clause (5) be omitted with the view of inserting in place thereof “Subject to sub-section (6), nothing”.

—(Mr Brown)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 42

Mr Cain	Mrs Hill	Mr Pope	Mrs Toner
Miss Callister	Mr Hill	Mr Remington	Mr Trezise
Mr Cathie	Mr Hockley	Mr Roper	Dr Vaughan
Dr Coghill	Mr Ihlein	Mr Rowe	Mr Walsh
Mr Crabb	Mr Jolly	Mr Seitz	Mr Wilkes
Mr Culpin	Mr Kennedy	Mr Sheehan	
Mr Ernst	Mr McCutcheon	(Ballarat South)	
Mr Fogarty	Mr Mathews	Mr Shell	
Mr Fordham	Mr Micallef	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Simpson	Mr McDonald
Mr Harrowfield	Mr Newton	Mr Spyker	Mr Sheehan
Mr Hassett	Mr Norris	Mr Stirling	(Ivanhoe)

NOES, 29

Mr Austin	Mr Evans	Mr McKellar	Mr Saltmarsh
Mr Brown	(Gippsland East)	Mr McNamara	Mr Tanner
Mr Burgin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Delzoppo	Mr Jasper	Mrs Patrick	Mr Whiting
Mr Dickinson	Mr Jona	Mr Ramsay	Mr Williams
Mr Ebery	Mr Kennett	Mr Reynolds	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Richardson	Mr Leigh
(Ballarat North)	Mr McGrath	Mr Ross-Edwards	Mrs Sibree

And so it was resolved in the affirmative.

Wednesday, 30 March 1983

No. 2—CONSTITUTION (LOCAL GOVERNMENT) BILL—Clause 3.

Section 74C of the Principal Act shall be amended as follows:

(a) For sub-section (1) there shall be substituted the following sub-section:

“(1) A person shall be qualified to be a councillor if pursuant to the provisions of section 74B—

(a) in the case of an annual election or a general election, he is on the entitlement date; and

(b) in the case of an extraordinary election, he has during the period commencing after the entitlement date and ending three months prior to the day on which that election is to be held, become entitled to be—

enrolled on the voters' roll or rolls in respect of any riding or ward in the municipal district and continues to be entitled to be enrolled.”;

(b) For sub-section (3) there shall be substituted the following sub-section:

“(3) Every councillor who ceases to have the qualification specified in the nomination paper nominating him as a candidate for the office of councillor shall not be capable of continuing to be a councillor unless not later than 30 days after the day on which he ceases to have that qualification he lodges with the municipal clerk a written statement giving correct particulars of the qualification which entitles him to continue to be a councillor.”;

(c) In sub-section (4) of paragraph (e) there shall be substituted the following paragraph:

“(e) who is not a person referred to in section 48 (1) (a);”;

(d) In sub-section (5) for the word “member” there shall be substituted the word “councillor”; and

(e) In sub-section (6) the expression “(not being an offence that is of the kind, and is committed in the circumstances, referred to in paragraph (c) of sub-section (4))” shall be repealed.

—(Mr Wilkes)

Amendment proposed—That paragraph (c) be omitted with the view of inserting in place thereof—

“(c) In sub-section (4) paragraph (e) shall be repealed;”.

—(Mr Wilkes)

Question—That the paragraph proposed to be omitted stand part of the clause—put.

(Chairman—Mr Wilton)

AYES, 26

Mr Austin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Brown	Mr Jasper	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Jona	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Reynolds	
Mr Dickinson	Mr Leigh	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr McGrath	Mr Saltmarsh	Mr McNamara
Mr Evans	Mr McKellar	Mrs Sibree	Mr Tanner
(Gippsland East)			

NOES, 43

Miss Callister	Mr Hockley	Mr Remington	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Roper	Mr Stirling
Mr Crabb	Mr Jolly	Mr Rowe	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Seitz	Mr Trezise
Mr Ernst	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr McCutcheon	(Ivanhoe)	Mr Walsh
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Gray	Mr Mathews	(Ballarat South)	
Mr Harrowfield	Mr Micallef	Mr Shell	
Mr Hassett	Mr Miller	Mr Sidiropoulos	<i>Tellers</i>
Mrs Hill	Mr Newton	Mr Simmonds	Mr Gavin
Mr Hill	Mr Norris	Mr Simpson	Mr Pope

And so it passed in the negative.

No. 3—LOCAL GOVERNMENT (MUNICIPAL COUNCIL ELECTIONS) BILL—Clause 2.

(1) The Principal Act shall be amended as follows:

(a) After section 51 (1) there shall be inserted the following sub-section:

“(2) This Division shall apply to the city of Melbourne.”;

(b) Section 51 (3) shall be repealed;

(c) After section 51 there shall be inserted the following section:

“52. (1) A person who has been convicted or found guilty of an offence referred to in section 74c (4) (c) of the *Constitution Act 1975* may make an application to the Supreme Court for relief from the disqualification imposed by section 74c (4) of the *Constitution Act 1975*.

(2) The Supreme Court may for the purpose of inquiring into and deciding an application pursuant to sub-section (1) do all such things as it would be entitled to do if the application was an appeal against the sentence imposed on the conviction or finding giving rise to the disqualification.

(3) The Supreme Court may if it thinks fit in the circumstances of the case declare that a person who has made an application pursuant to sub-section (1) shall not by virtue of the conviction or finding in respect of which the application is made be or continue to be disqualified from holding the office of councillor.

(4) The decision of the Supreme Court in an application pursuant to sub-section (1) shall be final and without appeal.”; and

(d) Section 53c shall be repealed.

—(Mr Wilkes)

Amendment proposed—That after paragraph (d) the following sub-clause be inserted:

(2) The Principal Act shall be amended as follows:

(a) For section 55 there shall be substituted the following section:

“55. A person elected as a councillor of any municipality may elect to take an oath of allegiance to Her Majesty her heirs and successors and one or more councillors of that municipality are hereby authorized to administer that oath but the capacity of a person to act as a councillor shall not be affected by the election to take or not to take that oath.”;

(b) In section 56 (1) the words “and taken such oath as aforesaid” shall be repealed;

(c) In section 56 (2) (a) (ii) the words “and taken the oath aforesaid” shall be repealed; and

(d) In section 56 (3)—

(i) the words “or taken the oath aforesaid” shall be repealed; and

(ii) the words “and taken such oath” shall be repealed.

—(Mr Wilkes)

Question—That the sub-clause proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hill	Mr Norris	Mr Simpson
Miss Callister	Mr Hockley	Mr Remington	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Roper	Mr Stirling
Mr Crabb	Mr Jolly	Mr Rowe	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gray	Mr Mathews	(<i>Ballarat South</i>)	
Mr Harrowfield	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Miller	Mr Sidiropoulos	Mr Gavin
Mrs Hill	Mr Newton	Mr Simmonds	Mr Pope

NOES, 28

Mr Austin	Mr Evans	Mr McGrath	Mrs Sibree
Mr Brown	(<i>Gippsland East</i>)	Mr McKellar	Mr Wallace
Mr Burgin	Mr Hann	Mr Maclellan	Mr Whiting
Mr Delzoppo	Mr Jasper	Mrs Patrick	Mr Williams
Mr Dickinson	Mr Jona	Mr Ramsay	
Mr Ebery	Mr Kennett	Mr Reynolds	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Ross-Edwards	Mr McNamara
(<i>Ballarat North</i>)	Mr Lieberman	Mr Saltmarsh	Mr Tanner

And so it was resolved in the affirmative.

No. 4—Clause 4.

The Principal Act shall be amended as follows:

(a) In section 112 after the words “such day” there shall be inserted the words “being a Thursday or Saturday”;

(b) For section 113 there shall be substituted the following sections:

“113. In every municipality an annual election of councillors shall be held on the day which is the first Thursday in August in each year or the following Saturday as the council determines.

113A. Notwithstanding anything to the contrary in this Act, the Governor in Council may by Order in Council fix a day being a Thursday or Saturday for the holding of the annual election in 1983 which occurs after the first Saturday in August.”;

(c) In section 116 for the word “hereunder” there shall be substituted the expression “pursuant to section 117”; and

(d) In section 117 for sub-section (1) there shall be substituted the following sub-sections:

“(1) An election to fill an extraordinary vacancy shall be held on such day being a Thursday or Saturday between the twenty-first day and fortieth day (both days inclusive) after the occurrence of such vacancy as may be appointed by the chairman of the municipality.

(1A) Where there is no chairman of the municipality or the chairman of the municipality is absent, incapable of acting or refuses to act, an election to fill an extraordinary vacancy shall be held on such day being a Thursday or Saturday—

(a) between the twenty-first day and the fortieth day (both days inclusive) after the occurrence of such vacancy as may be appointed by the council of the municipality; or

(b) after the occurrence of such vacancy as may be appointed by the Governor in Council.”.

—(Mr Wilkes)

Amendment proposed—That in paragraph (a) the words “Thursday or” be omitted.
—(Mr Wilkes)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 8

Mr Evans
(Gippsland East)

Mr Hann
Mr Jasper

Mr Ross-Edwards
Mr Wallace
Mr Whiting

Tellers
Mr McGrath
Mr McNamara

NOES, 59

Mr Austin
Miss Callister
Dr Coghill
Mr Crabb
Mr Culpin
Mr Delzoppo
Mr Dickinson
Mr Ebery
Mr Ernst
Mr Fogarty
Mr Fordham
Mr Gray
Mr Harrowfield
Mr Hassett
Mrs Hill
Mr Hill

Mr Hockley
Mr Ihlein
Mr Jolly
Mr Jona
Mr Kennedy
Mr Kennett
Mr Kirkwood
Mr Leigh
Mr Lieberman
Mr McCutcheon
Mr McDonald
Mr McKellar
Mr Maclellan
Mr Mathews
Mr Micallef
Mr Miller

Mr Newton
Mr Norris
Mrs Patrick
Mr Pope
Mr Remington
Mr Reynolds
Mr Roper
Mr Rowe
Mr Saltmarsh
Mr Seitz
Mr Sheehan
(Ivanhoe)
Mr Sheehan
(Ballarat South)
Mr Shell
Mrs Sibree

Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh
Mr Wilkes
Mr Williams

Tellers
Mr Gavin
Mr Tanner

And so it passed in the negative.

No. 5—Clause 5.

For section 119 of the Principal Act there shall be substituted the following section:

“119. At every election of councillors every person whose name is enrolled on the voters’ roll or rolls shall be entitled to one vote in respect of each riding or ward for which his name is enrolled.”

—(Mr Wilkes)

Amendment proposed—That after the proposed new section 119 there be inserted the following sections:

“120. Subject to section 120A and to any regulations made pursuant to section 149, it shall be compulsory for any person whose name is enrolled on the voters’ roll or rolls to vote at every election of councillors in respect of each riding or ward for which his name is enrolled.

120A. Notwithstanding anything to the contrary in this Act, it shall not be compulsory for an owner or occupier of a rateable property whose principal place of residence is outside the riding or ward for which his name is enrolled on the voters’ roll or rolls to vote at an election of councillors in respect of that riding or ward.

120B. Sections 119, 120 and 120A shall apply to the City of Melbourne.”

—(Mr Wilkes)

Question—That the words and expressions proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 59

Mr Austin	Mr Hill	Mr Newton	Mrs Sibree
Miss Callister	Mr Hockley	Mr Norris	Mr Sidiropoulos
Dr Coghill	Mr Ihlein	Mrs Patrick	Mr Simmonds
Mr Crabb	Mr Jolly	Mr Pope	Mr Simpson
Mr Culpin	Mr Jona	Mr Ramsay	Mr Spyker
Mr Delzoppo	Mr Kennedy	Mr Remington	Mr Stirling
Mr Dickinson	Mr Kennett	Mr Reynolds	Mrs Toner
Mr Ebery	Mr Kirkwood	Mr Roper	Dr Vaughan
Mr Ernst	Mr Leigh	Mr Rowe	Mr Walsh
Mr Fogarty	Mr Lieberman	Mr Saltmarsh	Mr Wilkes
Mr Fordham	Mr McDonald	Mr Seitz	Mr Williams
Mr Gavin	Mr McKellar	Mr Sheehan	
Mr Gray	Mr Maclellan	(<i>Ivanhoe</i>)	
Mr Harrowfield	Mr Mathews	Mr Sheehan	<i>Tellers</i>
Mr Hassett	Mr Micalef	(<i>Ballarat South</i>)	Mr McCutcheon
Mrs Hill	Mr Miller	Mr Shell	Mr Tanner

NOES, 8

Mr Evans	Mr Jasper	Mr Whiting	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McNamara		Mr McGrath
Mr Hann	Mr Ross-Edwards		Mr Wallace

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 14

Tuesday, 19 April 1983

No. 1—PUBLIC AUTHORITIES (CONTRIBUTIONS) (AMENDMENT) BILL—Clause 3.

For sub-section (1) of section 3 of the Principal Act there shall be substituted the following sub-section:

- “(1) There shall be transferred to the Consolidated Fund in each financial year—
- (a) in the case of the Gas and Fuel Corporation of Victoria, a contribution of an amount equal to 33 per centum of the total revenue of that authority in the last preceding financial year;
 - (b) in the case of the State Electricity Commission of Victoria, a contribution of an amount equal to 7.72 per centum of the total revenue of that authority in the last preceding financial year;
 - (c) in the case of the Melbourne and Metropolitan Board of Works, a contribution of an amount equal to 8.3 per centum of the total revenue of that authority in the last preceding financial year; and
 - (d) in the case of the Port of Melbourne Authority, a contribution of an amount equal to 10.7 per centum of the total revenue of that authority in the last preceding financial year.”.

—(Mr Jolly)

Amendment proposed—That the words “each financial year” be omitted with the view of inserting in place thereof the words “the financial year ending on 30 June 1983”.

—(Mr Ramsay)

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

Committee divided.

(Temporary Chairman—Mr Fogarty)

AYES, 34

Miss Callister	Mr Hill	Mr Norris	Mr Simpson
Mr Cathie	Mr Ihlein	Mr Pope	Mr Stirling
Dr Coghill	Mr Jolly	Mrs Ray	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Remington	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Roper	Mr Walsh
Mr Ernst	Mr McCutcheon	Mr Seitz	<i>Tellers</i>
Mr Gray	Mr McDonald	Mrs Setches	Mr Harrowfield
Mr Hassett	Mr Micallef	Mr Sidiropoulos	Mr Sheehan
Mrs Hill	Mr Newton	Mr Simmonds	(Ballarat South)

NOES, 23

Mr Austin	Mr Jona	Mr Richardson	Mr Williams
Mr Burgin	Mr Lieberman	Mr Ross-Edwards	
Mr Delzoppo	Mr McKellar	Mr Saltmarsh	
Mr Ebery	Mr Maclellan	Mrs Sibree	
Mr Evans	Mrs Patrick	Mr Tanner	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Ramsay	Mr Templeton	Mr Dickinson
Mr Jasper	Mr Reynolds	Mr Whiting	Mr Leigh

And so it was resolved in the affirmative.

No. 2—Clause 3.

Further amendment proposed—That after the word “year” in paragraph (a) there shall be inserted the expression “or the amount of \$90 800 000 (whichever is the lesser)”.

—(*Mr Ramsay*)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided.

(Temporary Chairman—Mr Fogarty)

AYES, 23

Mr Austin	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Jona	Mr Reynolds	
Mr Delzoppo	Mr Leigh	Mr Richardson	
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McKellar	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mrs Sibree	Mr Tanner
(<i>Gippsland East</i>)	Mrs Patrick	Mr Templeton	Mr Williams

NOES, 34

Miss Callister	Mrs Hill	Mr Norris	Mr Simmonds
Mr Cathie	Mr Hill	Mr Pope	Mr Simpson
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Crabb	Mr Jolly	Mr Remington	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Roper	Mr Trezise
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Gray	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Micallef	(<i>Ballarat South</i>)	Mr McCutcheon
Mr Hassett	Mr Newton	Mr Sidiropoulos	Mr Seitz

And so it passed in the negative.

Wednesday, 20 April 1983

No. 3—HOSPITAL BENEFITS (LEVY) (AMENDMENT) BILL—Clause 1.

- (1) This Act may be cited as the *Hospital Benefits (Levy) (Amendment) Act 1983*.
- (2) In this Act the *Hospital Benefits (Levy) Act 1982* is referred to as the Principal Act.
- (3) This Act shall come into operation on the day on which it receives the Royal Assent.

—(*Mr Roper*)

Amendment proposed—That the words “the day on which it receives the Royal Assent” in sub-clause (3) be omitted with the view of inserting in place thereof the expression “1 August 1983”.

—(*Mr Whiting*)

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

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 38

Mr Cain	Mr Hassett	Mr Remington	Mrs Toner
Miss Callister	Mrs Hill	Mr Roper	Mr Trezise
Mr Cathie	Mr Hill	Mr Rowe	Dr Vaughan
Dr Coghill	Mr Hockley	Mr Seitz	Mr Walsh
Mr Culpin	Mr Jolly	Mrs Setches	
Mr Ernst	Mr Kennedy	Mr Sheehan	
Mr Fogarty	Mr Micallef	(Ballarat South)	
Mr Fordham	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Gavin	Mr Newton	Mr Sidiropoulos	Mr McCutcheon
Mr Gray	Mr Pope	Mr Simpson	Mr Sheehan
Mr Harrowfield	Mrs Ray	Mr Stirling	(Ivanhoe)

NOES, 25

Mr Austin	Mr Evans	Mrs Patrick	Mr Williams
Mr Brown	(Gippsland East)	Mr Reynolds	
Mr Burgin	Mr Hann	Mr Richardson	
Mr Delzoppo	Mr Jona	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mrs Sibree	
Mr Ebery	Mr McGrath	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Wallace	Mr Leigh
(Ballarat North)	Mr Maclellan	Mr Whiting	Mr McNamara

And so it was resolved in the affirmative.

No. 4—Clause 2, as amended.

In section 1 of the Principal Act, sub-section (3) shall be repealed.

—(Mr Roper)

Question—That the clause, as amended, stand part of the Bill—put.

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 41

Mr Cain	Mr Hassett	Mrs Ray	Mr Simpson
Miss Callister	Mrs Hill	Mr Remington	Mr Stirling
Mr Cathie	Mr Hill	Mr Roper	Mrs Toner
Dr Coghill	Mr Hockley	Mr Rowe	Mr Trezise
Mr Culpin	Mr Ihlein	Mr Seitz	Dr Vaughan
Mr Ernst	Mr Jolly	Mrs Setches	Mr Walsh
Mr Fogarty	Mr Kennedy	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr Micallef	(Ballarat South)	<i>Tellers</i>
Mr Gavin	Mr Miller	Mr Shell	Mr McCutcheon
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr Sheehan
Mr Harrowfield	Mr Pope	Mr Simmonds	(Ivanhoe)

NOES, 27

Mr Austin	Mr Evans	Mr Maclellan	Mr Wallace
Mr Brown	(Gippsland East)	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Hann	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Jasper	Mr Reynolds	
Mr Dickinson	Mr Jona	Mr Richardson	
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McGrath	Mrs Sibree	Mr Leigh
(Ballarat North)	Mr McKellar	Mr Tanner	Mr McNamara

And so it was resolved in the affirmative.

NOTE.—Bold type denotes insertion by amendment.

No. 5—Clause 3.

Section 2 of the Principal Act is amended as follows:

(a) In sub-section (1), in the interpretation of “Prescribed rate” for the expression “40 cents” there shall be substituted the expression “50 cents”; and

(b) After sub-section (3) there shall be inserted the following sub-sections:

“(4) Notwithstanding anything to the contrary in this section, where the Minister is of the opinion that the method of calculation of the monthly levy under this section would be unfair to a particular organization, the Minister may enter into an agreement with that organization as to the method of calculation of the monthly levy in relation to that organization.

(5) The monthly levy calculated in relation to an organization in accordance with an agreement entered into pursuant to sub-section (4) shall, during the period specified in the agreement, be the monthly levy in relation to that organization for the purposes of this Act.”

—(Mr Roper)

Question—That clause 3 stand part of the Bill—put.

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 41

Mr Cain	Mrs Hill	Mr Remington	Mr Simmonds
Miss Callister	Mr Hill	Mr Roper	Mr Simpson
Mr Cathie	Mr Hockley	Mr Rowe	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Seitz	Mrs Toner
Mr Culpin	Mr Jolly	Mrs Setches	Mr Trezise
Mr Ernst	Mr Kennedy	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fordham	Mr Micallef	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Shell	Mr Harrowfield
Mr Hassett	Mr Pope	Mr Sidiropoulos	Mrs Ray

NOES, 28

Mr Austin	Mr Evans	Mr McKellar	Mr Saltmarsh
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mrs Sibree
Mr Burgin	Mr Hann	Mr Maclellan	Mr Tanner
Mr Dickinson	Mr Jasper	Mrs Patrick	Mr Whiting
Mr Ebery	Mr Jona	Mr Ramsay	Mr Williams
Mr Evans	Mr Leigh	Mr Reynolds	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr Lieberman	Mr Richardson	Mr Delzoppo
	Mr McGrath	Mr Ross-Edwards	Mr Wallace

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 15
—

Wednesday, 4 May 1983

No. 1—INDUSTRIAL RELATIONS (AMENDMENT) BILL—Clause 1.

(1) This Act may be cited as the *Industrial Relations (Amendment) Act 1982*.

(2) The *Industrial Relations Act 1979* is in this Act referred to as the Principal Act.

(3) This Act shall come into operation on the day on which it receives the Royal Assent.

—(*Mr Jolly*)

Motion made and question—That the Chairman do report progress and ask for leave to sit again (*Mr Tanner*)—put.

Committee divided.

(Temporary Chairman—*Mr Stirling*)

AYES, 22

Mr Austin	Mr Evans (<i>Gippsland East</i>)	Mr Maclellan	Mr Whiting
Mr Brown	Mr Hann	Mr Reynolds	Mr Williams
Mr Burgin	Mr Jona	Mr Richardson	
Mr Delzoppo	Mr Leigh	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Ebery
(<i>Ballarat North</i>)	Mr McNamara	Mr Tanner	Mr Jasper
		Mr Wallace	

NOES, 39

Miss Callister	Mr Hassett	Mr Pope	Mr Sidiropoulos
Mr Cathie	Mrs Hill	Mrs Ray	Mr Simpson
Dr Coghill	Mr Hill	Mr Remington	Mr Spyker
Mr Crabb	Mr Hockley	Mr Roper	Mr Stirling
Mr Culpin	Mr Ihlein	Mr Rowe	Mr Walsh
Mr Ernst	Mr Jolly	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr Kennedy	Mrs Setches	
Mr Fordham	Mr Kirkwood	Mr Sheehan	<i>Tellers</i>
Mr Gavin	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Newton
Mr Gray	Mr McDonald	Mr Sheehan	Mr Norris
Mr Harrowfield	Mr Mathews	(<i>Ballarat South</i>)	

And so it passed in the negative.

No. 2—Clause 4, *as amended*.

(1) At the end of section 34 (1) of the Principal Act there shall be inserted the following paragraphs:

“(1) the duties and responsibilities of an employer upon the introduction or proposed introduction of technological changes in the industry in which he is engaged and the notice to be given of termination of services on that ground;

(m) redundancies from any other cause and the notice to be given of termination of services.”.

(2) After section 34 (4) of the Principal Act there shall be inserted the following sub-sections:

“(5) A Board may hear and determine any question in an industrial dispute as to whether the dismissal or threatened dismissal from his employment of an employé, not being an employé who has under any Act or law a right of appeal or review against his dismissal, was or would be harsh, unjust or unreasonable and the Board may direct the employer of that employé to re-employ that employé in his former position on terms that are not less favourable to the employé than if he had not been dismissed from his employment or not to dismiss him from his employment (as the case requires).

(6) Without limiting the generality of the provisions of sub-section (5) on any proceedings under that sub-section the Board may order that the employé be paid an amount not exceeding the amount of the wages he would have received had he been employed in that employment between the time of his dismissal and the time at which he was re-employed but the Board shall not ‘in the case of a dismissal’ exercise the jurisdiction conferred upon it by sub-section (5) unless an application invoking that jurisdiction is made, by or on behalf of the dismissed employé, within 21 days after the day on which his employment is terminated.”

(3) The Principal Act shall be deemed to have been enacted as amended by the provisions of this section and shall be given effect accordingly notwithstanding any judgment or order made by any Court before the commencement of this Act.

—(Mr Jolly)

Question—That clause 4, as amended, stand part of the Bill—put.

Committee divided.

(Temporary Chairman—Mr Stirling)

AYES, 42

Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Hill	Mr Remington	Mr Stirling
Dr Coghill	Mr Hockley	Mr Roper	Mrs Toner
Mr Crabb	Mr Ihlein	Mr Rowe	Mr Trezise
Mr Culpin	Mr Jolly	Mr Seitz	Mr Walsh
Mr Ernst	Mr Kennedy	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr Kirkwood	Mr Sheehan	
Mr Fordham	Mr McCutcheon	(Ivanhoe)	
Mr Gavin	Mr McDonald	Mr Sheehan	
Mr Gray	Mr Mathews	(Ballarat South)	<i>Tellers</i>
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	Mr Newton
Mr Hassett	Mr Pope	Mr Simpson	Mr Norris

NOES, 24

Mr Austin	Mr Hann	Mrs Patrick	Mr Whiting
Mr Brown	Mr Jona	Mr Reynolds	Mr Williams
Mr Burgin	Mr Leigh	Mr Richardson	
Mr Delzoppo	Mr McGrath	Mr Ross-Edwards	
Mr Evans	Mr McKellar	Mrs Sibree	<i>Tellers</i>
(Ballarat North)	Mr McNamara	Mr Tanner	Mr Ebery
Mr Evans	Mr Maclellan	Mr Wallace	Mr Jasper
(Gippsland East)			

And so it was resolved in the affirmative.

NOTE—Bold type denotes insertion or substitution by amendment.

No. 3—Clause 7, *as amended*.

After section 52 of the Principal Act there shall be inserted the following heading and section:

"PART IVA.—CONSULTATIONS PRIOR TO REDUNDANCIES OR RETRENCHMENTS

52A. (1) Where it appears to an employer that it is likely that any of his employes may become redundant or may have to be retrenched, whether because of the proposed introduction of new technology or changed practices or organization or a change in economic conditions or circumstances or otherwise he shall **notify in writing the President and** each relevant industrial association of employes (if any) of the proposal or changes that are likely to cause redundancies or retrenchments and of the number of employes and trades that are likely to be affected thereby.

(2) On the receipt of **notification** under this section **the President may** convene a conference under the chairmanship of a person nominated by the President of the employer and the representatives of the relevant industrial association of employes and such other persons as he thinks fit with a view to the taking of such measures as may avert the redundancies or retrenchments or minimize the adverse effects on the employes who are likely to be affected.

(3) Where an employer has given **notification** under sub-section (1) he shall not without the consent of the President dismiss any employes because of any of the matters to which the **notification** relates **until a period of 14 days has elapsed prior to the commencement of the minimum period required for notice in the case of dismissal by reason of redundancy or retrenchment by the award or registered agreement under which the relevant employes are employed.**

(4) For the purpose of this Part 'employe' means a person employed under an award or a registered agreement.

(5) **The provisions of this Part shall not apply to or with respect to—**

- (a) an employer employing less than 15 employes;
- (b) any dismissal on the ground of misconduct, inefficiency or unsatisfactory performance of duties;
- (c) casual or seasonal employment within the meaning of the award or registered agreement under which the employe is employed;
- (d) temporary employment for a fixed term of not more than three months that is agreed upon prior to the commencement of the employment;
- (e) a person employed in an industry to which the **Building Industry Long Service Leave Act 1975 applies or any corresponding subsequent enactment applies.**

—(Mr Jolly)

Question—That clause 7, as amended, stand part of the Bill—put.
Committee divided.

(Temporary Chairman—Mr Stirling)

AYES, 43

Miss Callister	Mrs Hill	Mr Pope	Mr Simpson
Mr Cathie	Mr Hill	Mrs Ray	Mr Spyker
Dr Coghill	Mr Hockley	Mr Remington	Mr Stirling
Mr Crabb	Mr Ihlein	Mr Roper	Mrs Toner
Mr Culpin	Mr Jolly	Mr Rowe	Mr Trezise
Mr Ernst	Mr Kennedy	Mr Seitz	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mrs Setches	Mr Wilkes
Mr Fordham	Mr McCutcheon	Mr Sheehan	
Mr Gavin	Mr McDonald	(Ivanhoe)	
Mr Gray	Mr Mathews	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Micallef	(Ballarat South)	Mr Newton
Mr Hassett	Mr Miller	Mr Sidiropoulos	Mr Norris

NOTE—Bold type denotes insertion or substitution by amendment.

NOES, 22

Mr Austin	Mr Evans	Mrs Patrick	Mr Whiting
Mr Brown	(<i>Gippsland East</i>)	Mr Ramsay	Mr Williams
Mr Burgin	Mr Jasper	Mr Reynolds	
Mr Delzoppo	Mr Jona	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Ross-Edwards	Mr Ebery
(<i>Ballarat North</i>)	Mr McGrath	Mrs Sibree	Mr McNamara
	Mr McKellar	Mr Tanner	

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 16
—

Wednesday, 25 May 1983

No. 1—LIQUOR CONTROL BILL—Clause 8.

Sections 11A and 104 (6) of the Principal Act shall be repealed.

—(Mr Cathie)

Question—That clause 8 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 63

Mr Austin	Mr Hassett	Mr Mathews	Mr Sheehan
Mr Brown	Mrs Hill	Mr Miller	(Ballarat South)
Mr Burgin	Mr Hill	Mr Norris	Mrs Sibree
Mr Cain	Mr Hockley	Mr Pope	Mr Sidiropoulos
Miss Callister	Mr Ihlein	Mr Ramsay	Mr Simmonds
Mr Cathie	Mr Jolly	Mrs Ray	Mr Simpson
Dr Coghill	Mr Jona	Mr Remington	Mr Spyker
Mr Crabb	Mr Kempton	Mr Reynolds	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Richardson	Mrs Toner
Mr Delzoppo	Mr Kennett	Mr Roper	Mr Trezise
Mr Dickinson	Mr Kirkwood	Mr Rowe	Mr Walsh
Mr Ebery	Mr Leigh	Mr Saltmarsh	
Mr Ernst	Mr Lieberman	Mr Seitz	
Mr Fogarty	Mr McCutcheon	Mrs Setches	
Mr Fordham	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr McKellar	(Ivanhoe)	Mr Gavin
Mr Harrowfield	Mr Maclellan	Mr Shell	Mr Williams

NOES, 8

Mr Evans	Mr Jasper	Mr Steggall	<i>Tellers</i>
(Gippsland East)	Mr Ross-Edwards	Mr Whiting	Mr McGrath
Mr Hann			Mr Wallace

And so it was resolved in the affirmative.

No. 2—Clause 9, *as amended*.

Section 26 of the Principal Act shall be amended as follows:

(a) In paragraph (e) of sub-section (1)—

- (i) for the word “three” there shall be substituted the word “four”;
- (ii) for the word “ten” where first occurring there shall be substituted the words “half-past eleven”; and
- (iii) after the words “Sunday and” there shall be inserted the words “between the hours of twelve noon and three in the afternoon and between the hours of six and ten in the evening”;

(b) The word “and” at the end of sub-section (1) (f) shall be repealed;

(c) At the end of sub-section (1) there shall be inserted the following expression:

“and

(h) where a permit under sub-section (2) is in force for the purposes of this paragraph subject to and in accordance with the permit

on a Sunday for consumption on the premises during the periods specified in the permit.”;

(d) After sub-sections (1B) there shall be inserted the following sub-sections:

“(1C) The Commission shall not grant an hotelkeeper’s licence to a corporation where that corporation holds, at the time of application for the licence, more than 8 per centum of the hotelkeeper’s licences issued.

(1D) For the purposes of sub-section (1C) a corporation shall be deemed to be the holder of an hotelkeeper’s licence where that licence is held by a related corporation.”;

(e) In sub-section (2) for the expression “and (g)” there shall be substituted the expression “, (g) and (h)”;

(f) After sub-section (3) there shall be inserted the following sub-sections:

“(3A) The Commission shall not grant a permit authorising the licensee to sell and dispose of liquor on a Sunday on the premises specified in the licence for more than two periods, each of two hours, being periods between the hours of twelve noon and eight in the evening and where more than one period is authorized the periods must be separated by not less than two hours.

(3B) The Commission shall not grant a permit under paragraph (h) of sub-section (1) unless it is satisfied—

(a) that there is a * * * demand for the supply and disposal of liquor on a Sunday in the locality in which the licensed premises are situated; and

(b) that persons residing or worshipping in the vicinity of the licensed premises will not be unduly inconvenienced as a result of the granting of the permit.”.

—(Mr Cathie)

Question—That clause 9, as amended, stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 63

Mr Austin	Mr Hassett	Mr Mathews	Mr Sheehan
Mr Brown	Mrs Hill	Mr Miller	(Ballarat South)
Mr Burgin	Mr Hill	Mr Norris	Mr Shell
Mr Cain	Mr Hockley	Mr Pope	Mrs Sibree
Miss Callister	Mr Ihlein	Mr Ramsay	Mr Sidiropoulos
Mr Cathie	Mr Jolly	Mrs Ray	Mr Simmonds
Dr Coghill	Mr Jona	Mr Remington	Mr Simpson
Mr Crabb	Mr Kempton	Mr Reynolds	Mr Spyker
Mr Culpin	Mr Kennedy	Mr Richardson	Mr Stirling
Mr Delzoppo	Mr Kennett	Mr Roper	Mrs Toner
Mr Dickinson	Mr Kirkwood	Mr Rowe	Mr Trezise
Mr Ebery	Mr Leigh	Mr Saltmarsh	Mr Walsh
Mr Ernst	Mr Lieberman	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr McCutcheon	Mrs Setches	Tellers
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Gavin
Mr Gray	Mr McKellar	(Ivanhoe)	Mr Williams
Mr Harrowfield	Mr Maclellan		

NOES, 8

Mr Evans	Mr Jasper	Mr Steggall	Tellers
(Gippsland East)	Mr Ross-Edwards	Mr Whiting	Mr McGrath
Mr Hann			Mr Wallace

And so it was resolved in the affirmative.

NOTE—* * * denotes omission by amendment.

No. 3—Clause 29.

For sub-section (5) of section 58 of the Principal Act there shall be substituted the following sub-section:

“(5) An objection to the renewal of a licence may be made by—

- (a) the Equal Opportunity Board on any ground specified in sub-section (2) or on the ground that the members of the Board are of the opinion that an act of discrimination to which the *Equal Opportunity Act 1977* applies has been performed by the licensee; or
- (b) the Federated Liquor and Allied Industries Employees Union on any ground specified in sub-section (2) or on the ground that the Applicant has failed to observe the terms and conditions of an award relevant to his employees or that he has failed to comply with the provisions of the *Industrial Relations Act 1979* or any regulations made under that Act.”.

—(Mr Cathie)

Question—That clause 29 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Miss Callister	Mrs Hill	Mr Pope	Mr Spyker
Mr Cathie	Mr Hill	Mrs Ray	Mr Stirling
Dr Coghill	Mr Hockley	Mr Remington	Mrs Toner
Mr Crabb	Mr Ihlein	Mr Roper	Mr Trezise
Mr Culpin	Mr Jolly	Mr Rowe	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr Kirkwood	Mrs Setches	
Mr Fordham	Mr McCutcheon	Mr Sheehan	
Mr Gavin	Mr McDonald	(Ballarat South)	Tellers
Mr Gray	Mr Mathews	Mr Sidiropoulos	Mr Sheehan
Mr Harrowfield	Mr Miller	Mr Simmonds	(Ivanhoe)
Mr Hassett	Mr Norris	Mr Simpson	Mr Shell

NOES, 26

Mr Austin	Mr Hann	Mrs Patrick	Mr Whiting
Mr Brown	Mr Jasper	Mr Ramsay	Mr Williams
Mr Burgin	Mr Jona	Mr Reynolds	
Mr Delzoppo	Mr Kempton	Mr Richardson	
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	Tellers
Mr Ebery	Mr Lieberman	Mr Saltmarsh	Mr Leigh
Mr Evans	Mr McKellar	Mrs Sibree	Mr Wallace
(Gippsland East)	Mr Maclellan		

And so it was resolved in the affirmative.

No. 4—Clause 33.

For section 96 of the Principal Act there shall be substituted the following section:

“96. (1) A licensee other than the holder of a club licence shall not let or sub-let any bar-room or the right to sell liquor on the licensed premises.

Penalty: 2 penalty units.

(2) A licensee shall—

- (a) be the proprietor of any business involving the supply of food and liquor or accommodation which is carried on on the licensed premises; and
- (b) be the employer of any person employed in the carrying on of that business—

unless the licensee has obtained the consent of the Commission not to do so.

Penalty: 2 penalty units.

(3) An application for the consent under sub-section (2) shall—

(a) be in the prescribed form; and

(b) be made in the manner prescribed for an application for the grant of an annual permit by section 56A and shall be subject to objections which may be made in the manner prescribed for objections to the grant of annual permits by section 56B.

(4) A consent under sub-section (2)—

(a) shall be subject to the terms, conditions, restrictions and limitations imposed by the Commission; and

(b) shall be valid for the period specified in the consent."

—(Mr Cathie)

Question—That clause 33 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 38

Miss Callister	Mr Hill	Mr Remington	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Kennedy	Mr Rowe	Mr Trezise
Mr Crabb	Mr Kirkwood	Mr Seitz	Mr Walsh
Mr Culpin	Mr McCutcheon	Mrs Setches	
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(Ballarat South)	
Mr Gray	Mr Miller	Mr Sidiropoulos	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Sheehan
Mr Hassett	Mr Pope	Mr Simpson	(Ivanhoe)
Mrs Hill	Mrs Ray	Mr Spyker	Mr Shell

NOES, 24

Mr Austin	Mr Evans	Mr Lieberman	Mrs Sibree
Mr Brown	(Gippsland East)	Mr McKellar	Mr Whiting
Mr Burgin	Mr Hann	Mr Maclellan	Mr Williams
Mr Delzoppo	Mr Jasper	Mr Ramsay	
Mr Dickinson	Mr Jona	Mr Reynolds	<i>Tellers</i>
Mr Ebery	Mr Kempton	Mr Richardson	Mr Leigh
	Mr Kennett	Mr Ross-Edwards	Mr Wallace

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA

DIVISIONS IN COMMITTEE OF THE WHOLE

No. 17

Tuesday, 31 May 1983

No. 1—TRANSPORT BILL—Clause 1, *as amended*.

(1) This Act may be cited as the *Transport Act* 1983.

(2) The several provisions of this Act shall come into operation or be deemed to have come into operation as follows:

(a) Section 246 shall be deemed to have come into operation on 5 May 1983;

(b) Division 7 of Part VI. shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the Government Gazette; and

(c) The remaining provisions of this Act shall come into operation on 1 July 1983.

(3) This Act is divided into Parts and Divisions as follows:

Part I.—Preliminary ss. 1-2.

Part II.—Administration ss. 3-37.

Division 1—The Ministry of Transport ss. 3-7.

Division 2—The Victorian Transport Directorate and the Victoria Transport Borrowing Agency ss. 8-12.

Division 3—Establishment of the Authorities ss. 13-20.

Division 4—General Provisions ss. 21-33.

Division 5—Other Boards and Committees ss. 34-37.

Part III.—Powers of the Authorities and the Agency ss. 38-56.

Part IV.—Financial ss. 57-81.

Division 1—Budgets and Accounts ss. 57-67.

Division 2—Borrowing Powers ss. 68-81.

Part V.—The Victorian Transport Service ss. 82-85.

Part VI.—Traffic Regulation, Registration and Licensing ss. 86-207.

Division 1—General Provisions ss. 86-91.

Division 2—Traffic Regulation ss. 92-97.

Division 3—Recreation Vehicles ss. 98-118.

Division 4—Road Transport Licensing Tribunal ss. 119-137.

Division 5—Commercial Passenger Vehicles ss. 138-162.

Division 6—Private Omnibuses ss. 163-166.

Division 7—Hire and Drive Omnibuses ss. 167-170.

Division 8—Tow Trucks ss. 171-185.

Division 9—Commercial Goods Vehicles ss. 186-197.

Division 10—Passenger Ferry Services ss. 198-207.

Part VII.—Prosecutions, Enforcement and Penalties ss. 208-230.

Division 1—Interpretations s. 208.

Division 2—Infringements ss. 209-215.

Division 3—Enforcement Provisions ss. 216-220.

Division 4—Offences and Penalties ss. 221-228.

Division 5—Prosecutions and Evidentiary Provisions ss. 229-230.

NOTE—Bold type denotes substitution by amendment.

Part VIII.—Miscellaneous and Transitional ss. 231–256.

Division 1—Transfer of Powers Functions Assets Liabilities and Staff ss. 231–246.

Division 2—Miscellaneous ss. 247–256.

Schedule 1—Provisions Applicable to the Agency and the Authorities.

Schedule 2—Particular Powers of Authorities.

Schedule 3—Further Particular Powers of State Transport Authority and Metropolitan Transit Authority.

Schedule 4—Further Particular Powers of Road Construction Authority.

Schedule 5—Provisions with respect to Roads.

Schedule 6—Fees on Transfer of Commercial Passenger Vehicle Licences.

Schedule 7—Covenants to be included in Deed of Assignment.

Schedule 8—Classes, Kinds or Descriptions of Goods.

Schedule 9—Prescribed Penalties for certain Traffic Infringements.

Schedule 10—Offences in respect of which Transport Infringement Notices may be served.

Schedule 11—Repeals.

Schedule 12—Amendments to other Acts.

—(Mr Crabb)

Motion made and question—That the Chairman do report progress and ask for leave to sit again (Mr Ramsay)—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 27

Mr Brown	Mr Leigh	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Lieberman	Mr Richardson	Mr Williams
Mr Dickinson	Mr McGrath	Mr Ross-Edwards	
Mr Ebery	Mr McKellar	Mr Saltmarsh	
Mr Evans	Mr McNamara	Mrs Sibree	
(Gippsland East)	Mr Maclellan	Mr Stegall	Tellers
Mr Hann	Mrs Patrick	Mr Templeton	Mr Burgin
Mr Kennett	Mr Ramsay	Mr Wallace	Mr Jasper

NOES, 45

Mr Cain	Mr Hassett	Mr Newton	Mr Sidiropoulos
Miss Callister	Mrs Hill	Mr Norris	Mr Simmonds
Mr Cathie	Mr Hill	Mr Pope	Mr Simpson
Mr Coghill	Mr Hockley	Mrs Ray	Mr Spyker
Mr Crabb	Mr Ihlein	Mr Remington	Mr Stirling
Mr Culpin	Mr Jolly	Mr Roper	Mrs Toner
Mr Ernst	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mr Seitz	Mr Wilkes
Mr Fordham	Mr McDonald	Mrs Setches	Tellers
Mr Gavin	Mr Mathews	Mr Sheehan	Mr McCutcheon
Mr Gray	Mr Micallef	(Ivanhoe)	Mr Sheenan
Mr Harrowfield	Mr Miller	Mr Shell	(Ballarat South)

And so it passed in the negative.

Wednesday, 1 June 1983

No. 2—MINES (AMENDMENT) BILL (No. 2)—Clause 2.

(1) Section 3 (1) of the Principal Act is amended as follows:

(a) After the interpretation of “Applicant” there shall be inserted the following interpretation:

“Chief Mining Inspector” means—

(a) the person for the time being nominated to perform the duties of the Chief Mining Inspector pursuant to section 413; and

- (b) in relation to any power or function of the person nominated as Chief Mining Inspector under section 413 which is delegated in accordance with this Act to another person—the person to whom the power or function is delegated.’;
- (b) For the interpretation of “Claim” there shall be substituted the following interpretation:

“‘Claim” means a parcel of Crown land for the time being registered as a claim in accordance with the provisions of this Part and the regulations.’;

[Sub-clauses (1) (c) to (n), (2) and (3) not printed.]

—(Mr Mathews)

Amendment proposed—That the words “for the time being registered as a claim in accordance with the provisions of this Part and the regulations” be omitted with the view of inserting in place thereof the words “which any holder of a miner’s right has taken possession of subject to the provisions of this Act and in accordance with the regulations and is entitled to occupy for mining purposes upon registration, but does not include any land comprised in any development or mining lease or in any application for a development or mining lease”.

—(Mr Ebery)

Question—That the words proposed to be omitted stand part of the clause—put.
(Chairman—Mr Wilton)

AYES, 50

Miss Callister	Mrs Hill	Mr Newton	Mr Simmonds
Mr Cathie	Mr Hill	Mr Norris	Mr Simpson
Dr Coghill	Mr Hockley	Mr Pope	Mr Spyker
Mr Crabb	Mr Ihlein	Mrs Ray	Mr Steggall
Mr Culpin	Mr Jasper	Mr Roper	Mr Stirling
Mr Ernst	Mr Jolly	Mr Ross-Edwards	Mrs Toner
Mr Evans	Mr Kennedy	Mr Rowe	Mr Trezise
(Gippsland East)	Mr Kirkwood	Mr Seitz	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mrs Setches	Mr Whiting
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr McNamara	(Ivanhoe)	
Mr Gray	Mr Mathews	Mr Sheehan	Tellers
Mr Harrowfield	Mr Micallef	(Ballarat South)	Mr McGrath
Mr Hassett	Mr Miller	Mr Shell	Mr Sidiropoulos

NOES, 18

Mr Brown	Mr Jona	Mr Ramsay	Mr Templeton
Mr Burgin	Mr Kempton	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Saltmarsh	Tellers
Mr Dickinson	Mr McKellar	Mrs Sibree	Mr Leigh
Mr Ebery	Mr Maclellan		Mr Reynolds

And so it was resolved in the affirmative.

No. 3—Clause 14.

After section 20 of the Principal Act there shall be inserted the following sections:

[Proposed new section 21 and section 21A (1) to (7) not printed.]

(8) All claims registered in respect of land covered by or applied for as an exploration licence shall be restricted to a depth of 25 metres below the surface, unless on application under sub-section (9) a greater depth limit is determined.

(9) The owner of a claim which includes any part of the land covered by a licence, whether granted before or after the commencement of the

Mines (Amendment) Act 1983, may at any time during the currency of the licence and in accordance with the regulations apply in respect of the whole or a specified part of the land constituting the claim to the mining warden for a hearing mentioned in sub-section (10).

(10) On application under sub-section (9) the mining warden after hearing the applicant and the holder of the licence and if he is satisfied that the present or projected operations of the owner of the claim would not reasonably be likely to be able to be carried out unless mining at a greater depth than 25 metres below the surface is conducted and that the area in respect of which the application for hearing is made is available for inclusion in the claim shall report to the Minister and may make recommendations concerning the depth limitation to which the claim should be subject, and the Minister after considering the report and any recommendations of the mining warden and any submissions to him by the owner of the claim or the holder of the licence may make an order in respect of the whole or part only of the land to which the application under sub-section (9) relates extending the depth to which the owner of the claim may work the claim, and the registration of that land as a claim shall be varied accordingly but at a hearing under this sub-section and in making an order or recommendation under this sub-section the Minister and the mining warden shall have regard only to evidence or submissions produced by the owner of the claim or the licensee which is or are relevant to the grounds on which the application under sub-section (9) is made.

[Proposed new section 21A (11) to (33) not printed.]

—(Mr Mathews)

Amendment proposed—That the proposed new section 21A (8) to (10) be omitted.

—(Mr Ebery)

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 50

Miss Callister	Mr Hill	Mr Pope	Mr Stirling
Mr Cathie	Mr Hockley	Mrs Ray	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Remington	Mr Trezise
Mr Crabb	Mr Jasper	Mr Roper	Mr Wallace
Mr Culpin	Mr Jolly	Mr Ross-Edwards	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Rowe	Mr Whiting
Mr Evans	Mr Kirkwood	Mrs Setches	
(Gippsland East)	Mr McCutcheon	Mr Sheehan	
Mr Fogarty	Mr McDonald	(Ivanhoe)	
Mr Fordham	Mr McNamara	Mr Sheehan	
Mr Gavin	Mr Mathews	(Ballarat South)	
Mr Gray	Mr Micallef	Mr Shell	
Mr Harrowfield	Mr Miller	Mr Simmonds	Tellers
Mr Hassett	Mr Newton	Mr Spyker	Mr McGrath
Mrs Hill	Mr Norris	Mr Steggall	Mr Sidiropoulos

NOES, 19

Mr Brown	Mr Jona	Mr Maclellan	Mr Templeton
Mr Burgin	Mr Kempton	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Richardson	Tellers
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	Mr Leigh
Mr Ebery	Mr McKellar	Mrs Sibree	Mr Reynolds

And so it was resolved in the affirmative.

No. 4—RACING (AMENDMENT) BILL—Clause 1

(1) This Act may be cited as the *Racing (Amendment) Act* 1983.

(2) In this Act the *Racing Act* 1958 is called the Principal Act.

(3) The several provisions of this Act shall come into operation on a day or the respective days to be fixed by proclamation or successive proclamations of the Governor in Council published in the *Government Gazette*.

—(Mr Trezise)

Amendment proposed—That after the expression “(3)” there shall be inserted the words “Except where otherwise provided in this Act.”

—(Mr Reynolds)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 23

Mr Brown	Mr Kennett	Mr Reynolds	Mr Templeton
Mr Burgin	Mr Leigh	Mr Richardson	Mr Wallace
Mr Delzoppo	Mr McGrath	Mr Ross-Edwards	Mr Williams
Mr Hann	Mr McKellar	Mr Saltmarsh	<i>Tellers</i>
Mr Jasper	Mr McNamara	Mrs Sibree	Mr Dickinson
Mr Kempton	Mr Maclellan	Mr Steggall	Mr Ebery

NOES, 39

Mr Cain	Mr Harrowfield	Mr Norris	Mr Simmonds
Miss Callister	Mrs Hill	Mr Pope	Mr Spyker
Mr Cathie	Mr Hill	Mr Roper	Mr Stirling
Dr Coghill	Mr Hockley	Mr Rowe	Mrs Toner
Mr Crabb	Mr Ihlein	Mrs Setches	Mr Trezise
Mr Culpin	Mr Jolly	Mr Sheehan	Mr Walsh
Mr Ernst	Mr Kennedy	<i>(Ivanhoe)</i>	
Mr Fogarty	Mr Kirkwood	Mr Sheehan	<i>Tellers</i>
Mr Fordham	Mr McDonald	<i>(Ballarat South)</i>	Mr Hassett
Mr Gavin	Mr Micallef	Mr Shell	Mr Seitz
Mr Gray	Mr Newton	Mr Sidiropoulos	

And so it passed in the negative.

No. 5—Clause 6.

For section 7 of the Principal Act there is hereby substituted the following section:

“7. (1) The number of days on which race-meetings shall be held on a metropolitan race-course shall not exceed the number of days specified in the licence or licences granted to that race-course.

(2) The total number of days specified in licences granted to metropolitan race-courses for the holding of race-meetings for horse races shall not exceed ninety-one in any one year.

(3) Notwithstanding the provisions of sub-section (1) the Minister may before the thirty-first day of May in any year by Order published in the *Government Gazette* declare that from the number of race-meetings for horse races specified in the licence as the maximum allowed in respect of Sandown race-course or Caulfield race-course there shall for that year be transferred a number not exceeding six to the number of such meetings specified in respect of Caulfield race-course or Sandown race-course (as the case may be), and on such declaration the licences of the respective race-courses shall for that year be deemed to be altered accordingly.

(4) Notwithstanding the provision of sub-section (1), in addition to the number of race-meetings specified in a licence, there may be held on a metropolitan race-course—

- (a) race-meetings for charitable or benevolent purposes on three days in each year, race-meetings on at least two of these days to be held on the Moonee Valley race-course; and
- (b) with the consent of the owners or trustees of the race-course, race-meetings on two days in each year conducted by one or more of the Findon Harriers' Hunt Club, Melbourne Hunt Club, Oaklands Hunt Club and Yarra Glen and Lilydale Hunt Club for the benefit of such of the said Hunt Clubs as the Minister determines."

—(Mr Trezise)

Amendment proposed—That the word "ninety-one" in proposed sub-section 7 (2) be omitted with the view of inserting in place thereof the word "seventy-nine";

—(Mr Reynolds)

Question—That the word proposed to be omitted stand part of the clause—put.

(Chairman—Mr Wilton)

AYES, 38

Mr Cain	Mrs Hill	Mr Pope	Mr Spyker
Miss Callister	Mr Hill	Mr Roper	Mr Stirling
Mr Cathie	Mr Hockley	Mr Rowe	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Sheehan	Mr Trezise
Mr Crabb	Mr Jolly	(Ivanhoe)	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Sheehan	
Mr Fogarty	Mr Kirkwood	(Ballarat South)	
Mr Fordham	Mr McDonald	Mr Shell	
Mr Gavin	Mr Micallef	Mr Sidiropoulos	Tellers
Mr Gray	Mr Newton	Mr Simmonds	Mr Hassett
Mr Harrowfield	Mr Norris	Mr Simpson	Mr Seitz

NOES, 24

Mr Brown	Mr Leigh	Mr Richardson	Mr Wallace
Mr Burgin	Mr Lieberman	Mr Ross-Edwards	Mr Williams
Mr Delzoppo	Mr McGrath	Mr Saltmarsh	
Mr Dickinson	Mr McKellar	Mrs Sibree	
Mr Hann	Mr McNamara	Mr Steggall	Tellers
Mr Kempton	Mr Maclellan	Mr Templeton	Mr Ebery
Mr Kennett	Mr Reynolds		Mr Jasper

And so it was resolved in the affirmative.

No. 6—Clause 11.

Paragraph (d) of section 33 of the Principal Act is hereby repealed.

—(Mr Trezise)

Question—That clause 11 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 36

Miss Callister	Mrs Hill	Mr Pope	Mr Simpson
Mr Cathie	Mr Hill	Mr Roper	Mr Spyker
Dr Coghill	Mr Hockley	Mr Rowe	Mr Stirling
Mr Crabb	Mr Ihlein	Mr Sheehan	Mrs Toner
Mr Ernst	Mr Jolly	(Ballarat South)	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fordham	Mr McDonald	(Ivanhoe)	
Mr Gavin	Mr Micallef	Mr Shell	Tellers
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr Hassett
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Seitz

NOES, 25

Mr Brown	Mr Kempton	Mr Maclellan	Mr Templeton
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Wallace
Mr Delzoppo	Mr Leigh	Mr Richardson	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Evans	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McKellar	Mrs Sibree	Mr Ebery
Mr Hann	Mr McNamara	Mr Steggall	Mr Jasper

And so it was resolved in the affirmative.

Thursday, 2 June 1983

No. 7—CONSTITUTION (DURATION OF PARLIAMENT) BILL—Clause 1.

(1) This Act may be cited as the *Constitution (Duration of Parliament) Act 1983*.

(2) This Act shall come into operation on the day upon which it receives the Royal Assent.

—(*Mr Simpson*)

Amendment proposed—That the words “the day upon which it receives the Royal Assent” be omitted with the view of inserting in place thereof “14 October 1984”.

—(*Mr Simpson*)

Further amendment proposed—That words “the day upon which it receives the Royal Assent” be omitted with the view of inserting in place thereof “1 January 1985”.

—(*Mr Maclellan*)

[*The words having been omitted the Chairman ruled that pursuant to Standing Order No. 82 the amendments proposed to insert certain dates shall be moved so that the longest time shall first be put to the question.*]

Question—That the expression (1 January 1985) proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 23

Mr Austin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Brown	Mr Kempton	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Leigh	Mr Reynolds	
Mr Dickinson	Mr Lieberman	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr McGrath	Mr Ross-Edwards	Mr Burgin
Mr Evans	Mr McKellar	Mr Saltmarsh	Mr Jasper
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	

NOES, 43

Mr Cain	Mr Hassett	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Stirling
Dr Coghill	Mr Jolly	Mr Seitz	Mrs Toner
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Ernst	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gavin	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Sidiropoulos	Mr Hockley
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Norris

And so it passed in the negative.

Question—That the expression (14 October 1984) proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hassett	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Stirling
Dr Coghill	Mr Jolly	Mr Seitz	Mrs Toner
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Ernst	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gavin	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Sidiropoulos	Mr Hockley
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Norris

NOES, 23

Mr Austin	Mr Evans	Mr Maclellan	Mr Steggall
Mr Brown	(<i>Gippsland East</i>)	Mr Ramsay	Mr Templeton
Mr Burgin	Mr Hann	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Richardson	<i>Tellers</i>
Mr Dickinson	Mr Leigh	Mr Ross-Edwards	Mr Jasper
Mr Ebery	Mr Lieberman	Mr Saltmarsh	Mr McKellar
	Mr McNamara		

And so it was resolved in the affirmative.

No. 9—Clause 5.

For section 38 of the Principal Act there shall be substituted the following section:

“38. (1) The Assembly which is in existence at the commencement of the *Constitution (Duration of Parliament) Act 1983* shall continue until 27 April 1985 unless sooner dissolved by the Governor.

(2) The Assembly (other than the Assembly to which sub-section (1) applies) shall exist and continue for four years from the day of its first meeting after a general election unless sooner dissolved by the Governor.”.

—(*Mr Simpson*)

Question—That clause 5 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hassett	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Stirling
Dr Coghill	Mr Jolly	Mr Seitz	Mrs Toner
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Ernst	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(<i>Ballarat South</i>)	
Mr Gavin	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Sidiropoulos	Mr Hockley
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr Norris

NOES, 23

Mr Austin	Mr Evans	Mr Maclellan	Mr Steggall
Mr Brown	(<i>Gippsland East</i>)	Mr Ramsay	Mr Templeton
Mr Burgin	Mr Hann	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Richardson	<i>Tellers</i>
Mr Dickinson	Mr Leigh	Mr Ross-Edwards	Mr Jasper
Mr Ebery	Mr Lieberman	Mr Saltmarsh	Mr McKellar
	Mr McNamara		

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—
No. 18
 —

Tuesday, 14 June 1983

No. 1—STATE BOARD OF EDUCATION BILL—Clause 2.

- (1) In this Act, unless inconsistent with the context or subject-matter—
 “Board” means the State Board of Education established under this Act.
 “Chairman” means Chairman of the Board.
 “Deputy Chairman” means Deputy Chairman of the Board.
 “Director-General” means Director-General of Education.
 “Government school” means a school conducted by or on behalf of the State of Victoria.
 “Non-government school” means a school other than a government school.
 “School” means a school or similar institution, being a school or institution at which primary education or full-time secondary education or both is or are provided or at which education is provided which includes primary education or secondary education or both, but does not include a school or similar institution conducted for the profit, whether direct or indirect, of any person.

(2) A reference in this Act to schools shall, unless inconsistent with the context or subject-matter, be read as a reference to both government and non-government schools.

—(Mr Fordham)

Amendment proposed—That the word “both” (where first occurring) in the interpretation of “School” be omitted with the view of inserting in place thereof the words “technical education or all or any of them”.

—(Mr Hann)

Question—That the word proposed to be omitted stand part of the clause—put. Committee divided.

(Chairman—Mr Wilton)

AYES, 38

Mr Cain	Mr Hassett	Mr Micallef	Mr Trezise
Miss Callister	Mrs Hill	Mr Newton	Mr Walsh
Mr Cathie	Mr Hill	Mr Norris	Mr Wilkes
Dr Coghill	Mr Hockley	Mr Pope	
Mr Crabb	Mr Ihlein	Mrs Ray	
Mr Culpin	Mr Jolly	Mr Seitz	
Mr Ernst	Mr Kennedy	Mrs Setches	
Mr Fogarty	Mr Kirkwood	Mr Sidiropoulos	<i>Tellers</i>
Mr Fordham	Mr McCutcheon	Mr Simpson	Mr Sheehan
Mr Gray	Mr McDonald	Mr Stirling	(<i>Ivanhoe</i>)
Mr Harrowfield	Mr Mathews	Mrs Toner	Mr Shell

NOES, 29

Mr Austin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Brown	Mr Jona	Mrs Patrick	Mr Wallace
Mr Burgin	Mr Kempton	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Richardson	
Mr Ebery	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Jasper
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	Mr Leigh

And so it was resolved in the affirmative.

No. 2—Clause 4.

(1) The Board shall consist of not more than fourteen members appointed by the Governor in Council on the nomination of the Minister.

(2) Of the members for the time being of the Board—

- (a) one, who may be a full-time or part-time member, shall be appointed as Chairman;
- (b) two, who shall be full-time members, shall be appointed as Deputy Chairmen;
- (c) the Director-General shall be *ex officio* a part-time member; and
- (d) the remaining members shall be part-time members.

(3) Of the members appointed as Deputy Chairmen—

- (a) one shall be a person who is representative of teachers; and
- (b) one shall be a person who is representative of school councils or parents.

(4) The part-time members shall be persons who, in the opinion of the Minister, are representative of the interests of parents, principals, teachers, school councils, government schools, post-secondary education institutions, non-government schools, persons of particular ethnic backgrounds or other similar group or organization in the community.

(5) The Minister, before nominating persons to be appointed to the Board, shall consult with such groups or organizations in the community, as he thinks fit, being groups or organizations which represent or are concerned with parents, principals, teachers, government schools, non-government schools, post-secondary education, persons of particular ethnic backgrounds or other similar group or organization in the community.

(6) The Minister, in nominating persons to be appointed to the Board, shall have regard to the desirability of having a reasonable balance of men and women as members of the Board.

—(*Mr Fordham*)

Amendment proposed—That after the sub-clause (4) the following sub-clauses be inserted:

“() At least half of the part-time members of the Board shall be persons who are not professional people in education.

() Sub-section (5) does not apply to or in relation to the first appointments of part-time members of the Board after the commencement of this Act.”

—(*Mr Hann*)

Question—That the sub-clauses proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 29

Mr Austin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Brown	Mr Jona	Mrs Patrick	Mr Wallace
Mr Burgin	Mr Kempton	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Richardson	
Mr Ebery	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Jasper
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	Mr Leigh

NOES, 39

Mr Cain	Mr Hassett	Mr Micallef	Mrs Toner
Miss Callister	Mrs Hill	Mr Newton	Mr Trezise
Mr Cathie	Mr Hill	Mr Norris	Mr Walsh
Dr Coghill	Mr Hockley	Mr Pope	Mr Wilkes
Mr Crabb	Mr Ihlein	Mrs Ray	
Mr Culpin	Mr Jolly	Mr Seitz	
Mr Ernst	Mr Kennedy	Mrs Setches	<i>Tellers</i>
Mr Fogarty	Mr Kirkwood	Mr Sidiropoulos	Mr Sheehan
Mr Fordham	Mr McCutcheon	Mr Simmonds	(<i>Ivanhoe</i>)
Mr Gray	Mr McDonald	Mr Simpson	Mr Shell
Mr Harrowfield	Mr Mathews	Mr Stirling	

And so it passed in the negative.

No. 3—POST-SECONDARY EDUCATION (AMENDMENT) BILL—Clause 8, *as amended*.

After section 39 of the Principal Act there shall be inserted the following heading and Part:

“PART III.— TECHNICAL AND FURTHER EDUCATION

[*Proposed new sections 40–64 not printed*]

65. (1) In this section and in sections 66 and 67—

“Appointed day” means the day declared by the Governor in Council by proclamation published in the *Government Gazette* to be the appointed day for the purposes of this Part.

“Relevant position” means a teaching position which exists on the appointed day at a technical and further education college and in relation to which there is not in force on the appointed day a proclamation made under sub-section (2) declaring it to be a position which is not a relevant position.

(2) The Governor in Council may declare by proclamation published in the *Government Gazette* before the appointed day that any teaching position or any teaching position of a specified class or description of teaching positions which exists on the day of the proclamation or any teaching position which exists on the day of the proclamation at a specified technical and further education college is not a relevant position for the purposes of this Part.

(3) Where—

(a) there is in force on the appointed day a proclamation made under sub-section (2) declaring that a teaching position is not a relevant position the Governor in Council may at any time after the appointed day; or

- (b) at any time Schedule 3 is amended by inserting therein the name of an existing or proposed institution at which persons are or are to be employed in teaching positions the Governor in Council may at any time after that name is inserted—

declare by proclamation published in the *Government Gazette* that section 66 shall apply from a date fixed in the proclamation to any such teaching position as if that date were the appointed day and as if the position were a relevant position, and section 66 shall so apply.

(4) A proclamation under sub-section (2) or sub-section (3) may be like proclamation be amended or revoked.

[Proposed new sections 66–130 not printed]

—(Mr Fordham)

Amendment proposed—That the words “a teaching position which exists on the appointed day at a technical and further education college” in the interpretation of “Relevant position” in proposed new section 65 (1) be omitted with the view of inserting in place thereof the following expression:

“—

- (a) a full-time teaching position which exists on the appointed day at a technical and further education college which is listed in Part A of Schedule 3; or
- (b) a full-time teaching position which exists on the appointed day at a technical and further education college which is listed in Part B of Schedule 3 where the person holding that position is employed otherwise than by the governing body of the college—”.

—(Mr Jona)

Question—That the words proposed to be omitted stand part of the clause—put. Committee divided.

(Chairman—Mr Wilton)

AYES, 38

Miss Callister	Mrs Hill	Mr Newton	Mrs Toner
Mr Cathie	Mr Hill	Mrs Ray	Mr Trezise
Dr Coghill	Mr Hockley	Mr Seitz	Mr Walsh
Mr Crabb	Mr Ihlein	Mrs Setches	Mr Wilkes
Mr Culpin	Mr Jolly	Mr Sheehan	
Mr Ernst	Mr Kennedy	(<i>Ivanhoe</i>)	
Mr Fogarty	Mr Kirkwood	Mr Shell	
Mr Fordham	Mr McCutcheon	Mr Sidiropoulos	
Mr Gray	Mr McDonald	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Mathews	Mr Simpson	Mr Norris
Mr Hassett	Mr Micallef	Mr Stirling	Mr Pope

NOES, 27

Mr Austin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Brown	Mr Jasper	Mrs Patrick	Mr Wallace
Mr Burgin	Mr Jona	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Reynolds	
Mr Evans	Mr Kennett	Mr Richardson	
(<i>Ballarat North</i>)	Mr Leigh	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McGrath	Mrs Sibree	Mr Dickinson
(<i>Gippsland East</i>)	Mr McKellar	Mr Steggall	Mr McNamara

And so it was resolved in the affirmative.

Wednesday, 15 June 1983

No. 4—HOSPITALS AND CHARITIES (COMMITTEES OF MANAGEMENT) BILL—Clause 4.

After section 43A of the Principal Act there shall be inserted the following sections:

'43AA. (1) One the members of the Committee of a community health service shall be a representative of the persons permanently employed with that community health service elected in the prescribed manner.

(2) An election under sub-section (1) shall be conducted in the manner prescribed by the regulations.

(3) A person shall not be entitled to be elected under this section as a member of a committee of community health service unless he is permanently employed with the community health service or an officer of a union or association which represents permanent employees of that community health service.

(4) The member of a committee of a community health service elected at an election under this section shall not be eligible to be President of that committee.

(5) Any rule, by-law or contract of employment which is inconsistent with this section to the extent that it is so inconsistent, shall be void.

(6) In this section "community health service" means a registered institution or benevolent society to which section 43A applies and which is prescribed as being an institution or benevolent society to which this section applies.

—(Mr Roper)

Amendment proposed—That the words "or an officer of a union or association which represents permanent employees of that community health service" in proposed new section 43AA (3) be omitted.

—(Mr Lieberman)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 36

Mr Cain	Mrs Hill	Mr Norris	Mr Simpson
Miss Callister	Mr Hill	Mr Pope	Mr Stirling
Mr Crabb	Mr Hockley	Mrs Setches	Mrs Toner
Mr Culpin	Mr Jolly	Mr Sheehan	Mr Trezise
Mr Ernst	Mr Kennedy	(Ivanhoe)	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr McCutcheon	(Ballarat South)	
Mr Gray	Mr Mathews	Mr Shell	Tellers
Mr Harrowfield	Mr Micallef	Mr Sidiropoulos	Mr McDonald
Mr Hassett	Mr Newton	Mr Simmonds	Mr Seitz

NOES, 30

Mr Austin	Mr Hann	Mr McNamara	Mr Whiting
Mr Brown	Mr Jasper	Mr Maclellan	Mr Williams
Mr Burgin	Mr Jona	Mrs Patrick	
Mr Delzoppo	Mr Kempton	Mr Ramsay	
Mr Dickinson	Mr Kennett	Mr Reynolds	
Mr Ebery	Mr Leigh	Mr Saltmarsh	
Mr Evans	Mr Lieberman	Mrs Sibree	
(Ballarat North)	Mr McGrath	Mr Steggall	Tellers
Mr Evans	Mr McKellar	Mr Templeton	Mr Richardson
(Gippsland East)			Mr Wallace

And so it was resolved in the affirmative.

No. 5—ESTATE AGENTS (RECONSTRUCTION) BILL—Clause 1.

(1) This Act may be cited as the *Estate Agents (Reconstruction) Act* 1983.

(2) In this Act the *Estate Agents Act* 1980 is called the Principal Act.

(3) This Act shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the *Government Gazette*.

—(Mr Cain)

Amendment proposed—That after the word “Act” in sub-clause (3) there be inserted the expression “other than section 5”.

—(Mr McNamara)

Question—That the expression proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 26

Mr Austin	Mr Evans	Mr McGrath	Mr Steggall
Mr Burgin	(<i>Gippsland East</i>)	Mr McKellar	Mr Templeton
Mr Delzoppo	Mr Hann	Mr McNamara	Mr Whiting
Mr Dickinson	Mr Jasper	Mr Maclellan	Mr Williams
Mr Ebery	Mr Kempton	Mrs Patrick	
Mr Evans	Mr Kennett	Mr Reynolds	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr Lieberman	Mr Richardson	Mr Leigh
		Mrs Sibree	Mr Wallace

NOES, 36

Mr Cain	Mr Hassett	Mr Newton	Mr Stirling
Miss Callister	Mrs Hill	Mr Pope	Mrs Toner
Mr Cathie	Mr Hockley	Mrs Ray	Mr Trezise
Dr Coghill	Mr Jolly	Mr Roper	Mr Wilkes
Mr Crabb	Mr Kennedy	Mr Seitz	
Mr Culpin	Mr Kirkwood	Mrs Setches	
Mr Ernst	Mr McCutcheon	Mr Shell	<i>Tellers</i>
Mr Fogarty	Mr McDonald	Mr Sidiropoulos	Mr Ihlein
Mr Gray	Mr Mathews	Mr Simmonds	Mr Sheehan
Mr Harrowfield	Mr Micallef	Mr Simpson	(<i>Ballarat South</i>)

And so it passed in the negative.

No. 6—MEDICAL PRACTITIONERS (AMENDMENT) BILL—Clause 9.

After section 27 of the Principal Act there shall be inserted the following sections:

“27A. (1) In respect of any person—

(a) applying for registration under section 20; or

(b) who is or has been qualified to practise medicine or surgery in any country other than the countries referred to in section 19, and where the Health Commission certifies to the Board that it is satisfied that the person will meet a special need for the provision of medical services to a particular ethnic community—

the Board may issue a certificate of registration subject to such limitations and restrictions upon the practice of medicine or surgery by such person and to such other conditions as the Board in any particular case specifies in the certificate.”

[Proposed new section 27A (2) to (7) and section 27B not printed]

—(Mr Roper)

Amendment proposed—That all words and expressions in proposed new section 27A (1) (a) and (b) be omitted with the view of inserting in place thereof the words “applying for registration under section 20”.

—(Mr Lieberman)

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided.

(Temporary Chairman—Mr Hockley)

AYES, 41

Mr Cain	Mr Hassett	Mr Pope	Mr Simmonds
Miss Callister	Mrs Hill	Mrs Ray	Mr Simpson
Mr Cathie	Mr Hill	Mr Roper	Mr Spyker
Dr Coghill	Mr Hockley	Mr Seitz	Mr Stirling
Mr Crabb	Mr Ihlein	Mrs Setches	Mrs Toner
Mr Culpin	Mr Jolly	Mr Sheehan	Mr Trezise
Mr Ernst	Mr Kirkwood	(Ivanhoe)	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr Mathews	(Ballarat South)	Tellers
Mr Gray	Mr Micallef	Mr Shell	Mr McCutcheon
Mr Harrowfield	Mr Newton	Mr Sidiropoulos	Mr Norris

NOES, 27

Mr Austin	Mr Hann	Mr Maclellan	Mr Whiting
Mr Burgin	Mr Jasper	Mrs Patrick	Mr Williams
Mr Delzoppo	Mr Jona	Mr Reynolds	
Mr Dickinson	Mr Kempton	Mr Richardson	
Mr Ebery	Mr Kennett	Mr Saltmarsh	
Mr Evans	Mr Lieberman	Mrs Sibree	Tellers
(Ballarat North)	Mr McGrath	Mr Steggall	Mr Leigh
Mr Evans	Mr McKellar	Mr Templeton	Mr Wallace
(Gippsland East)			

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

—————
No. 19
 —————

Wednesday, 10 August 1983

No. 1—ALPINE RESORTS BILL—Clause 5.

(1) The Alpine Resorts Commission shall consist of not more than five members appointed by the Governor in Council as having one or more of the following qualifications, namely:

- (a) Knowledge of alpine areas and the protection of alpine environments;
- (b) Experience in land management;
- (c) Experience in planning the development of large resorts;
- (d) Experience in business relevant to the functions of the Commission;
- (e) Knowledge of sports and other recreations pursued in alpine areas.

(2) The Governor in Council shall appoint one of the members of the Commission to be chairman of the Commission and another member to be deputy chairman.

(3) Where any member of the Commission is absent from Victoria or through illness or any other reason is incapable of discharging his duties as a member or in the event of the office of such a member becoming vacant the Governor in Council may appoint a person to act in the place of the member for a period of not more than twelve months or the Minister may appoint a person to act in the place of the member for a period of not more than three months.

—(Mr Cathie)

Amendment proposed—That after sub-clause (1) there be inserted the following sub-clauses:

“() One of the members of the Commission shall be appointed from a panel of two names submitted to the Minister by the body known as the Alpine Chamber of Commerce.

() If the Alpine Chamber of Commerce fails to submit a panel of names to the Minister within 28 days after being requested in writing by the Minister so to do the Governor in Council may appoint some otherwise eligible person.”.

—(Mr McNamara)

Question—That the sub-clauses proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 8

Mr Hann	Mr Ross-Edwards	Mr Wallace	<i>Tellers</i>
Mr McNamara	Mr Steggall	Mr Whiting	Mr Jasper
			Mr McGrath

NOES, 63

Mr Austin	Mr Hassett	Mr Norris	Mr Sidiropoulos
Mr Brown	Mr Hill	Mrs Patrick	Mr Simmonds
Mr Burgin	Mr Hockley	Mr Pope	Mr Simpson
Miss Callister	Mr Ihlein	Mr Ramsay	Mr Spyker
Mr Cathie	Mr Kennedy	Mrs Ray	Mr Stirling
Dr Coghill	Mr Kennett	Mr Reynolds	Mr Tanner
Mr Culpin	Mr Kirkwood	Mr Richardson	Mr Templeton
Mr Delzoppo	Mr Leigh	Mr Roper	Mrs Toner
Mr Dickinson	Mr Leiberman	Mr Rowe	Mr Trezise
Mr Ebery	Mr McCutcheon	Mr Seitz	Dr Vaughan
Mr Ernst	Mr McDonald	Mrs Setches	Mr Walsh
Mr Evans	Mr McKellar	Mr Sheehan	Mr Wilkes
(Ballarat North)	Mr Maclellan	(Ivanhoe)	Mr Williams
Mr Fogarty	Mr Mathews	Mr Sheehan	<i>Tellers</i>
Mr Fordham	Mr Micallef	(Ballarat South)	Mr Gray
Mr Gavin	Mr Miller	Mr Shell	Mr Kempton
Mr Harrowfield	Mr Newton	Mrs Sibree	

And so it passed in the negative.

No. 2—Clause 8, *as amended*.

(1) Subject to the direction and control of the Minister the objects of the Commission shall be—

- (a) to plan the proper establishment, development, promotion and use of alpine resorts having regard to environmental ecological and safety considerations and so as to encourage their use in all seasons of the year;
- (b) to undertake the orderly establishment, continuation and **development** of—
 - (i) alpine resorts;
 - (ii) a range of tourist accommodation and other facilities and services for tourists which will encourage all persons irrespective of their income to use and enjoy alpine resorts; and
 - (iii) facilities and services for persons who live or work in alpine resorts; and
- (c) to control and manage alpine resorts and their use.

(2) The Commission shall consult with public authorities having functions or powers in alpine resorts or in lands adjoining alpine resorts which are likely to be affected by proposals of the Commission and with any persons or bodies it considers have special knowledge or experience in relation to matters of concern to the Commission in carrying out its functions.

(3) The Commission after consultation with the relevant responsible authority within the meaning of the *Town and Country Planning Act 1961* may advise the Minister administering the *Town and Country Planning Act 1961* with respect to matters arising outside any alpine resort that the Commission considers are likely to have an effect within any alpine resort or alpine resorts.

NOTE—Bold type denotes substitution by amendment.

(4) In addition to complying with State environment protection policy the Commission shall carry out its objects so as to give effect to other State Government environmental policies in the planning, construction and operation of every alpine resort.

—(Mr Cathie)

Amendment proposed—That after sub-clause (1) (b) (i) there be inserted the following sub-paragraph:

“() commercial activities in alpine resorts;”.

—(Mr McNamara)

Question—That the sub-paragraph proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 28

Mr Austin	Mr Jasper	Mrs Patrick	Mr Templeton
Mr Brown	Mr Kempton	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Leigh	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Lieberman	Mr Richardson	
Mr Dickinson	Mr McGrath	Mr Ross-Edwards	
Mr Evans	Mr McKellar	Mrs Sibree	<i>Tellers</i>
(Gippsland East)	Mr McNamara	Mr Steggall	Mr Ebery
Mr Hann	Mr Maclellan	Mr Tanner	Mr Wallace

NOES, 45

Mr Cain	Mr Hill	Mr Norris	Mr Simmonds
Miss Callister	Mr Hockley	Mrs Ray	Mr Simpson
Mr Cathie	Mr Ihlein	Mr Roper	Mr Spyker
Dr Coghill	Mr Jolly	Mr Rowe	Mr Stirling
Mr Crabb	Mr Kennedy	Mr Seitz	Mrs Toner
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Trezise
Mr Ernst	Mr McCutcheon	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr McDonald	(Ivanhoe)	Mr Walsh
Mr Fordham	Mr Mathews	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Micallef	(Ballarat South)	<i>Tellers</i>
Mr Harrowfield	Mr Miller	Mr Shell	Mr Gray
Mr Hassett	Mr Newton	Mr Sidiropoulos	Mr Pope

And so it passed in the negative.

No. 3—Clause 9.

The Commission shall have power to do all things necessary or convenient to be done for or in connexion with carrying out its objects under this Act and in particular, without in any way limiting or derogating from the generality of the foregoing provisions of this section may—

- (a) propose to the Minister areas of Crown land (not being land in a national park) to be added under this Act to existing alpine resorts or declared as further alpine resorts at places other than those specified in the Schedule;
- (b) control by the issue of leases and permits the nature and extent of development in alpine resorts and the conduct of business undertakings therein;
- (c) investigate assess and document significant environmental and ecological features in alpine resorts;
- (d) provide for the protection of significant environmental and ecological features in alpine resorts;

- (e) carry out and co-ordinate surveys, investigations and tests for determining the suitability of areas as alpine resorts;
- (f) provide information and assistance to the public regarding the proper safe and beneficial use of alpine resorts; and
- (g) publish reports and information relating to environmental and ecological features in alpine resorts and any special aspects of alpine resort development, management or improvement or activities at alpine resorts.

—(Mr Cathie)

Amendment proposed—That in paragraph (a) the words “(not being land in a national park)” be omitted.

—(Mr McNamara)

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

Committee divided.

(Chairman—Mr Wilton)

AYES, 44

Mr Cain	Mr Hill	Mr Norris	Mr Simmonds
Miss Callister	Mr Hockley	Mr Pope	Mr Simpson
Mr Cathie	Mr Ihlein	Mrs Ray	Mr Spyker
Dr Coghill	Mr Jolly	Mr Roper	Mr Stirling
Mr Crabb	Mr Kennedy	Mr Rowe	Mrs Toner
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Trezise
Mr Ernst	Mr McCutcheon	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr McDonald	(Ivanhoe)	Mr Walsh
Mr Fordham	Mr Mathews	Mr Sheehan	
Mr Gavin	Mr Micallef	(Ballarat South)	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Shell	Mr Hassett
Mr Harrowfield	Mr Newton	Mr Sidiropoulos	Mr Seitz

NOES, 29

Mr Austin	Mr Evans	Mr McGrath	Mr Tanner
Mr Brown	(Gippsland East)	Mr McKellar	Mr Templeton
Mr Burgin	Mr Hann	Mr McNamara	Mr Wallace
Mr Delzoppo	Mr Jasper	Mr Maclellan	Mr Whiting
Mr Dickinson	Mr Jona	Mr Reynolds	Mr Williams
Mr Ebery	Mr Kempton	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Kennett	Mr Ross-Edwards	Mr Leigh
(Ballarat North)	Mr Lieberman	Mrs Sibree	Mr Steggall

And so it was resolved in the affirmative.

No. 4—Clause 10.

(1) The Commission shall cause proper accounts and records of its transactions and affairs to be kept.

(2) The Commission shall at the end of each financial year prepare a statement of accounts in a form appropriate to the activities of the Commission and including such information as is necessary to give a true and fair view of the financial transactions and state of affairs of the Commission.

(3) The statement of accounts shall be audited by the Auditor-General, who shall have in respect of the accounts and records of the Commission all the powers conferred on him by any law now or hereafter in force relating to the audit of the Public Account.

(4) The Commission shall as soon as practicable after the end of each financial year and not later than the following 31 December submit to the Minister a report of its operations during the financial year together with the audited statement of accounts.

(5) The Minister shall cause the report and audited statement of accounts submitted to him under this section to be laid before both Houses of Parliament within three weeks after receiving them if Parliament is then sitting or, if Parliament is not then sitting, within three weeks after the next meeting of Parliament.

(6) The Commission shall pay each year to the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of the audit under sub-section (3).

(7) The Commission may engage a registered company auditor to carry out such intermediate inspections and audits as the Commission thinks necessary.

(8) The financial year of the Commission shall be the year ending on the last day of October in each year.

—(Mr Cathie)

Amendment proposed—That the words “showing itemized particulars of its income and expenditure at each alpine resort” be added to sub-clause (4).

—(Mr McNamara)

Question—That the words proposed to be added be so added—put.

Committee divided—put.

(Chairman—Mr Wilton)

AYES, 26

Mr Austin	Mr Hann	Mr Reynolds	Mr Williams
Mr Brown	Mr Jasper	Mr Richardson	
Mr Burgin	Mr Jona	Mr Ross-Edwards	<i>Tellers</i>
Mr Delzoppo	Mr Kempton	Mrs Sibree	Mr Leigh
Mr Dickinson	Mr Kennett	Mr Tanner	Mr Steggall
Mr Ebery	Mr McGrath	Mr Templeton	
Mr Evans	Mr McKellar	Mr Wallace	
(<i>Gippsland East</i>)	Mr McNamara	Mr Whiting	

NOES, 40

Miss Callister	Mr Hockley	Mr Pope	Mr Simpson
Mr Cathie	Mr Ihlein	Mrs Ray	Mr Spyker
Dr Coghill	Mr Jolly	Mr Rowe	Mr Stirling
Mr Crabb	Mr Kennedy	Mrs Setches	Mrs Toner
Mr Culpin	Mr Kirkwood	Mr Sheehan	Mr Trezise
Mr Ernst	Mr McCutcheon	(<i>Ivanhoe</i>)	Dr Vaughan
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Fordham	Mr Micallef	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Shell	Mr Hassett
Mr Harrowfield	Mr Newton	Mr Sidiropoulos	Mr Seitz
Mr Hill	Mr Norris	Mr Simmonds	

And so it passed in the negative.

No. 5—Clause 11.

(1) The Governor in Council shall appoint some suitable person to be the chief executive officer of the Commission with such title as the Governor in Council from time to time determines and may at any time remove any person so appointed from office.

(2) The person appointed to be chief executive officer shall be appointed for such term not exceeding five years as the Governor in Council determines before appointment and on such terms and conditions as to salary and allowances and otherwise as are fixed by the Governor in Council from time to time but upon the expiration of the term for which the chief executive office is appointed he shall be eligible for re-appointment.

(3) The person appointed to be chief executive officer shall not, by virtue only of his office as such, be subject to the *Public Service Act 1974*.

(4) The chief executive officer shall not without the consent in writing of the Commission engage in any employment otherwise than in connexion with the duties of his office.

(5) Any vacancy in the office of chief executive officer shall be filled by the Governor in Council.

(6) If a person appointed to be chief executive officer was immediately prior to his appointment an officer within the meaning of the *Superannuation Act 1958* or any corresponding previous enactment he shall notwithstanding his appointment be deemed to continue subject to that Act to be an officer within the meaning of that Act.

(7) Where the chief executive officer is absent from Victoria or through illness or any other reason he is incapable of discharging his duties as chief executive officer or in the event of the office chief executive officer becoming vacant the Governor in Council may appoint a person to act in the place of the chief executive officer for a period of not more than 12 months or the Commission may appoint a person to act in the place of the chief executive officer for a period of not more than 3 months.

—(Mr Cathie)

Amendment proposed—That after the word “shall” in sub-clause (1) there be inserted the words “after consultation with the Commission”.

—(Mr McNamara)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 30

Mr Austin	Mr Hann	Mr McNamara	Mr Templeton
Mr Brown	Mr Jasper	Mr Maclellan	Mr Whiting
Mr Burgin	Mr Jona	Mrs Patrick	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Ramsay	
Mr Dickinson	Mr Kennett	Mr Reynolds	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Richardson	Mr Ebery
(Ballarat North)	Mr Lieberman	Mr Ross-Edwards	Mr Wallace
Mr Evans	Mr McGrath	Mr Steggall	
(Gippsland East)	Mr McKellar	Mr Tanner	

NOES, 38

Mr Cain	Mr Hassett	Mr Norris	Mr Simmonds
Miss Callister	Mr Hill	Mrs Ray	Mr Simpson
Mr Cathie	Mr Hockley	Mr Roper	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Rowe	Mr Stirling
Mr Crabb	Mr Jolly	Mr Seitz	Mr Walsh
Mr Culpin	Mr Kennedy	Mrs Setches	
Mr Ernst	Mr Kirkwood	Mr Sheehan	<i>Tellers</i>
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Miller
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Pope
Mr Gavin	Mr Micallef	(<i>Ballarat South</i>)	
Mr Harrowfield	Mr Newton	Mr Shell	

And so it passed in the negative.

No. 6—Clause 16.

(1) For the purposes of this Act there shall be a Council to be called the Alpine Resorts Advisory Council.

(2) The Alpine Resorts Advisory Council shall be appointed by the Minister to represent such interests as the Minister considers should be represented on the Council and shall consist of not more than twelve persons having one or more of the following qualifications, namely:

- (a) Knowledge of alpine areas and the protection of alpine environments;
- (b) Experience in land management;
- (c) Experience in planning the development of large resorts;
- (d) Experience in business relevant to the functions of the Commission;
- (e) Knowledge of sports and other recreations pursued in alpine areas;
- (f) Any other knowledge or experience declared by the Governor in Council by notice published in the *Government Gazette* to be a relevant qualification.

(3) The Minister may at any time remove any member of the Council from office and appoint another person in his stead.

(4) Members of the Council shall be appointed for such term not exceeding three years as the Minister determines but upon the expiration of any term for which a member is appointed he shall be eligible for re-appointment.

(5) Any notice given under sub-section (2) (f) may by the like notice be revoked or varied.

—(*Mr Cathie*)

Amendment proposed—That after sub-clause (2) there be inserted the following sub-clauses:

“() Three members of the Council shall be appointed as follows:

- (a) One shall be appointed from a panel of three names submitted to the Minister by the body known as the Alpine Chamber of Commerce;
- (b) One shall be appointed from panels of three names submitted to the Minister by bodies representing lessees of land and holders of licences in alpine resorts; and
- (c) One shall be appointed from a panel of three names submitted to the Minister by the Municipal Association of Victoria.

() If any body referred to in the last preceding sub-section fails to submit a panel of names to the Minister within 28 days after being requested in writing by the Minister so to do the Minister may appoint some otherwise eligible person.”

—(*Mr McNamara*)

Question—That the sub-clauses proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 30

Mr Austin	Mr Hann	Mr McNamara	Mr Wallace
Mr Brown	Mr Jasper	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Jona	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Reynolds	
Mr Ebery	Mr Kennett	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Ross-Edwards	Mr Dickinson
(Ballarat North)	Mr Lieberman	Mrs Sibree	Mr Steggall
Mr Evans	Mr McGrath	Mr Tanner	
(Gippsland East)	Mr McKellar	Mr Templeton	

NOES, 38

Miss Callister	Mr Hill	Mr Roper	Mr Simpson
Mr Cathie	Mr Hockley	Mr Rowe	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Seitz	Mr Stirling
Mr Culpin	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr Micallef	(Ivanhoe)	
Mr Fordham	Mr Miller	Mr Sheehan	<i>Tellers</i>
Mr Gavin	Mr Newton	(Ballarat South)	Mr McCutcheon
Mr Gray	Mr Norris	Mr Shell	Mr McDonald
Mr Harrowfield	Mr Pope	Mr Sidiropoulos	
Mr Hassett	Mrs Ray	Mr Simmonds	

And so it passed in the negative.

No. 7—Clause 18.

The Council shall, when requested by the Minister or the Commission, advise the Minister on all matters concerning the establishment, protection, development, improvement, control and safe use of alpine resorts, the conduct of sporting and business activities therein and on all other matters whatsoever concerning or affecting alpine resorts.

—(Mr Cathie)

Amendment proposed—That after the word “Commission” there be inserted the words “or on its own initiative”.

—(Mr Tanner)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 31

Mr Austin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Brown	Mr Jasper	Mrs Patrick	Mr Wallace
Mr Burgin	Mr Jona	Mr Ramsay	Mr Whiting
Mr Dickinson	Mr Kempton	Mr Reynolds	Mr Williams
Mr Ebery	Mr Kennett	Mr Richardson	
Mr Evans	Mr Lieberman	Mr Ross-Edwards	
(Ballarat North)	Mr McGrath	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Steggall	Mr Delzoppo
(Gippsland East)	Mr McNamara	Mr Tanner	Mr Leigh

NOES, 40

Miss Callister	Mr Hassett	Mr Newton	Mr Simmonds
Mr Cathie	Mr Hill	Mr Norris	Mr Simpson
Dr Coghill	Mr Hockley	Mr Pope	Mr Spyker
Mr Crabb	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Culpin	Mr Jolly	Mr Roper	Dr Vaughan
Mr Ernst	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mr Seitz	
Mr Fordham	Mr McCutcheon	Mrs Setches	<i>Tellers</i>
Mr Gavin	Mr McDonald	Mr Sheehan	Mr Sheehan
Mr Gray	Mr Micallef	(Ballarat South)	(Ivanhoe)
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	Mr Shell

And so it passed in the negative.

No. 8—Clause 26.

(1) For the better administration of an alpine resort the Commission may from time to time appoint a management committee for any alpine resort and may add members to or remove members from such a committee or may disband any such committee.

(2) Every alpine resort management committee may include representatives of public authorities having responsibilities in relation to alpine resorts and a representative or representatives of each of the interests considered by the Commission to require representation on the alpine resort management committee.

(3) The persons to be appointed as representing sectional interests in an alpine resort shall be such persons as the Commission is satisfied are qualified and capable of representing those interests and, in the case of associations or organizations, may be appointed from panels of names required by the Commission to be submitted to it by the associations or organizations concerned.

(4) If for any reason any association or organization does not within 28 days after being requested in writing in that behalf by the Commission submit any panel of names from which a member may be selected the Commission may, without submission of a panel, select any otherwise eligible person as member and the person so selected shall for all purposes be deemed to be duly appointed.

(5) If any vacancy occurs in the office of a member of an alpine resort management committee and the person whose office is vacant was appointed to represent a specified class of persons or interest the person appointed to fill the vacancy shall be appointed to represent that class or interest.

(6) The Commission shall appoint a member of each alpine resort management committee to be chairman.

(7) The functions of an alpine resort management committee are—

- (a) to exercise such powers and functions and to carry out such duties as are conferred or imposed on it by or under this Act or the regulations or are assigned to it by the Commission;
- (b) to consider and report to the Commission upon any matter relating to or affecting the alpine resort; and
- (c) to consider and report to the Commission upon any matters referred to it by the Commission.

(8) Members of alpine resort management committees who are not officers of the public service within the meaning of the *Public Service Act 1974* may be paid such remuneration and such travelling and other expenses and allowances as are fixed by the Governor in Council.

(9) The Director of National Parks within the meaning of the *National Parks Act 1975* may be appointed to be a committee of management for the purposes of this Act.

—(Mr Cathie)

Amendment proposed—That sub-clause (9) be omitted.

—(Mr McNamara)

[The Chairman decided to have this amendment tested on the question—That the expression “(9) The” be omitted so as not to preclude a proposed amendment by another Honourable Member.]

Question—That the expression “(9) The” stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mr Hill	Mrs Ray	Mr Simpson
Miss Callister	Mr Hockley	Mr Roper	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Stirling
Dr Coghill	Mr Jolly	Mr Seitz	Dr Vaughan
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Culpin	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Ernst	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Micallef	(<i>Ballarat South</i>)	
Mr Gray	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Sidiropoulos	Mr Gavin
Mr Hassett	Mr Pope	Mr Simmonds	Mr Norris

NOES, 30

Mr Austin	Mr Hann	Mr McNamara	Mr Steggall
Mr Brown	Mr Jona	Mr Maclellan	Mr Tanner
Mr Burgin	Mr Kempton	Mrs Patrick	Mr Templeton
Mr Delzoppo	Mr Kennett	Mr Ramsay	Mr Wallace
Mr Dickinson	Mr Leigh	Mr Reynolds	Mr Whiting
Mr Ebery	Mr Lieberman	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Ross-Edwards	Mr Jasper
(<i>Gippsland East</i>)	Mr McKellar	Mrs Sibree	Mr Williams

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 20

Wednesday, 17 August 1983

NUDITY (PRESCRIBED AREAS) BILL—Clause 2, *as amended*.

(1) The Minister by notice published in the *Government Gazette* and after consultation with the council of the municipality within the municipal district of which the area proposed to be prescribed is situated—

- (a) may prescribe an area to be an area to which this Act applies; and
- (b) may in respect of an area prescribed under paragraph (a) prescribe times during which that area is to be an area to which this Act applies.

(2) The Minister may in a like manner revoke or amend a notice under sub-section (1).

(3) The Minister shall within seven days of the publishing of—

- (a) a notice under sub-section (1); or
- (b) the revocation or amendment of a notice under sub-section (1)—

cause a copy of the notice, revocation or amendment to be published in a newspaper circulating generally throughout Victoria.

(4) A failure to comply with sub-section (3) shall not affect the validity of the notice, revocation or amendment.

—(Mr Cain)

Amendment proposed—That at the end of sub-clause (1) there be added the words: “but shall not prescribe any such area or times unless the council of the municipality within the municipal district of which the area is situate consents to that prescription”.

—(Mr Ross-Edwards)

Question—That the words proposed to be added be so added—put.

Committee divided.

(Temporary Chairman—Mr Stirling)

AYES, 9

Mr Evans
(*Gippsland East*)
Mr Hann

Mr McGrath
Mr McNamara
Mr Ross-Edwards

Mr Wallace
Mr Whiting

Tellers
Mr Jasper
Mr Steggall

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NOTE—Bold type denotes insertion by amendment.

NOES, 63

Mr Brown	Mr Hockley	Mrs Patrick	Mrs Sibree
Mr Burgin	Mr Ihlein	Mr Pope	Mr Sidiropoulos
Mr Cain	Mr Jolly	Mr Ramsay	Mr Simmonds
Miss Callister	Mr Kempton	Mrs Ray	Mr Simpson
Mr Cathie	Mr Kennedy	Mr Remington	Mr Spyker
Dr Coghill	Mr Kennett	Mr Reynolds	Mr Stirling
Mr Crabb	Mr Kirkwood	Mr Richardson	Mr Tanner
Mr Culpin	Mr Leigh	Mr Roper	Mr Templeton
Mr Delzoppo	Mr Leiberman	Mr Rowe	Mrs Toner
Mr Ebery	Mr McCutcheon	Mr Saltmarsh	Mr Trezise
Mr Ernst	Mr McDonald	Mr Seitz	Mr Walsh
Mr Fogarty	Mr McKellar	Mrs Setches	Mr Wilkes
Mr Gavin	Mr Maclellan	Mr Sheehan	
Mr Gray	Mr Mathews	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Harrowfield	Mr Micallef	Mr Sheehan	Dr Vaughan
Mr Hassett	Mr Miller	(<i>Ballarat South</i>)	Mr Williams
Mr Hill	Mr Norris	Mr Shell	

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 21

Tuesday, 13 September 1983

No. 1.—LOCAL GOVERNMENT (QUALIFICATION OF COUNCILLORS) BILL—Clause 2.

The *Constitution Act* 1975 shall be amended as follows:

(a) In section 74C (4) for paragraph (e) there shall be substituted the following paragraph:

“(e) who has not taken and signed the Oath or Affirmation of the Office of Councillor in the Third Schedule;” and

(b) After the Second Schedule there shall be inserted the following Schedule:

Third Schedule

Section 74C

Oath.

I, A B, having been elected to the Office of Councillor of the
of do swear by Almighty God that I take
the Office upon myself and will undertake the duties of that Office in the
best interests of the people of this municipality and do further declare
that I will faithfully and impartially according to the best of my skill and
judgment execute all the powers and authorities reposed in me as a
Councillor by virtue of the *Local Government Act* 1958 and any other
Act.

Affirmation.

I, A B, having been elected to the Office of Councillor of the
of do solemnly and sincerely affirm that I
take the Office upon myself and will undertake the duties of that Office
in the best interests of the people of this municipality and do further
declare that I will faithfully and impartially according to the best of my
skill and judgment execute all the powers and authorities reposed in me
as a Councillor by virtue of the *Local Government Act* 1958 and any other
Act.”.

—(Mr Wilkes)

Question—That clause 2 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 46

Mr Cain	Mrs Hill	Mr Pope	Mr Stirling
Miss Callister	Mr Hill	Mrs Ray	Mrs Toner
Mr Cathie	Mr Hockley	Mr Remington	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Roper	Dr Vaughan
Mr Crabb	Mr Jolly	Mr Rowe	Mr Walsh
Mr Culpin	Mr Kennedy	Mr Seitz	Mr Wilkes
Mr Ernst	Mr Kirkwood	Mrs Setches	
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Micallef	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Simmonds	Mr McCutcheon
Mr Harrowfield	Mr Newton	Mr Simpson	Mr Sheehan
Mr Hassett	Mr Norris	Mr Spyker	(<i>Ballarat South</i>)

NOES, 30

Mr Austin	Mr Hann	Mr Reynolds	Mr Whiting
Mr Brown	Mr Jona	Mr Richardson	Mr Williams
Mr Burgin	Mr Kempton	Mr Ross-Edwards	
Mr Delzoppo	Mr Kennett	Mr Saltmarsh	
Mr Dickinson	Mr Lieberman	Mrs Sibree	
Mr Ebery	Mr McKellar	Mr Steggall	
Mr Evans	Mr McNamara	Mr Tanner	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr Maclellan	Mr Templeton	Mr Jasper
Mr Evans	Mrs Patrick	Mr Wallace	Mr Leigh
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative.

No. 2.—Clause 3.

The *Local Government Act 1958* shall be amended as follows:

(a) For sections 54, 55 and 56 there shall be substituted the following sections:

“54. (1) A person elected as a councillor shall before he is capable of acting as a Councillor take and sign the Oath or Affirmation of the Office of Councillor prescribed by section 74C (4) (e) of the *Constitution Act 1975* before a councillor of that municipality and the Oath or Affirmation and the date on which it is signed shall be entered in the minute book of the Council.

(2) Where a person elected as a councillor does not take the Oath or Affirmation of the office of Councillor within three months after the day on which he has been elected his seat shall become vacant.

(3) A councillor of the municipality may administer the Oath or Affirmation of the office of Councillor notwithstanding that he may not himself have taken and signed that Oath or Affirmation.

55. (1) A person who acts as a councillor whilst being incapacitated under the provisions of this Act or Part IIA. of the *Constitution Act 1975* from being or continuing to be a councillor shall, unless the incapacity is caused by unsoundness of mind, be guilty of an offence against this Act and liable to a penalty of not more than 10 penalty units.

(2) In any action for the prosecution of an offence against sub-section (1), where the Prosecutor proves that the Defendant acted as a councillor—

(a) the burden shall lie upon the Defendant to prove that at the time that he was acting as a councillor—

- (i) he was qualified to hold the office of councillor;
 - (ii) he had been duly elected as a councillor and taken and signed the Oath or Affirmation of the office of Councillor prescribed by section 74c (4) (e) of the *Constitution Act 1975*; and
 - (iii) he had not incurred any other disqualification specifically referred to in section 74c (4) of the *Constitution Act 1975*; and
- (b) the burden shall lie upon the Prosecutor to prove that at that time the Defendant had incurred any disqualification referred to in section 53 (2) of this Act or section 74c (5) of the *Constitution Act 1975*—

and if the Defendant fails to prove any of the matters referred to in paragraph (a) or if any disqualification referred to in paragraph (b) is proved against him he shall be convicted of an offence against sub-section (1).

56. Any acts of a person acting as a councillor who is convicted of an offence against section 55 performed before that conviction shall be as valid as if the person acting as a councillor had not been incapacitated from acting as a councillor.”;

- (b) In section 59 (1) for paragraph (a) there shall be substituted the following paragraph:

“(a) does not make and sign within the time and in the manner appointed the Oath or Affirmation of the office of Councillor prescribed by section 74c (4) (e) of the *Constitution Act 1975*”.

—(Mr Wilkes)

Question—That clause 3 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 46

Mr Cain	Mrs Hill	Mr Pope	Mr Stirling
Miss Callister	Mr Hill	Mrs Ray	Mr Toner
Mr Cathic	Mr Hockley	Mr Remington	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Roper	Dr Vaughan
Mr Crabb	Mr Jolly	Mr Rowe	Mr Walsh
Mr Culpin	Mr Kennedy	Mr Seitz	Mr Wilkes
Mr Ernst	Mr Kirkwood	Mrs Setches	
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Micallef	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Simmonds	Mr McCutcheon
Mr Harrowfield	Mr Newton	Mr Simpson	Mr Sheehan
Mr Hassett	Mr Norris	Mr Spyker	(<i>Ballarat South</i>)

NOES, 30

Mr Austin	Mr Hann	Mr Reynolds	Mr Whiting
Mr Brown	Mr Jona	Mr Richardson	Mr Williams
Mr Burgin	Mr Kempton	Mr Ross-Edwards	
Mr Delzoppo	Mr Kennett	Mr Saltmarsh	
Mr Dickinson	Mr Lieberman	Mrs Sibree	
Mr Ebery	Mr McKellar	Mr Steggall	
Mr Evans	Mr McNamara	Mr Tanner	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr Maclellan	Mr Templeton	Mr Jasper
Mr Evans	Mrs Patrick	Mr Wallace	Mr Leigh
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative.

No. 3.—Clause 4.

In section 25 (1) of the *Melbourne Corporation (Election of Council) Act 1982* for paragraph (a) there shall be substituted the following paragraph:

“(a) does not make and sign within the time and in the manner appointed by section 54 of the *Local Government Act 1958* the Oath or Affirmation of the Office of Councillor prescribed by section 74c (4) (e) of the *Constitution Act 1975*.”.

—(Mr Wilkes)

Question—That clause 4 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 46

Mr Cain	Mrs Hill	Mr Pope	Mr Stirling
Miss Callister	Mr Hill	Mrs Ray	Mrs Toner
Mr Cathic	Mr Hockley	Mr Remington	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Roper	Dr Vaughan
Mr Crabb	Mr Jolly	Mr Rowe	Mr Walsh
Mr Culpin	Mr Kennedy	Mr Seitz	Mr Wilkes
Mr Ernst	Mr Kirkwood	Mrs Setches	
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Micallef	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Simmonds	Mr McCutcheon
Mr Harrowfield	Mr Newton	Mr Simpson	Mr Sheehan
Mr Hassett	Mr Norris	Mr Spyker	(<i>Ballarat South</i>)

NOES, 30

Mr Austin	Mr Hann	Mr Reynolds	Mr Whiting
Mr Brown	Mr Jona	Mr Richardson	Mr Williams
Mr Burgin	Mr Kempton	Mr Ross-Edwards	
Mr Delzoppo	Mr Kennett	Mr Saltmarsh	
Mr Dickinson	Mr Lieberman	Mrs Sibree	
Mr Ebery	Mr McKellar	Mr Steggall	
Mr Evans	Mr McNamara	Mr Tanner	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr Maclellan	Mr Templeton	Mr Jasper
Mr Evans	Mrs Patrick	Mr Wallace	Mr Leigh
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 22

Tuesday, 20 September 1983

NO. 1—LATROBE REGIONAL COMMISSION BILL—Clause 4.

(1) The Commission shall consist of—

- (a) one person from each municipality in the region who is a resident of the region and who is appointed by the Governor in Council in accordance with this section;
- (b) one person who is a resident of the region and who is appointed by the Governor in Council after consideration of nominations submitted by employer, industrial and commercial organizations within the region;
- (c) one person who is a resident of the region and who is appointed by the Governor in Council after consideration of nominations submitted by trade union organizations within the region;
- (d) two persons who are residents of the region and who are appointed by the Governor in Council after consideration of nominations submitted by community groups and welfare organizations within the region and by residents of the region;
- (e) one person appointed by the Governor in Council in accordance with this section on the nomination of the Latrobe Valley Water and Sewerage Board; and
- (f) three persons appointed by the Governor in Council on the nomination of the Minister.

(2) In respect of the first appointment of members of the Commission under sub-section (1) (a), the council of each municipality in the region shall at the request of the Minister submit a panel of two names of persons who are residents of the region to the Governor in Council and the Governor in Council shall appoint one person from each panel to be a member of the Commission.

(3) In the event of a vacancy in the office of a member appointed under sub-section (1) (a), the council of the municipality concerned shall at the request of the Minister submit a panel of two names of persons who are residents of the region to the Governor in Council and the Governor in Council shall appoint one person from that panel to be a member of the Commission.

(4) At least 28 days before the appointment of any person to be a member of the Commission under paragraph (b), (c) or (d) of sub-section (1) the Minister shall by notice published in one or more newspapers circulating generally in the region or in each municipality in the region call for nominations from organizations referred to in that paragraph.

(5) In respect of the first appointment of a member of the Commission under sub-section (1) (e) or in the event of a vacancy in the office of that member, the Latrobe Valley Water and Sewerage Board shall at the request of the Minister submit a panel of two names of persons who are residents of the region to the

Governor in Council and the Governor in Council shall appoint one person from that panel to be a member of the Commission.

(6) If for any reason—

- (a) a municipal council or the Latrobe Valley Water and Sewerage Board fails to submit a panel of names in accordance with this section; or
- (b) no nominations are received by the Minister within 28 days after a notice is published under sub-section (4)—

the Governor in Council on the nomination of the Minister, may appoint any other person who is a resident of the region to be a member of the Commission.

(7) Schedules 2 and 4 apply to and in relation to the Commission and the members of the Commission.

—(Mr Cathie)

Amendment proposed—That the following paragraph be inserted after paragraph (1) (c)—

“() one person appointed by the Governor in Council on the nomination of the Victorian Farmers and Graziers Association; and”.

—(Mr McNamara)

Question—That the paragraph proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 28

Mr Austin	Mr Evans	Mr McNamara	Mr Steggall
Mr Brown	(Gippsland East)	Mr Maclellan	Mr Tanner
Mr Burgin	Mr Hann	Mrs Patrick	Mr Whiting
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Jona	Mr Richardson	
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Saltmarsh	Mr Kempton
(Ballarat North)	Mr McKellar	Mrs Sibree	Mr Wallace

NOES, 43

Mr Cain	Mr Hassett	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Stirling
Mr Cathie	Mr Hill	Mr Remington	Mrs Toner
Dr Coghill	Mr Hockley	Mr Rowe	Mr Trezise
Mr Crabb	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr McDonald	(Ivanhoe)	
Mr Fordham	Mr Mathews	Mr Sheehan	
Mr Gavin	Mr Micallf	(Ballarat South)	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr Ihlein
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Miller

And so it was passed in the negative.

No. 2—Clause 4.

Further Amendment proposed—That the words “a panel of two names of persons who are residents” in sub-clause (2) be omitted with the view of inserting in place thereof the words “the name of a person who is a resident”.

—(Mr Delzoppo)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hassett	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Stirling
Mr Cathie	Mr Hill	Mr Remington	Mrs Toner
Dr Coghill	Mr Hockley	Mr Rowe	Mr Trezise
Mr Crabb	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Fordham	Mr Mathews	Mr Sheehan	
Mr Gavin	Mr Micallef	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr Ihlein
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Miller

NOES, 28

Mr Austin	Mr Evans	Mr McNamara	Mr Steggall
Mr Brown	(<i>Gippsland East</i>)	Mr Maclellan	Mr Tanner
Mr Burgin	Mr Hann	Mrs Patrick	Mr Whiting
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Jona	Mr Richardson	
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Saltmarsh	Mr Kempton
(<i>Ballarat North</i>)	Mr McKellar	Mrs Sibree	Mr Wallace

And so it was resolved in the affirmative.

Wednesday, 21 September 1983

NO. 3—LATROBE REGIONAL COMMISSION BILL—Clause 5.

The Governor in Council shall appoint one of the members of the Commission to be the Chairman of the Commission.

—(*Mr Cathie*)

Amendment proposed—That the words “The Governor in Council shall appoint one of the members of the Commission” be omitted with the view of inserting in place thereof the words “the members of the Commission shall elect one of their number”.

—(*Mr Delzoppo*)

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

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mrs Hill	Mr Newton	Mr Simpson
Miss Callister	Mr Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Hockley	Mr Remington	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Roper	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Seitz	Mr Trezise
Mr Ernst	Mr Kirkwood	Mrs Setches	Dr Vaughan
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Walsh
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Gavin	Mr Mathews	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Micallef	Mr Sidiropoulos	Mr Norris
Mr Harrowfield	Mr Miller	Mr Simmonds	Mr Pope

NOES, 26

Mr Brown	Mr Jasper	Mr McNamara	Mr Saltmarsh
Mr Delzoppo	Mr Jona	Mr Maclellan	Mr Tanner
Mr Dickinson	Mr Kempton	Mrs Patrick	Mr Templeton
Mr Ebery	Mr Kennett	Mr Ramsay	Mr Whiting
Mr Evans	Mr Leigh	Mr Reynolds	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr Lieberman	Mr Richardson	Mr Steggall
Mr Hann	Mr McKellar	Mr Ross-Edwards	Mr Williams

And so it was resolved in the affirmative.

No. 4—Clause 8.

(1) The Governor in Council shall appoint a suitable person to be the chief executive officer of the Commission with such title as the Governor in Council from time to time determines.

(2) The chief executive officer shall not be a member of the Commission.

(3) Schedules 3 and 4 apply to and in relation to the chief executive officer appointed under this section.

—(Mr Cathie)

Amendment proposed—That the word “shall” in sub-clause (1) be omitted with the view of inserting in place thereof the words “on the recommendation of the Commission may”.

—(Mr Delzoppo)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 40

Mr Cain	Mrs Hill	Mr Newton	Mr Spyker
Miss Callister	Mr Hill	Mr Remington	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Seitz	Mr Trezise
Mr Culpin	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McCutcheon	(Ivanhoe)	
Mr Fordham	Mr McDonald	Mr Shell	Tellers
Mr Gavin	Mr Mathews	Mr Sidiropoulos	Mr Norris
Mr Gray	Mr Micallef	Mr Simmonds	Mr Pope
Mr Harrowfield	Mr Miller	Mr Simpson	

NOES, 26

Mr Austin	Mr Hann	Mr McKellar	Mr Tanner
Mr Brown	Mr Jasper	Mr McNamara	Mr Templeton
Mr Delzoppo	Mr Jona	Mr Ramsay	Mr Wallace
Mr Dickinson	Mr Kempton	Mr Reynolds	Mr Whiting
Mr Ebery	Mr Kennett	Mr Ross-Edwards	Tellers
Mr Evans	Mr Leigh	Mr Saltmarsh	Mr Steggall
(Gippsland East)	Mr Lieberman	Mrs Sibree	Mr Williams

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 23

Wednesday, 12 October 1983

No. 1—LABOUR AND INDUSTRY (SHOP TRADING) BILL—Clause 4, *as amended*.

(1) Section 80 of the Principal Act shall be amended as follows:

- (a) In sub-section (1) for the words "except shops of the classes or kinds mentioned in the Fifth Schedule and petrol shops" there shall be substituted the words "except petrol shops and shops to which, by reason of sub-section (2F) or (2I), this sub-section does not apply";
- (b) In sub-section (2) for the words "except shops of the classes or kinds mentioned in the Fifth Schedule and petrol shops" there shall be substituted the words "except petrol shops and shops to which, by reason of sub-section (2F) or (2I), this sub-section does not apply";
- (c) In sub-section (2B) for the words "except shops of the classes or kinds mentioned in the Fifth Schedule, petrol shops and shops for the sale of motor cars, motor trucks and motor vans" there shall be substituted the words "except petrol shops, shops for the sale of motor cars and shops to which, by reason of sub-section (2F) or (2I), this sub-section does not apply";
- (d) In sub-section (2E) for the words "except shops of the classes or kinds mentioned in the Fifth Schedule, petrol shops and shops for the sale of motor cars, motor trucks and motor vans" there shall be substituted the words "except petrol shops, shops for the sale of motor cars and shops to which, by reason of sub-section (2F) or (2I), this sub-section does not apply"; and
- (e) After sub-section (2E) there shall be inserted the following sub-sections:
 - "(2F) A shop that is a shop of a class or kind mentioned in the Fifth Schedule is not required under sub-section (1), (2), (2B) or (2E) to be closed and kept closed during a period that is a relevant period for the purposes of one of those sub-sections if at all times during the period of seven days immediately preceding the commencement of the relevant period—
 - (a) the number of persons employed in the shop;
 - (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) where the occupier or manager of the shop is a body corporate, the sum of the number of persons employed in the shops of any kind in Victoria by the body corporate and the number of persons so employed by a related body corporate—

was less than 20.

NOTE: Bold type denotes substitution by amendment.

(2G) For the purposes of sub-section (2F) a body corporate is a related body corporate in relation to another body corporate—

- (a) if the body corporate is by virtue of section 7 (5) of the *Companies (Victoria) Code* deemed to be related to the other body corporate;
- (b) if the directors of the body corporate are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of the directors of the other body corporate;
- (c) if the directors of the other body corporate are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of the directors of the body corporate;
- (d) if the other body corporate is, by reason of section 7 (5) of the *Companies (Victoria) Code*, deemed to be related to another body corporate the directors of which are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of the directors of the body corporate;
- (e) if the directors of the body corporate and the directors of the other body corporate are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of another person;
- (f) if the body corporate has a share capital and the directors of the other body corporate may (directly or indirectly) exercise, control the exercise of or substantially influence the exercise of, 50 per centum or more of the voting power attached to voting shares issued by the firstmentioned body corporate; or
- (g) where each body corporate has a share capital and the person or persons who may (directly or indirectly) exercise, control the exercise of, or substantially influence the exercise of, 50 per centum or more of the voting power attached to voting shares issued by one of those bodies corporate, may also exercise, control the exercise of or substantially influence the exercise of, 50 per centum or more of the voting power attached to voting shares issued by the other body corporate.

(2H) The Governor in Council, by Order published in the *Government Gazette*—

(a) may declare that sub-section (2F) does not apply—

(i) to a shop; or

(ii) to any shops of a specified class or kind mentioned in the Fifth Schedule in a specified area—

during such a period (if any) as is specified in the Order; and

(b) may vary or revoke such an Order.

(2I) Where the Governor in Council is satisfied that a shop of a class or kind mentioned in the Fifth Schedule to which sub-section (2F) does not apply was open during a period that is a relevant period for the purposes of sub-section (1) regularly during the period of two years immediately before the commencement of section 4 of the *Labour and Industry (Shop Trading) Act 1983* (otherwise than in accordance with an exemption under section 80A, 80B, 80C, 80D, 80E, 80F or 80G), the Governor in Council may, by Order published in the *Government Gazette*, declare that sub-sections (1), (2), (2B) and (2E)—

(a) do not apply to shops of that class or kind in a specified area; or

(b) do not apply to specified shops of that class or kind in a specified area—

and a shop to which such an Order applies is not required to be closed and kept closed during a period that is a relevant period for the purposes of sub-section (1), (2), (2B) or (2E).

(2j) The Governor in Council may, in an Order under sub-section (2i)—

(a) declare that goods only of specified kinds or descriptions and no other goods may be sold during a relevant period from a shop to which the Order applies; or

(b) declare that goods of specified kinds or descriptions may not be sold during a relevant period from a shop to which the Order applies.

(2k) The Governor in Council may, by Order published in the *Government Gazette*, vary or revoke an Order under sub-section (2i)."

(2) In section 80 (3) of the Principal Act—

(a) the word "and" after the interpretation of "Geelong Urban area" shall be repealed; and

(b) after the interpretation of "motor car" there shall be inserted the following interpretation:

"Relevant period", in relation to sub-section (1), (2), (2B) or (2E), means—

(a) in relation to sub-section (1)—

(i) Sundays; or

(ii) Saturdays, from the hour of 1 o'clock;

(b) in relation to sub-section (2), each day to which that sub-section applies;

(c) in relation to sub-section (2B), a day, or part of a day, referred to in that sub-section; and

(d) in relation to sub-section (2E), the day referred to in that sub-section."

—(Mr Simpson)

Amendment proposed—That after proposed new sub-section (2k) in sub-clause (1) (e) there be inserted the following sub-section:

"(2L) Sub-sections (2H), (2I), (2J) and (2K) shall remain in force until the expiration of the period of two years after the commencement of section 4 of the *Labour and Industry (Shop Trading) Act 1983* and no longer and, on the expiration of that period, any Order made under those sub-sections shall cease to have any force or effect."

—(Mr Jasper)

Question—That the sub-section proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 7

Mr Evans
(Gippsland East)

Mr Hann
Mr Jasper

Mr McGrath
Mr Ross-Edwards

Tellers
Mr Steggall
Mr Wallace

NOES, 66

Mr Austin	Mrs Hill	Mr Newton	Mr Simmonds
Mr Brown	Mr Hill	Mr Norris	Mr Simpson
Mr Burgin	Mr Hockley	Mrs Patrick	Mr Spyker
Mr Cain	Mr Ihlein	Mr Pope	Mr Stirling
Miss Callister	Mr Jolly	Mr Ramsay	Mr Tanner
Mr Cathic	Mr Jona	Mrs Ray	Mr Templeton
Dr Coghill	Mr Kempton	Mr Remington	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Reynolds	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Richardson	Dr Vaughan
Mr Delzoppo	Mr Leigh	Mr Roper	Mr Walsh
Mr Dickinson	Mr Leiberman	Mr Rowe	Mr Williams
Mr Ernst	Mr McCutcheon	Mr Seitz	
Mr Fogarty	Mr McDonald	Mrs Setches	
Mr Fordham	Mr McKellar	Mr Sheehan	
Mr Gavin	Mr Maclellan	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gray	Mr Mathews	Mr Shell	Mr Ebery
Mr Harrowfield	Mr Micallef	Mrs Sibree	Mr Sheehan
Mr Hassett	Mr Miller	Mr Sidiropoulos	(<i>Ballarat South</i>)

And so it passed in the negative.

No. 2—Clause 4, *as amended*.

Question—That clause 4, as amended stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 54

Mr Cain	Mr Hassett	Mr Miller	Mr Simmonds
Miss Callister	Mrs Hill	Mr Newton	Mr Simpson
Mr Cathic	Mr Hill	Mr Norris	Mr Spyker
Dr Coghill	Mr Hockley	Mr Pope	Mr Steggall
Mr Crabb	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Culpin	Mr Jasper	Mr Remington	Mrs Toner
Mr Ernst	Mr Jolly	Mr Roper	Mr Trezise
Mr Evans	Mr Kennedy	Mr Ross-Edwards	Dr Vaughan
(<i>Gippsland East</i>)	Mr Kirkwood	Mr Rowe	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mr Seitz	
Mr Fordham	Mr McDonald	Mrs Setches	
Mr Gavin	Mr McGrath	Mr Sheehan	
Mr Gray	Mr McNamara	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Hann	Mr Mathews	Mr Shell	Mr Sheehan
Mr Harrowfield	Mr Micallef	Mr Sidiropoulos	(<i>Ballarat South</i>)
			Mr Wallace

NOES, 20

Mr Austin	Mr Leigh	Mr Reynolds	
Mr Brown	Mr Lieberman	Mr Richardson	
Mr Burgin	Mr McKellar	Mrs Sibree	
Mr Delzoppo	Mr Maclellan	Mr Tanner	<i>Tellers</i>
Mr Dickinson	Mrs Patrick	Mr Templeton	Mr Ebery
Mr Jona	Mr Ramsay	Mr Williams	Mr Kempton

And so it was resolved in the affirmative.

No. 3—Clause 6.

In section 82 (7) of the Principal Act—

(a) the word “and” at the end of paragraph (a) shall be repealed; and

(b) after paragraph (b) there shall be inserted the following word and paragraph:

‘and

(c) in paragraph (b) “accessories” means articles that are designed, made or adapted especially for installation, application or fitting to a motor car or especially for use in connexion with a motor car.’

—(*Mr Simpson*)

Question—That clause 6 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 52

Mr Cain	Mr Hassett	Mr Micallef	Mr Shell
Miss Callister	Mrs Hill	Mr Miller	Mr Simmonds
Mr Cathie	Mr Hill	Mr Newton	Mr Simpson
Dr Coghill	Mr Hockley	Mr Norris	Mr Spyker
Mr Culpin	Mr Ihlein	Mr Pope	Mr Steggall
Mr Ernst	Mr Jasper	Mrs Ray	Mr Stirling
Mr Evans	Mr Jolly	Mr Remington	Mrs Toner
(<i>Gippsland East</i>)	Mr Kennedy	Mr Roper	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Ross-Edwards	Dr Vaughan
Mr Fordham	Mr McCutcheon	Mr Rowe	Mr Walsh
Mr Gavin	Mr McDonald	Mr Seitz	<i>Tellers</i>
Mr Gray	Mr McGrath	Mrs Setches	Mr Sheehan
Mr Hann	Mr McNamara	Mr Sheehan	(<i>Ballarat South</i>)
Mr Harrowfield	Mr Mathews	(<i>Ivanhoe</i>)	Mr Wallace

NOES, 20

Mr Austin	Mr Leigh	Mr Reynolds	
Mr Brown	Mr Lieberman	Mr Richardson	
Mr Burgin	Mr McKellar	Mrs Sibree	
Mr Delzoppo	Mr Maclellan	Mr Tanner	<i>Tellers</i>
Mr Dickinson	Mrs Patrick	Mr Templeton	Mr Ebery
Mr Jona	Mr Ramsay	Mr Williams	Mr Kempton

And so it was resolved in the affirmative.

No. 4—Clause 7.

(1) After section 91 (1) of the Principal Act the following sub-section shall be inserted:

“(1A) For the purposes of this section, a trade of a particular kind shall be deemed to be carried on in a shop if any article is sold or exposed or offered for sale in the shop which is usually sold in shops where a trade of that kind is carried on.”.

(2) In section 91 (3) of the Principal Act, after the words “provisions of this section” there shall be inserted the words “but subject to section 80 (2j)”.

—(*Mr Simpson*)

Question—That clause 7 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 53

Mr Cain	Mrs Hill	Mr Newton	Mr Simpson
Miss Callister	Mr Hill	Mr Norris	Mr Spyker
Mr Cathie	Mr Hockley	Mr Pope	Mr Steggall
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Culpin	Mr Jasper	Mr Remington	Mrs Toner
Mr Ernst	Mr Jolly	Mr Roper	Mr Trezise
Mr Evans	Mr Kennedy	Mr Ross-Edwards	Dr Vaughan
(<i>Gippsland East</i>)	Mr Kirkwood	Mr Rowe	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mr Seitz	
Mr Fordham	Mr McDonald	Mrs Setches	
Mr Gavin	Mr McGrath	Mr Sheehan	
Mr Gray	Mr McNamara	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Hann	Mr Mathews	Mr Shell	Mr Sheehan
Mr Harrowfield	Mr Micallef	Mr Sidiropoulos	(<i>Ballarat South</i>)
Mr Hassett	Mr Miller	Mr Simmonds	Mr Wallace

NOES, 20

Mr Austin
Mr Brown
Mr Burgin
Mr Delzoppo
Mr Dickinson
Mr Jona

Mr Leigh
Mr Lieberman
Mr McKellar
Mr Maclellan
Mrs Patrick
Mr Ramsay

Mr Reynolds
Mr Richardson
Mrs Sibree
Mr Tanner
Mr Templeton
Mt Williams

Tellers
Mr Ebery
Mr Kempton

And so it was resolved in the affirmative.

No. 5—Clause 8.

(1) Section 98 of the Principal Act shall be amended as follows:

(a) In sub-section (1) after the words "to close" there shall be inserted the words "and keep closed";

(b) In sub-section (1) for all words and expressions after the words "be sold shall" there shall be substituted the words "be guilty of an offence against this section";

(c) For sub-section (1A) there shall be substituted the following sub-section:

"(1A) A shopkeeper or a person acting or apparently acting in the management of a shop or any other person who—

(a) fails or neglects to close and keep closed his shop in accordance with this Part; and

(b) after having been warned by an inspector of his obligation to close and keep closed the shop fails to close his shop within one hour of that warning or such longer period as the inspector may direct and keep it closed in accordance with this Part—

shall be guilty of an offence against this section.";

(d) In sub-section (1B) for the words and expressions "Act and shall be liable for a first offence to a penalty of not more than \$500 and for a second offence to a penalty of not less than \$500 and not more than \$1000 and for a third or subsequent offence to a penalty of not less than \$1000 and not more than \$5000" there shall be substituted the word "section";

(e) There shall be inserted after sub-section (1D) the following sub-sections:

"(2) A person who is guilty of an offence against this section shall be liable—

(a) for a first offence to a penalty of not more than \$500;

(b) for a second offence to a penalty of not less than \$500 and not more than \$1000;

(c) for a third or subsequent offence up to and including a ninth offence to a penalty of not less than \$1000 and not more than \$25 000; and

(d) for a tenth and subsequent offence to a penalty of \$50 000.

(3) For the purposes of determining the amount of the penalty for which a person is liable under sub-section (2) in respect of an offence—

(a) an offence of which that person, or where that person is a body corporate, that person or a related body corporate, was guilty under section 98 (1), (1A) or (1B) as in force at any time before the commencement of section 4 of the *Labour and Industry (Shop Trading) Act 1983* shall be deemed to have been an offence against this section; and

(b) where that person is a body corporate, an earlier offence of which a related body corporate is guilty shall be deemed to be an earlier offence committed by the first-mentioned body corporate.

(4) In sub-section (3) a reference to a related body corporate in relation to another body corporate has the same meaning as in section 80 (2G) and includes a reference to a body corporate that, but for the fact that it and the other body corporate existed at different times, would be a related body corporate.”

(2) In section 98 of the Principal Act—

- (a) in paragraph (b) of sub-section (2) for the expression “sub-section” (wherever occurring) there shall be substituted the word “section”;
- (b) in sub-section (4) for the expression “sub-section (1B) of this section” there shall be substituted the expression “section 98 (1B)”;
- (c) for the expression “(2) (a) If any person” there shall be substituted the expression “99. (1) If any person”;
- (d) for the expression “(b) Notwithstanding” there shall be substituted the expression “(2) Notwithstanding”;
- (e) for the expression “(3) Where any person” there shall be substituted the expression “100. Where any person”; and
- (f) for the expression “(4) Subject to the” there shall be substituted the expression “101. Subject to the”.

—(Mr Simpson)

Question—That clause 8 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 51

Mr Cain	Mrs Hill	Mr Newton	Mr Sidiropoulos
Miss Callister	Mr Hill	Mr Pope	Mr Simmonds
Mr Cathie	Mr Hockley	Mrs Ray	Mr Simpson
Dr Coghill	Mr Ihlein	Mr Remington	Mr Spyker
Mr Culpin	Mr Jasper	Mr Roper	Mr Steggall
Mr Ernst	Mr Jolly	Mr Ross-Edwards	Mr Stirling
Mr Evans	Mr Kennedy	Mr Rowe	Mrs Toner
(Gippsland East)	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Fogarty	Mr McCutcheon	Mrs Setches	Mr Wallace
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Gavin	Mr McGrath	(Ivanhoe)	
Mr Gray	Mr Mathews	Mr Sheehan	Tellers
Mr Harrowfield	Mr Micallef	(Ballarat South)	Mr McNamara
Mr Hassett	Mr Miller	Mr Shell	Mr Norris

NOES, 20

Mr Austin	Mr Kempton	Mr Reynolds	
Mr Brown	Mr Lieberman	Mr Richardson	
Mr Burgin	Mr McKellar	Mrs Sibree	
Mr Delzoppo	Mr Maclellan	Mr Tanner	Tellers
Mr Ebery	Mrs Patrick	Mr Templeton	Mr Dickinson
Mr Jona	Mr Ramsay	Mr Williams	Mr Leigh

And so it was resolved in the affirmative.

No. 6—Clause 10.

For sub-section (1A) of section 194 of the Principal Act there shall be substituted the following sub-sections:

(1A) Where a body corporate is guilty of an offence against this Act, a person who is an officer of the body corporate when the offence was committed is also guilty of that offence and liable to the penalty for that offence unless he proves that the act or omission constituting the offence took place without his knowledge or consent and that he did not know and could not reasonably have known of the act or omission.

(1B) When in any proceedings under this Act it is necessary to establish the intention of a body corporate it is sufficient to show that an officer of the body corporate had that intention.

(1c) In this section "officer" in relation to a body corporate means—

- (a) a director, secretary or executive officer of the body corporate;
- (b) any person in accordance with whose directions or instructions the directors of the body corporate are accustomed to act;
- (c) a person concerned in the management of the body corporate; or
- (d) in relation to the commission by the body corporate of an offence relating to a shop a person concerned in the management of the shop.

—(Mr Simpson)

Question—That clause 10 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 51

Mr Cain	Mrs Hill	Mr Newton	Mr Sidiropoulos
Miss Callister	Mr Hill	Mr Pope	Mr Simmonds
Mr Cathie	Mr Hockley	Mrs Ray	Mr Simpson
Dr Coghill	Mr Ihlein	Mr Remington	Mr Spyker
Mr Culpin	Mr Jasper	Mr Roper	Mr Steggall
Mr Ernst	Mr Jolly	Mr Ross-Edwards	Mr Stirling
Mr Evans	Mr Kennedy	Mr Rowe	Mrs Toner
(Gippsland East)	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Fogarty	Mr McCutcheon	Mrs Setches	Mr Wallace
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Gavin	Mr McGrath	(Ivanhoe)	
Mr Gray	Mr Mathews	Mr Sheehan	Tellers
Mr Harrowfield	Mr Micallef	(Ballarat South)	Mr McNamara
Mr Hassett	Mr Miller	Mr Shell	Mr Norris

NOES, 20

Mr Austin	Mr Kempton	Mr Reynolds	
Mr Brown	Mr Lieberman	Mr Richardson	
Mr Burgin	Mr McKellar	Mrs Sibree	
Mr Delzoppo	Mr Maclellan	Mr Tanner	Tellers
Mr Ebery	Mrs Patrick	Mr Templeton	Mr Dickinson
Mr Jona	Mr Ramsay	Mr Williams	Mr Leigh

And so it was resolved in the affirmative.

No. 7—Clause 11.

The Fifth Schedule to the Principal Act is amended as follows:

- (a) For the words "accessories therefor" there shall be substituted the words "accessories that are designed, made or adapted especially for installation, application or fitting to a boat, caravan or trailer or especially for use in connexion with a boat, caravan or trailer"; and
- (b) For the words "and handicraft" there shall be substituted the words "or handicraft".

—(Mr Simpson)

Question—That clause 11 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 51

Mr Cain
Miss Callister
Mr Cathie
Dr Coghill
Mr Culpin
Mr Ernst
Mr Evans
(*Gippsland East*)
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Gray
Mr Harrowfield
Mr Hassett

Mrs Hill
Mr Hill
Mr Hockley
Mr Ihlein
Mr Jasper
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr McGrath
Mr Mathews
Mr Micallef
Mr Miller

Mr Newton
Mr Pope
Mrs Ray
Mr Remington
Mr Roper
Mr Ross-Edwards
Mr Rowe
Mr Seitz
Mrs Setches
Mr Sheehan
(*Ivanhoe*)
Mr Sheehan
(*Ballarat South*)
Mr Shell

Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Steggall
Mr Stirling
Mrs Toner
Dr Vaughan
Mr Wallace
Mr Walsh

Tellers
Mr McNamara
Mr Norris

NOES, 20

Mr Austin
Mr Brown
Mr Burgin
Mr Delzoppo
Mr Ebery
Mr Jona

Mr Kempton
Mr Lieberman
Mr McKellar
Mr Maclellan
Mrs Patrick
Mr Ramsay

Mr Reynolds
Mr Richardson
Mrs Sibree
Mr Tanner
Mr Templeton
Mr Williams

Tellers
Mr Dickinson
Mr Leigh

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA

DIVISIONS IN COMMITTEE OF THE WHOLE

No. 24

Wednesday, 26 October, 1983

NO. 1.—DIRECTOR-GENERAL OF CONSERVATION, FORESTS AND LANDS BILL—Clause 4.

There shall be a Director-General who—

- (a) shall be appointed by the Governor in Council and may at any time be removed from office by the Governor in Council;
- (b) shall not in respect of his office be subject to the provisions of the *Public Service Act 1974*;
- (c) subject to this Act shall be entitled to hold office for the term (not exceeding five years) for which he is appointed; and
- (d) shall be entitled to receive such salary and allowances and shall hold office on such terms and conditions as are from time to time fixed by the Governor in Council.

—(Mr Cathie)

Amendment proposed—That after the word “Council” (where first occurring) in paragraph (a) there be inserted the words “on the recommendation of the Natural Resources and Environment Committee”.

—(Mr McGrath)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 8

Mr Evans
(*Gippsland East*)
Mr Hann

Mr Jasper
Mr Ross-Edwards
Mr Steggall

Mr Wallace

Tellers
Mr McGrath
Mr McNamara

NOES, 64

Mr Austin
Mr Burgin
Mr Cain
Miss Callister
Mr Cathie
Mr Crabb
Mr Culpin
Mr Delzoppo
Mr Dickinson
Mr Ebery
Mr Evans
(*Ballarat North*)
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Mr Gray
Mr Harrowfield

Mr Hassett
Mrs Hill
Mr Hill
Mr Ihlein
Mr Jona
Mr Kempton
Mr Kennedy
Mr Kennett
Mr Kirkwood
Mr Lieberman
Mr McCutcheon
Mr McDonald
Mr McKellar
Mr Maclellan
Mr Mathews
Mr Micallef
Mr Miller

Mr Newton
Mr Norris
Mrs Patrick
Mr Pope
Mr Ramsay
Mrs Ray
Mr Remington
Mr Reynolds
Mr Richardson
Mr Roper
Mr Saltmarsh
Mr Seitz
Mrs Seiches
Mr Sheehan
(*Ivanhoe*)
Mr Sheehan
(*Ballarat South*)

Mr Shell
Mrs Sibree
Mr Sidiropoulos
Mr Simpson
Mr Spyker
Mr Stirling
Mr Tanner
Mr Templeton
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh
Mr Wilkes
Mr Williams
Tellers
Mr Hockley
Mr Leigh

And so it passed in the negative.

NO. 2.—SMALL CLAIMS TRIBUNALS (AMENDMENT) BILL—Clause 4.

For section 31 (1) of the Principal Act there shall be substituted the following sub-section:

“(1) Subject to section 31A, the hearing of proceedings before the Tribunal shall be held in public.”.

—(Mr Spyker)

Question—That clause 4 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mr Hockley	Mr Remington	Mr Stirling
Miss Callister	Mr Ihlein	Mr Roper	Mrs Toner
Mr Crabb	Mr Jolly	Mr Seitz	Mr Trezise
Mr Culpin	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fordham	Mr Mathews	Mr Sheehan	
Mr Gavin	Mr Micallef	(<i>Ballarat South</i>)	
Mr Gray	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Newton	Mr Sidiropoulos	Mr McCutcheon
Mrs Hill	Mr Pope	Mr Simpson	Mr Norris
Mr Hill	Mrs Ray	Mr Spyker	

NOES, 26

Mr Austin	Mr Evans	Mrs Patrick	Mr Wallace
Mr Brown	(<i>Gippsland East</i>)	Mr Reynolds	Mr Williams
Mr Burgin	Mr Jasper	Mr Richardson	
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Leigh	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Steggall	Mr McNamara
(<i>Ballarat North</i>)	Mr MacLellan	Mr Templeton	Mr Tanner

And so it was resolved in the affirmative.

NO. 3.—EQUAL OPPORTUNITY BILL—Clause 4, *as amended*.

(1) In this Act unless the contrary intention appears—

“Board” means the Equal Opportunity Board established under section 8.

“Brother” and “Sister” include—

- (a) brothers and sisters of the half-blood; and
- (b) step-brothers and step-sisters.

“Chairman” means chairman of the Board and includes a person appointed to act as chairman.

“Child” includes—

- (a) step-child; and
- (b) adopted child.

“Commissioner” means the Commissioner for Equal Opportunity.

“Document” includes book, paper, writing and any other record of information, however compiled, recorded or stored.

“Educational authority” means the person or body administering a school, college, university or other institution at which education or training is provided.

“Employment” means employment under a contract of service or a contract personally to execute any work or labour and this Act shall apply in relation to an independent contractor as if he were an employee.

“Impairment” means—

- (a) total or partial loss of a bodily function;
- (b) total or partial loss of a part of the body;
- (c) malfunction of a part of the body; and
- (d) malformation or disfigurement of a part of the body—

and includes, in relation to a person with a past or present impairment **an impairment which presently exists or existed in the past but has now ceased to exist.**

“Malfunction of a part of the body” includes—

- (a) a mental or psychological disease or disorder; and
- (b) a condition or malfunction as a result of which a person learns more slowly than persons who do not have that condition or malfunction.

“Marital status” means the status or condition of being—

- (a) single;
- (b) married;
- (c) a parent;
- (d) childless;
- (e) married but living separately and apart from one’s spouse;
- (f) a de facto spouse;
- (g) divorced; or
- (h) widowed.

[Proposed interpretation of “Member” “Parent” “Private Life” “Relative” “Registrar” “Services” “Status” and “Training” and proposed sub-sections (2)–(10) not printed.]

—(Mr Cain)

Amendment proposed—That paragraphs (c) and (d) of the proposed interpretation of “Marital Status” be omitted.

—(Mrs Sibree)

Question—That the paragraphs proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES. 40

Miss Callister	Mr Hockley	Mr Remington	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Roper	Mr Stirling
Mr Culpin	Mr Jolly	Mr Seitz	Mrs Toner
Mr Ernst	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	Mr Walsh
Mr Gray	Mr Micallef	Mr Sheehan	Mr Wilkes
Mr Harrowfield	Mr Miller	(<i>Ballarat South</i>)	
Mr Hassett	Mr Newton	Mr Shell	<i>Tellers</i>
Mrs Hill	Mr Pope	Mr Sidiropoulos	Mr Gavin
Mr Hill	Mrs Ray	Mr Simpson	Mr McCutcheon

NOES. 28

Mr Austin	Mr Evans	Mr McGrath	Mrs Sibree
Mr Brown	(<i>Gippsland East</i>)	Mr McKellar	Mr Steggall
Mr Burgin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Delzoppo	Mr Jasper	Mr Ramsay	Mr Williams
Mr Dickinson	Mr Jona	Mr Reynolds	
Mr Ebery	Mr Kempton	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Kennett	Mr Ross-Edwards	Mr McNamara
(<i>Ballarat North</i>)	Mr Leigh	Mr Saltmarsh	Mr Tanner

And so it was resolved in the affirmative.

NOTE: Bold type denotes insertion or substitution by amendment.

No. 4.—Further amendment proposed—That paragraph (*f*) of the proposed interpretation of “Marital Status” be omitted.

—(*Mrs Sibree*)

Question—That the paragraph proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Miss Callister	Mr Hockley	Mr Pope	Mr Spyker
Mr Cathie	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Culpin	Mr Jolly	Mr Remington	Mrs Toner
Mr Ernst	Mr Kennedy	Mr Roper	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Fordham	Mr McCutcheon	Mrs Setches	Mr Walsh
Mr Gavin	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Harrowfield	Mr Micallef	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Hassett	Mr Miller	Mr Shell	Mr Gray
Mrs Hill	Mr Newton	Mr Sidiropoulos	Mr Sheehan
Mr Hill	Mr Norris	Mr Simpson	(<i>Ballarat South</i>)

NOES, 27

Mr Austin	Mr Evans	Mr McKellar	Mr Tanner
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Wallace
Mr Burgin	Mr Hann	Mr Maclellan	Mr Williams
Mr Delzoppo	Mr Jasper	Mr Ramsay	
Mr Dickinson	Mr Jona	Mr Ross-Edwards	
Mr Ebery	Mr Kempton	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr Kennett	Mrs Sibree	Mr McGrath
(<i>Ballarat North</i>)	Mr Leigh	Mr Steggall	Mr Reynolds

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 25

Tuesday, 8 November 1983

No. 1—EMPLOYMENT AGENTS BILL—Clause 3.

(1) In this Act, unless inconsistent with the context or subject-matter—

“Employment” includes—

- (a) employment by way of professional employment or under a contract of service or a contract for services; and
- (b) an arrangement whereby a person is to assist in the domestic work of a household in consideration of receiving hospitality with or without further or other remuneration.

“Employee” includes a person seeking employment and a person sought for employment.

“Firm” means an unincorporated body of persons (whether consisting of individuals or of bodies corporate or partly of individuals and partly of bodies corporate) registered under the *Business Names Act 1962*, and includes the several persons constituting that body.

“Licence” means a licence under this Act.

“Licensing authority” means the Director of Consumer Affairs.

“Officer” in relation to a body corporate includes—

- (a) a Director, secretary, executive officer or employee of the body corporate;
- (b) a receiver or receiver and manager of the property or any part of the property of the body corporate;
- (c) an official manager or a deputy official manager of the body corporate;
- (d) a liquidator of the body corporate; and
- (e) a trustee or other person administering a compromise or arrangement made between the body corporate and any other person or persons.

“Organization” includes an association of organizations.

“Organization of employers” means an organization which consists wholly or mainly of employers and whose principal objects include the regulation of relations between employers and employees or organizations of employees.

“Organization of employees” means an organization which consists wholly or mainly of employees and whose principal objects include the regulation of relations between employees and employers or organizations of employers.

“Prescribed” means prescribed by the regulations.

“Theatrical agent” means—

- (a) a person who or a firm or body corporate which carries on the business of an employment agent for or in connexion with (or represented as being for or in connexion with) the employment or engagement of theatrical performers; or

(b) any person who on any one occasion or as an isolated act engages any theatrical performer for a theatrical employer.

“Theatrical employer” means any person firm company syndicate society or association who or which employs any theatrical performer for the purpose of a theatrical enterprise and includes any agent of such person firm company syndicate society or association and the parties to any partnership or other agreement for the purpose of the theatrical enterprise.

“Theatrical enterprise” means any enterprise or venture which is undertaken for the purpose of giving a performance or performances in a place of public entertainment, the main purpose of which is the financial benefit of a theatrical employer or theatrical performer.

“Theatrical performer” means any actor singer dancer acrobat or performer of any kind employed by a theatrical employer to act sing dance play or perform in any theatre music hall or other place of public entertainment.

(2) Any person who and any firm or body corporate which carries on (whether or not with a view to profit and whether or not in conjunction with any other business) the business of providing services (whether by the provision of information or otherwise) for the purpose of finding employment for persons seeking to be employed or for procuring employees for persons seeking to employ such persons is deemed for the purposes of this Act to be carrying on the business of an employment agent.

(3) In sub-section (2) the reference to providing services does not include a reference—

- (a) to publishing a newspaper or other publication unless it is published wholly or mainly for the purpose mentioned in that interpretation;
- (b) to the display by any person of advertisements on premises occupied by him otherwise than for the said purpose; or
- (c) to any broadcast telecast or cinematograph exhibition.

—(Mr Spyker)

Amendment proposed—That the proposed interpretations of “Organization”, “Organization of employers” and “Organization of employees” be omitted.

—(Mr McNamara)

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

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Miss Callister	Mrs Hill	Mr Newton	Mr Sidiropoulos
Mr Cathie	Mr Hill	Mr Norris	Mr Simpson
Dr Coghill	Mr Hockley	Mr Pope	Mr Spyker
Mr Culpin	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Ernst	Mr Jolly	Mr Roper	Mr Trezise
Mr Fogarty	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Fordham	Mr Kirkwood	Mr Seitz	Mr Wilkes
Mr Gavin	Mr McCutcheon	Mrs Setches	<i>Tellers</i>
Mr Gray	Mr McDonald	Mr Sheehan	Mr Sheehan
Mr Harrowfield	Mr Micallef	(<i>Ivanhoe</i>)	(<i>Ballarat South</i>)
Mr Hassett	Mr Miller	Mr Shell	Dr Vaughan

NOES, 26

Mr Austin	Mr Kempton	Mr Maclellan	Mr Steggall
Mr Brown	Mr Kennett	Mrs Patrick	Mr Templeton
Mr Burgin	Mr Leigh	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Lieberman	Mr Reynolds	Mr Williams
Mr Ebery	Mr McGrath	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Ross-Edwards	Mr Jasper
(Ballarat North)	Mr McNamara	Mrs Sibree	Mr Tanner

And so it was resolved in the affirmative.

No. 2—Clause 4.

The provisions of Part II. of this Act do not apply to—

- (a) any agent or agency carrying on for fee or reward the business or practice of arranging the supply of nurses;
- (b) services provided by any organization of employers or organization of employees for its members;
- (c) services which are ancillary to the letting upon hire of any aircraft, vessel, vehicle, plant or equipment;
- (d) services provided by an appointments board or service controlled by a university or other post-secondary institution; or
- (e) any business carried on or any services provided by such persons or classes of persons as may be prescribed.

—(Mr Spyker)

Amendment proposed—That proposed paragraph (b) be omitted.

—(Mr McNamara)

Question—That the paragraph proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mr Hassett	Mr Newton	Mr Spyker
Miss Callister	Mrs Hill	Mr Norris	Mr Stirling
Mr Cathie	Mr Hill	Mr Pope	Mrs Toner
Dr Coghill	Mr Hockley	Mrs Ray	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Rowe	Mr Walsh
Mr Culpin	Mr Jolly	Mr Seitz	
Mr Ernst	Mr Kennedy	Mrs Setches	
Mr Fogarty	Mr Kirkwood	Mr Sheehan	<i>Tellers</i>
Mr Fordham	Mr McCutcheon	(Ivanhoe)	Mr Sheehan
Mr Gavin	Mr McDonald	Mr Shell	(Ballarat South)
Mr Gray	Mr Micallef	Mr Sidiropoulos	Dr Vaughan
Mr Harrowfield	Mr Miller	Mr Simpson	

NOES, 24

Mr Austin	Mr Hann	Mrs Patrick	
Mr Brown	Mr Jona	Mr Richardson	
Mr Burgin	Mr Kempton	Mr Saltmarsh	
Mr Delzoppo	Mr Kennett	Mr Steggall	
Mr Dickinson	Mr Leigh	Mr Templeton	<i>Tellers</i>
Mr Ebery	Mr Lieberman	Mr Wallace	Mr McGrath
Mr Evans	Mr McKellar	Mr Williams	Mr Tanner
(Ballarat North)	Mr McNamara		

And so it was resolved in the affirmative.

No. 3—Clause 8.

- (1) An application for the grant of a licence shall not be dealt with before the expiration of fourteen days after the application is lodged with the licensing authority.

(2) Where the licensing authority is satisfied in relation to an application for the grant or the renewal of a licence—

- (a) that, where the application is an application for the grant of a licence, any notice required by section 6 has been duly published;
- (b) that the premises at which the business of an employment agent is or is to be carried on are suitable in respect of a business of the class in question;
- (c) that the business of an employment agent if it is already being carried on is being properly conducted;
- (d) that—
 - (i) where the applicant is a natural person—the applicant is;
 - (ii) where the applicant is a firm, each natural person who is a partner in the firm is and where the director of a body corporate which is a partner in the firm is a natural person—he is;
 - (iii) where the applicant is a body corporate—each director of the applicant who is a natural person is—
 - of or above the age of eighteen years and is a fit person to hold a licence;
- (e) that, where the applicant is a firm, each partner of the firm who is a natural person and where the applicant is a natural person, he—
 - (i) is not an undischarged bankrupt and is not currently taking the benefit of a law for the relief of bankrupt or insolvent debtors; and
 - (ii) has not been convicted, either within the State or elsewhere, of an offence involving fraud or dishonesty punishable on conviction with imprisonment for three months or more; and
- (f) that, where the applicant is a body corporate, it—
 - (i) is not under official management and is not being wound up;
 - (ii) is not a body corporate in respect of the property, or part of the property, of which a receiver or a receiver and manager, has been appointed under the *Companies Act 1961* or the *Companies (Victoria) Code* or under the corresponding law of another State or of a territory; and
 - (iii) is not a party to a compromise or scheme of arrangement with its creditors—

it shall subject to this Act grant a licence to the applicant or renew the licence (as the case requires).

(3) In considering whether to grant or refuse an application for a licence the licensing authority shall have regard to any matter raised in any notice of objection lodged under section 7.

(4) In considering for the purposes of sub-section (2) (d) whether a person is a fit person to hold a licence the licensing authority shall have regard to such matters as it considers relevant.

(5) The licensing authority shall as soon as possible after making a decision on an application for grant or renewal of a licence give notice in writing of the decision to the applicant and the notice shall state in the case of a refusal to grant or to renew a licence the grounds for the refusal.

—(Mr Spyker)

Amendment proposed—That the words “properly conducted” in sub-section (2) (c) be omitted with the view of inserting in place thereof the words “conducted in compliance with the regulations”.

—(Mr McNamara)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mrs Hill	Mrs Ray	Mr Spyker
Miss Callister	Mr Hill	Mr Roper	Mr Stirling
Mr Cathie	Mr Hockley	Mr Rowe	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Seitz	Mr Trezise
Mr Culpin	Mr Jolly	Mrs Setches	Dr Vaughan
Mr Ernst	Mr Kennedy	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr Kirkwood	(<i>Ivanhoe</i>)	
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr Micallef	(<i>Ballarat South</i>)	
Mr Gray	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Sidiropoulos	Mr McCutcheon
Mr Hassett	Mr Pope	Mr Simpson	Mr Norris

NOES, 25

Mr Austin	Mr Hann	Mr Richardson	
Mr Brown	Mr Jona	Mr Saltmarsh	
Mr Burgin	Mr Kempton	Mrs Sibree	
Mr Delzoppo	Mr Kennett	Mr Steggall	
Mr Dickinson	Mr Lieberman	Mr Tanner	
Mr Ebery	Mr McKellar	Mr Templeton	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Wallace	Mr Leigh
(<i>Ballarat North</i>)	Mrs Patrick	Mr Williams	Mr McGrath

And so it was resolved in the affirmative.

No. 4—EQUAL OPPORTUNITY BILL—Clause 4.

(1) In this Act unless the contrary intention appears—

“Board” means the Equal Opportunity Board established under section 8.

“Brother” and “Sister” include—

- (a) brothers and sisters of the half blood; and
- (b) step-brothers and step-sisters.

“Chairman” means chairman of the Board and includes a person appointed to act as chairman.

“Child” includes—

- (a) step-child; and
- (b) adopted child.

“Commissioner” means the Commissioner for Equal Opportunity.

“Document” includes book, paper, writing and any other record of information, however compiled, recorded or stored.

“Educational authority” means the person or body administering a school, college, university or other institution at which education or training is provided.

“Employment” means employment under a contract of service or a contract personally to execute any work or labour and this Act shall apply in relation to an independent contractor as if he were an employee.

“Impairment” means—

- (a) total or partial loss of a bodily function;
- (b) total or partial loss of a part of the body;
- (c) malfunction of a part of the body; and
- (d) malformation or disfigurement of a part of the body—

and includes, in relation to a person with a past or present impairment—

- (e) an impairment which presently exists or existed in the past but has now ceased to exist;
- (f) a characteristic that appertains generally to persons having or who have had that impairment;
- (g) a characteristic that is generally imputed to persons having or who have had that impairment.

“Malfunction of a part of the body” includes—

- (a) a mental or psychological disease or disorder; and
- (b) a condition or malfunction as a result of which a person learns more slowly than persons who do not have that condition or malfunction.

“Marital status” means the status or condition of being—

- (a) single;
- (b) married;
- (c) a parent;
- (d) childless;
- (e) married but living separately and apart from one’s spouse;
- (f) a de facto spouse;
- (g) divorced; or
- (h) widowed.

“Member” means a member of the Board and includes the chairman and a person appointed to act as a member or chairman.

“Parent” includes—

- (a) step-father;
- (b) step-mother; and
- (c) adoptive parent.

“Private life” in relation to a person means—

- (a) the holding or not holding of any lawful religious or political belief or view by the person;
- (b) engaging in or refusing or failing to engage in any lawful religious or political activities by the person; or
- (c) engaging in or refusing or failing to engage in any lawful sexual activity or practice by the person.

[Interpretations “Relative” “Registrar” “Services” “Status” and “Training” and subsections (2)-(10) not printed]

—(Mr Cain)

Amendment proposed—That the interpretation of “Private life” be omitted.

—(Mrs Sibree)

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

Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hassett	Mrs Ray	Mr Spyker
Miss Callister	Mrs Hill	Mr Roper	Mr Stirling
Mr Cathie	Mr Hill	Mr Rowe	Mrs Toner
Dr Coghill	Mr Hockley	Mr Seitz	Mr Trezise
Mr Crabb	Mr Ihlein	Mrs Setches	Dr Vaughan
Mr Culpin	Mr Kennedy	Mr Sheehan	Mr Walsh
Mr Ernst	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Micallef	(<i>Ballarat South</i>)	
Mr Gavin	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr McCutcheon
Mr Harrowfield	Mr Pope	Mr Simpson	Mr Norris

NOES, 25

Mr Austin	Mr Hann	Mr Ramsay	
Mr Brown	Mr Jona	Mr Richardson	
Mr Burgin	Mr Kempton	Mr Saltmarsh	
Mr Delzoppo	Mr Kennett	Mrs Sibree	
Mr Dickinson	Mr Lieberman	Mr Steggall	
Mr Ebery	Mr McKellar	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Wallace	Mr Leigh
(<i>Ballarat North</i>)	Mrs Patrick	Mr Williams	Mr McGrath

And so it was resolved in the affirmative.

No 5—Clause 17.

(1) A person discriminates against another person in any circumstances relevant for the purposes of a provision of this Act if on the ground of the status or by reason of the private life of the other person the first-mentioned person treats the other person less favourably than he treats or would treat a person of a different status or with a different private life.

(2) For the purposes of sub-section (1) a comparison of the cases of persons of another status or with a different private life shall be a comparison where the relevant circumstances in the one case are the same, or are not materially different, in the other.

(3) For the purposes of this section a person shall not be regarded as discriminating against men on the ground of their sex by reason only of the fact that such person grants to women any rights or privileges in connexion with pregnancy or childbirth.

—(Mr Cain)

Amendment proposed—That after sub-clause (3) there be inserted the following sub-clauses.

“(4) For the purposes of sub-section (1), a person discriminates against another person in any circumstances relevant for the purposes of a provision of this Act if—

(a) by reason of a characteristic that appertains generally to persons of the status or with the private life of the other person; or

(b) by reason of a characteristic that is generally imputed to persons of the status or with the private life of the other person—

the first-mentioned person treats the other person less favourably than he treats or would treat a person of a different status or with a different private life.

(5) For the purposes of sub-section (1) a person discriminates against another person on the ground of the status or by reason of the private life of the other person if—

- (a) the first-mentioned person imposes on that other person a requirement or condition with which a substantially higher proportion of persons of a different status or with a different private life do or can comply;
- (b) the other person does not or cannot comply with the requirement or condition; and
- (c) the requirement or condition is not reasonable.”.

—(Mr Cain)

Question—That the sub-clauses proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mr Hassett	Mr Pope	Mr Stirling
Miss Callister	Mrs Hill	Mrs Ray	Mrs Toner
Mr Cathie	Mr Hill	Mr Roper	Dr Vaughan
Dr Coghill	Mr Hockley	Mr Rowe	Mr Walsh
Mr Crabb	Mr Kennedy	Mr Seitz	Mr Wilkes
Mr Culpin	Mr Kirkwood	Mrs Setches	
Mr Ernst	Mr McCutcheon	Mr Sheehan	
Mr Fogarty	Mr McDonald	(Ballarat South)	
Mr Fordham	Mr Micallef	Mr Shell	Tellers
Mr Gavin	Mr Miller	Mr Sidiropoulos	Mr Ihlein
Mr Gray	Mr Newton	Mr Simpson	Mr Sheehan
Mr Harrowfield	Mr Norris	Mr Spyker	(Ivanhoe)

NOES, 26

Mr Austin	Mr Hann	Mr McKellar	Mrs Sibree
Mr Brown	Mr Jona	Mr McNamara	Mr Steggall
Mr Burgin	Mr Kempton	Mrs Patrick	Mr Tanner
Mr Dickinson	Mr Kennett	Mr Ramsay	Mr Williams
Mr Ebery	Mr Leigh	Mr Reynolds	Tellers
Mr Evans	Mr Lieberman	Mr Richardson	Mr Delzoppo
(Ballarat North)	Mr McGrath	Mr Saltmarsh	Mr Wallace

And so it was resolved in the affirmative.

No. 6—Clause 20.

(1) It is unlawful for an employer or supervisor of another person—

(a) to make it reasonably appear to that other person—

- (i) that the other person will be disadvantaged in or in relation to any educational activities that are or are proposed to be undertaken by that person if that person does not accept the sexual advances of, or tolerate persistent sexual suggestions or innuendo from, the employer or supervisor; or
- (ii) that the career prospects or working conditions of that other person are contingent upon that other person's acceptance of sexual advances or toleration of persistent sexual suggestions or innuendo from the employer or supervisor;

(b) to permit that employee—

- (i) to be harassed with sexual advances; or
- (ii) to be importuned or harassed with persistent sexual suggestions or innuendo—

by a fellow worker, whilst acting in the course of their employment.

[Sub-clauses (2)–(5) not printed]

—(Mr Cain)

Amendment proposed—That after the expression “(b)” there be inserted the word “knowingly”.

—(Mrs Sibree)

Question—That the word proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 29

Mr Austin	Mr Jasper	Mr McNamara	Mrs Sibree
Mr Brown	Mr Jona	Mr Maclellan	Mr Steggall
Mr Burgin	Mr Kempton	Mrs Patrick	Mr Tanner
Mr Dickinson	Mr Kennett	Mr Ramsay	Mr Williams
Mr Ebery	Mr Leigh	Mr Reynolds	
Mr Evans	Mr Lieberman	Mr Richardson	<i>Tellers</i>
(Ballarat North)	Mr McGrath	Mr Ross-Edwards	Mr Delzoppo
Mr Hann	Mr McKellar	Mr Saltmarsh	Mr Wallace

NOES, 42

Mr Cain	Mrs Hill	Mrs Ray	Mrs Toner
Miss Callister	Mr Hill	Mr Roper	Mr Trezise
Mr Cathic	Mr Hockley	Mr Rowe	Dr Vaughan
Dr Coghill	Mr Kennedy	Mr Seitz	Mr Walsh
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Wilkes
Mr Ernst	Mr McCutcheon	Mr Sheehan	
Mr Fogarty	Mr McDonald	(Ballarat South)	
Mr Fordham	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Gavin	Mr Miller	Mr Sidiropoulos	Mr Ihlein
Mr Gray	Mr Newton	Mr Simpson	Mr Sheehan
Mr Harrowfield	Mr Norris	Mr Spyker	(Ivanhoe)
Mr Hassett	Mr Pope	Mr Stirling	

And so it passed in the negative.

No. 7—Clause 21.

[Sub-clauses (1)–(3) not printed]

(4) This section does not apply to—

- (a) employment of not more than three persons (disregarding any persons employed under paragraph (f)) in domestic or personal services in or relation to the home of the employer;
- (b) discrimination on the ground of sex or race or impairment with respect to the offering of employment to persons for the purposes of dramatic performances, entertainment, artistic or photographic work for any other purposes where persons of that sex or race or with that impairment are required for reasons of authenticity;
- (c) discrimination on the ground of the holding or not holding of any lawful political belief or view or the engaging in or refusal or failure to engage in any lawful political activities with respect to the offering of employment to a person as a ministerial adviser, member of the staff of a political party, member of the electoral staff of another person, or in other similar employment;
- (d) discrimination by an employer or a prospective employer on the ground of a person's failure to hold union membership;
- (e) discrimination on the ground of sex or race or impairment with respect to persons of a particular sex or race or impairment in the provision of services for the promotion of the welfare or advancement of those persons, if those services can most effectively be provided by a person of the same sex or race or impairment;

- (f) discrimination on the ground of status or by reason of private life in employment where the number of persons employed by the employer does not exceed three (disregarding any persons employed under paragraph (a));
- (g) discrimination on the ground of impairment, if taking into account the person's past training, qualifications and experience relevant to employment of that kind and, if he is already employed by the employer, his performance as an employee, and all other factors which are relevant and reasonable in the circumstances, the person by reason of his impairment—
 - (i) requires or would require special services or facilities that in the circumstances of the case cannot or could not be made available and without those services or facilities is or would be unable adequately to perform the work reasonably required of him; or
 - (ii) for any other reason is or has become unable adequately to carry out the work reasonably required of him;
- (h) discrimination on the ground of impairment if, because of the nature of the impairment and the environment in which the person works or is to work or the nature of the work performed or to be performed, there is or is likely to be—
 - (i) a risk that the person will injure others, and it is not reasonable in all the circumstances to take that risk; or
 - (ii) a substantial risk that the person will injure himself;
- (i) the fixing of reasonable terms or conditions of or the making of reasonable variations in the terms or conditions of employment where the terms as so fixed or as so varied take into account—
 - (i) any special limitations that a person's impairment imposes on his capacity to carry on the work involved in the employment;
 - (ii) any special conditions or services which are required to be provided to enable him to undertake the employment or to facilitate the conduct by him of his employment; or
 - (iii) where applicable, the provisions of section 135 of the *Labour and Industry Act 1958* and section 39 (1) of the *Industrial Relations Act 1979*; or
- (j) discrimination on the ground of impairment for the purposes of a private household; or
- (k) discrimination on the ground of impairment if the discrimination is on the basis of selecting the person who is, irrespective of impairment, best suited to perform the duties relevant to the employment.

[Sub-clauses (5)–(6) not printed]

—(Mr Cain)

Amendment proposed—That the expression “(f)” in paragraph (a) be omitted with the view of inserting in place thereof the expression “(e)”.

—(Mrs Sibree)

Question—That the expression proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 42

- | | | | |
|----------------|---------------|------------------|----------------|
| Mr Cain | Mr Hill | Mrs Ray | Mr Stirling |
| Miss Callister | Mr Hockley | Mr Roper | Mrs Toner |
| Mr Cathie | Mr Ihlein | Mr Seitz | Mr Trezise |
| Mr Crabb | Mr Kennedy | Mrs Setches | Dr Vaughan |
| Mr Culpin | Mr Kirkwood | Mr Sheehan | Mr Walsh |
| Mr Ernst | Mr McCutcheon | (Ivanhoe) | Mr Wilkes |
| Mr Fogarty | Mr McDonald | Mr Sheehan | |
| Mr Fordham | Mr Micallef | (Ballarat South) | |
| Mr Gavin | Mr Miller | Mr Shell | |
| Mr Gray | Mr Newton | Mr Sidiropoulos | <i>Tellers</i> |
| Mr Harrowfield | Mr Norris | Mr Simpson | Mr Hassett |
| Mrs Hill | Mr Pope | Mr Spyker | Mr Rowe |

NOES, 28

- | | | | |
|------------------|--------------|-----------------|----------------|
| Mr Brown | Mr Jasper | Mr McNamara | Mrs Sibree |
| Mr Burgin | Mr Jona | Mr Maclellan | Mr Tanner |
| Mr Delzoppo | Mr Kempton | Mrs Patrick | Mr Wallace |
| Mr Dickinson | Mr Kennett | Mr Ramsay | |
| Mr Ebery | Mr Leigh | Mr Reynolds | |
| Mr Evans | Mr Lieberman | Mr Richardson | <i>Tellers</i> |
| (Ballarat North) | Mr McGrath | Mr Ross-Edwards | Mr Steggall |
| Mr Hann | Mr McKellar | Mr Saltmarsh | Mr Williams |

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA

DIVISIONS IN COMMITTEE OF THE WHOLE

No. 26

Tuesday, 15 November 1983

No. 1—FISHERIES (FURTHER AMENDMENT) BILL—Clause 6.

In section 13 of the Principal Act—

- (a) sub-section (2A) is repealed;
- (b) sub-sections (1) (b) and (3) are repealed; and
- (c) sub-section (7A) is repealed.

—(Mr Cathie)

Question—That clause 6 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 49

Mr Cain	Mr Hassett	Mr Miller	Mr Simpson
Miss Callister	Mrs Hill	Mr Newton	Mr Spyker
Mr Cathie	Mr Hill	Mr Norris	Mr Steggall
Dr Coghill	Mr Hockley	Mr Pope	Mr Stirling
Mr Crabb	Mr Jasper	Mrs Ray	Mrs Toner
Mr Culpin	Mr Jolly	Mr Roper	Mr Wallace
Mr Ernst	Mr Kennedy	Mr Ross-Edwards	Mr Walsh
Mr Evans	Mr Kirkwood	Mr Rowe	
(Gippsland East)	Mr McCutcheon	Mr Seitz	
Mr Fogarty	Mr McDonald	Mrs Setches	
Mr Fordham	Mr McGrath	Mr Sheehan	
Mr Gavin	Mr McNamara	(Ballarat South)	<i>Tellers</i>
Mr Gray	Mr Mathews	Mr Shell	Mr Ihlein
Mr Hann	Mr Micallef	Mr Sidiropoulos	Dr Vaughan

NOES, 22

Mr Austin	Mr Jona	Mrs Patrick	<i>Tellers</i>
Mr Brown	Mr Kempton	Mr Ramsay	Mr Dickinson
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Richardson
Mr Delzoppo	Mr Leigh	Mr Saltmarsh	
Mr Ebery	Mr Lieberman	Mrs Sibree	
Mr Evans	Mr McKellar	Mr Tanner	
(Ballarat North)	Mr Maclellan	Mr Williams	

And so it was resolved in the affirmative.

No. 2—MOTOR CAR TRADERS (AMENDMENT) BILL—Clause 2.

Section 2 (1) of the Principal Act is amended as follows:

- (a) In the interpretation of “Special trader” for the words “financier manufacturer or wholesale trader” (where twice occurring) there shall be substituted the words “financier or manufacturer”;
- (b) In the interpretation of “Trading in motor cars”, for paragraph (e) there shall be substituted the following paragraph:

“(e) buying or selling or offering to buy or sell at a public auction motor cars—

- (i) formerly owned or used by a government department or a public statutory authority; or
- (ii) owned by a company which has been wound up, where the sale or offer to sell is effected by a liquidator pursuant to a power conferred on him by the *Companies (Victoria) Code* or by an order of the Supreme Court of Victoria.”.

(c) The interpretation of “Wholesale trader” shall be repealed.

—(Mr Spyker)

Amendment proposed—That the word “and” be inserted after paragraph (a).

—(Mr Richardson)

Question—That the word proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 21

Mr Austin	Mr Evans	Mr McKellar	Mr Saltmarsh
Mr Brown	(Ballarat North)	Mr Maclellan	Mr Williams
Mr Burgin	Mr Jona	Mrs Patrick	
Mr Delzoppo	Mr Kennett	Mr Ramsay	Tellers
Mr Dickinson	Mr Leigh	Mr Reynolds	Mr Kempton
Mr Ebery	Mr Lieberman	Mr Richardson	Mr Tanner

NOES, 49

Mr Cain	Mrs Hill	Mr Micallef	Mr Shell
Miss Callister	Mr Hill	Mr Miller	Mr Spyker
Mr Cathie	Mr Hockley	Mr Newton	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Norris	Mrs Toner
Mr Crabb	Mr Jasper	Mr Pope	Mr Trezise
Mr Culpin	Mr Jolly	Mrs Ray	Dr Vaughan
Mr Ernst	Mr Kennedy	Mr Roper	Mr Wallace
Mr Fogarty	Mr Kirkwood	Mr Ross-Edwards	Mr Walsh
Mr Fordham	Mr McCutcheon	Mr Rowe	Mr Whiting
Mr Gavin	Mr McDonald	Mr Seitz	
Mr Gray	Mr McGrath	Mrs Setches	Tellers
Mr Hann	Mr McNamara	Mr Sheehan	Mr Sidiropoulos
Mr Hassett	Mr Mathews	(Ballarat South)	Mr Steggall

And so it passed in the negative.

Wednesday, 16 November 1983

No. 3—EQUAL OPPORTUNITY BILL—Clause 58, *as amended*.

(1) It is unlawful to publish or cause to be published an advertisement which indicates, or might reasonably be understood as indicating, an intention by a person to do any act which is or might be unlawful by virtue of this Act.

(2) Sub-section (1) does not apply to an advertisement if the intended act would not in fact be unlawful.

(3) The publisher of an advertisement made unlawful by sub-section (1) shall not be subject to any liability under that sub-section in respect of the publication of the advertisement if he proves—

- (a) that the advertisement was published in reliance on a statement made to him by the person who caused it to be published to the effect that, by reason of the operation of sub-section (2), the publication would not be unlawful; and

(b) that it was reasonable for him to rely on the statement.

(4) A person who knowingly or recklessly makes a statement referred to in sub-section (3) which in a material respect is false or misleading commits an offence, and shall be liable on summary conviction to a fine not exceeding 20 penalty units.

—(Mr Cain)

Motion made and question—That the Chairman report progress and ask for leave to sit again (Mr Ramsay)—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 30

Mr Austin	Mr Hann	Mr Maclellan	Mr Steggall
Mr Brown	Mr Jona	Mrs Patrick	Mr Tanner
Mr Burgin	Mr Kennett	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Leigh	Mr Reynolds	Mr Whiting
Mr Dickinson	Mr Lieberman	Mr Richardson	Mr Williams
Mr Ebery	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Saltmarsh	Mr Jasper
(Ballarat North)	Mr McNamara	Mrs Sibree	Mr Kempton

NOES, 39

Mr Cain	Mr Hockley	Mr Roper	Mr Spyker
Miss Callister	Mr Ihlein	Mr Rowe	Mr Stirling
Mr Cathie	Mr Jolly	Mr Seitz	Mrs Toner
Dr Coghill	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Ernst	Mr McCutcheon	(Ivanhoe)	Mr Walsh
Mr Fogarty	Mr Mathews	Mr Sheehan	
Mr Gavin	Mr Micallef	(Ballarat South)	<i>Tellers</i>
Mr Gray	Mr Norris	Mr Shell	Mr Miller
Mr Hassett	Mr Pope	Mr Sidiropoulos	Mr Newton
Mrs Hill	Mrs Ray	Mr Simpson	

And so it passed in the negative.

NOTE—Bold type denotes insertion or substitution by amendment.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 27

Tuesday, 22 November 1983

No. 1—PAY-ROLL TAX (AMENDMENT) BILL (NO. 2)—Clause 7, *as amended*.

After section 3B of the Principal Act there shall be inserted the following sections:

3C. (1) For the purposes of this section, a reference to a relevant contract in relation to a financial year is a reference to a contract under which a person during that financial year, in the course of a business carried on by him—

- (a) supplies to another person services for or in relation to the performance of work;
- (b) has supplied to him the services of persons for or in relation to the performance of work; or
- (c) gives out goods to natural persons for work to be performed by those persons in respect of those goods and for re-supply of the goods to the first-mentioned person or, where that person is a member of a group within the meaning of section 9A, to another member of that group—

but does not include a reference to a contract of service or a contract under which a person during a financial year in the course of a business carried on by him—

- (d) has supplied to him services for or in relation to the performance of work that are **ancillary** to the supply of goods under the contract by the person by whom the services are supplied or to the use of goods which are the property of that second-mentioned person;
- (e) has supplied to him services for or in relation to the performance of work where—
 - (i) those services are of a kind not ordinarily required by that person and are rendered by a person who ordinarily renders services of that kind to the public generally;
 - (ii) those services are of a kind ordinarily required by that person for less than 180 days in that financial year;
 - (iii) **those services are provided for a period that does not exceed 90 days or for periods that, in the aggregate, do not exceed 90 days in that financial year and are not services—**
 - (A) **provided by a person by whom similar services are provided to the first-mentioned person; or**
 - (B) **for or in relation to the performance of work where any of the persons who perform the work also perform similar work for the first-mentioned person—**

for periods that, in the aggregate, exceed 90 days in that financial year;

- (iv) the payment of the consideration under the contract is made at a rate that is not less than \$500 000 per annum; or

NOTE—Bold type denotes insertion or substitution by amendment.

- (v) those services are supplied under a contract to which sub-paragraphs (i) to (iv) do not apply and the Commissioner is satisfied that those services are rendered by a person who ordinarily renders services of that kind to the public generally; or
- (f) has supplied to him by a person (in this paragraph called "the contractor") services for or in relation to the performance of work under a contract to which paragraphs (d) and (e) do not apply where the work to which the services relate is performed—
 - (i) by two or more persons employed by, or who provide services for, the contractor in the course of a business carried on by the contractor;
 - (ii) where the contractor is a partnership of two or more natural persons, by one or more of the members of the partnership and one or more persons employed by, or who provide services for, the contractor in the course of a business carried on by the contractor; or
 - (iii) where the contractor is a natural person, by the contractor and one or more persons employed by, or who provide services for, the contractor in the course of a business carried on by the contractor—

unless the Commissioner determines that the contract or arrangement under which the services are so supplied was entered into with an intention either directly or indirectly of avoiding or evading the payment of tax by any person.

(2) For the purposes of this Act—

(a) a person—

- (i) who during a financial year under a relevant contract supplies services to another person;
- (ii) to whom during a financial year, under a relevant contract, the services of persons are supplied for or in relation to the performance of work; or
- (iii) who during a financial year, under a relevant contract, gives out goods to other persons—

shall be deemed to be an employer in respect of that financial year;

(b) a person who during a financial year—

- (i) performs work for or in relation to which services are supplied to another person under a relevant contract; or
- (ii) being a natural person, under a relevant contract, re-supplies goods to an employer—

shall be deemed to be an employee in respect of that financial year;

(c) amounts paid or payable by an employer during a financial year for or in relation to the performance of work relating to a relevant contract or the re-supply of goods by an employee under a relevant contract shall be deemed to be wages paid or payable during that financial year; and

(d) where an amount referred to in paragraph (c) is included in a larger amount paid or payable by an employer under a relevant contract during a financial year, that part of the larger amount which is not attributable to the performance of work relating to the relevant contract or the re-supply of goods by an employee under the relevant contract may be prescribed by the regulations.

(3) Where a contract is a relevant contract pursuant to both sub-sections (1) (a) and (1) (b)—

- (a) the person to whom, under the contract, the services of persons are supplied for or in relation to the performance of work shall be deemed to be an employer; and
 - (b) notwithstanding sub-section (2) (a) (i) the person who under the contract supplies the services shall not be deemed to be an employer.
- (4) Where—
- (a) a contract under which a person in the course of a business carried on by him supplies to another person services for or in relation to the performance of work would, but for sub-section (1) (e) (iv), be a relevant contract; and
 - (b) contracts under which the first-mentioned person in the course of the same business has supplied to him the services of persons for or in relation to the performance of work would, but for sub-section (1) (e) (ii) or (iii) be relevant contracts—

the Commissioner may, unless the first-mentioned person satisfies him that the business is carried on independently of, and is not connected with, the carrying on of a business carried on by another person or other persons and that the business is not carried on with an intention either directly or indirectly of avoiding or evading the payment of tax whether by the first-mentioned person or another person, by notice in writing given to the first-mentioned person determine that the contracts referred to in paragraph (b) are relevant contracts notwithstanding sub-section (1) (e) (ii) and (iii).

(5) Where, in respect of a payment for or in relation to the performance of work that is deemed to be wages under this section, pay-roll tax is paid by a person deemed under this section to be an employer—

- (a) **no other person shall be liable to pay-roll tax in respect of that payment; and**
 - (b) **where another person is liable to make a payment for or in relation to that work, that person shall not be liable to pay-roll tax in respect of that payment unless it or the payment by the first-mentioned person is made with an intention either directly or indirectly of avoiding or evading the payment of tax whether by the first-mentioned person or another person.**
- (6) In this section—
- (a) a reference to a contract includes a reference to an agreement, arrangement or undertaking, whether formal or informal and whether express or implied;
 - (b) a reference to supply includes a reference to supply by way of sale, exchange, lease, hire or hire-purchase, and in relation to services includes a reference to the providing, granting or conferring of services;
 - (c) a reference to the re-supply of goods acquired from a person includes a reference to—
 - (i) a supply to the person of goods in an altered form or condition; and
 - (ii) a supply to the person of goods in which the first-mentioned goods have been incorporated;
 - (d) a reference to services includes a reference to results (whether goods or services) of work performed;
 - (e) subject to paragraph (f), a reference to a financial year is a reference to the period commencing on 1 January 1984 and ending on 30 June 1984 and each year thereafter commencing on 1 July; and

- (f) where, but for this paragraph, a reference in paragraph (e) of sub-section (1) to a financial year would be a reference to the period commencing on 1 January 1984 and ending on 30 June 1984, that reference is a reference to the year commencing on 1 July 1983.

3D. (1) For the purposes of this section—

“Franchise scheme” means a scheme involving a continuing business relationship between two or more persons under which one of those persons (in this sub-section called “the relevant participant”) is by himself or another person authorized or required under the scheme to sell goods or services or to provide services or to arrange insurance (otherwise than exclusively from business premises occupied by the relevant participant but not being his principal place of residence) or to perform any contract for the carriage of goods which has been entered into under the scheme by another participant in the scheme (whether or not one or more other participants in the scheme is or are so authorized or is or are required to do any such acts) and—

(a) another participant in the scheme—

- (i) exerts or has the right to exert an influence over the relevant participant in relation to his activities under the scheme; or
- (ii) assists or supports the relevant participant in carrying on his activities under the scheme; or

(b) the nature and operation of the scheme results in the activities of the relevant participant being commonly identified with another participant in the scheme or the business of another participant in the scheme—

but does not include a contract of service.

“Nominated promoter” means a promoter who is registered, nominated or appointed pursuant to this section.

“Promoter” in relation to a franchise scheme means a participant in the scheme—

- (a) who exerts or has the right to exert an influence over the relevant participant in relation to his activities under the scheme; or
- (b) who assists or supports the relevant participant in carrying on his activities under the scheme.

“Sell” includes—

- (a) offer or expose for sale;
- (b) keep or have in possession for sale; and
- (c) send, forward or deliver for or on sale.

(2) In this section, a reference to sell, arrange or perform includes a reference to agree or attempt to sell, arrange or perform or to authorize, direct, suffer or permit another person to sell, arrange or perform.

(3) Where there is not more than one promoter of a franchise scheme—

- (a) the promoter shall apply to the Commissioner in the prescribed form and manner for registration as the nominated promoter and the Commissioner shall then register him as the nominated promoter of the scheme under this Act; and
- (b) where the promoter fails to apply for registration pursuant to paragraph (a) he shall be liable to a penalty of 50 penalty units.

(4) Where in relation to any franchise scheme there is more than one promoter of that scheme—

(a) those promoters—

- (i) shall nominate one of their number as the nominated promoter for the purposes of this Act; and
- (ii) shall give to the Commissioner notice in writing of the name of the person so nominated and of the persons by whom the

nomination was made and the Commissioner shall register the person so nominated as the nominated promoter for the purposes of this Act; and

(b) where any promoter is under a duty to give notice to the Commissioner pursuant to paragraph (a) and fails to do so, he shall be liable to a penalty of 50 penalty units.

(5) A nomination under sub-section (4) shall be deemed to be a nomination in respect of a franchise scheme notwithstanding that at the time the nomination is made, one or more of the promoters referred to in sub-section (4) do not join in making the nomination and continues to be a nomination in respect of the scheme notwithstanding that the identity of the promoters alters.

(6) Where any person who is under a duty to apply for registration or give notice to the Commissioner pursuant to sub-section (3) or (4) fails to do so, the Commissioner shall appoint one of the participants in the scheme as the nominated promoter of the scheme.

(7) A person registered nominated or appointed as promoter of a franchise scheme pursuant to this section shall continue as nominated promoter for the purposes of this Act until—

(a) in the case of a person registered under sub-section (3) or nominated under sub-section (4) notice of the registration or nomination under sub-section (3) or (4) of another promoter in the scheme is given to the Commissioner, being a notice that includes a revocation of the registration or nomination of the first-mentioned person; or

(b) the Commissioner revokes the registration nomination or appointment of that nominated promoter and appoints another participant in the scheme as the nominated promoter of the scheme for the purposes of this Act.

(8) Where the Commissioner appoints, or revokes the registration nomination or appointment of, a person as nominated promoter pursuant to this section, he shall give notice of the appointment or revocation.

(9) For the purposes of this Act—

(a) the nominated promoter of a franchise scheme shall be deemed to be an employer;

(b) each participant in a franchise scheme (other than the nominated promoter) shall be deemed to be an employee;

(c) any amount—

(i) paid or payable by the nominated promoter of a franchise scheme to or in relation to a participant in the scheme; or

(ii) received or receivable by a participant in a franchise scheme (other than the nominated promoter)—

for his participation in the scheme shall be deemed to be wages, and shall be deemed to have been paid or be payable by the nominated promoter.

(10) Where a motor vehicle used for the purposes of a franchise scheme is provided by a participant in the scheme as a condition of his participation in the scheme, the Commissioner may, on application made to him by the nominated promoter of the scheme, determine that an amount that, under sub-section (9) (c), is to be deemed to be wages paid or payable by the nominated promoter to the participant shall be reduced by 20 per centum or such higher proportion as the Commissioner determines having regard to the value of the motor vehicle and any other relevant information.

(11) Where in respect of an amount paid or payable to or received or receivable by a participant under a franchise scheme that under this section is to be deemed to be wages, pay-roll tax is paid by a person deemed under this section to be an employer—

- (a) no other person shall be liable to pay-roll tax in respect of that payment; and
- (b) where another person is liable to pay an amount to the participant in relation to the activities carried out by the participant under the scheme to which the first-mentioned amount applies, that person shall not be liable to pay-roll tax in respect of the second-mentioned amount unless the payment of either amount is made with an intention either directly or indirectly of avoiding or evading the payment of tax whether by the first-mentioned person or another person.*

—(Mr Jolly)

Question—That clause 7, as amended stand part of the Bill—put.
Committee divided

(Chairman—Mr Wilton)

AYES, 45

Mr Cain	Mrs Hill	Mr Norris	Mr Simpson
Miss Callister	Mr Hill	Mr Pope	Mr Spyker
Mr Cathie	Mr Hockley	Mrs Ray	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Remington	Mrs Toner
Mr Crabb	Mr Jolly	Mr Roper	Mr Trezise
Mr Culpin	Mr Kennedy	Mr Rowe	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Seitz	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mrs Setches	Mr Wilkes
Mr Fordham	Mr Mathews	Mr Sheehan	
Mr Gavin	Mr Micallef	(Ivanhoe)	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Shell	Mr Harrowfield
Mr Hassett	Mr Newton	Mr Sidiropoulos	Mr McDonald

NOES, 30

Mr Austin	Mr Hann	Mr McNamara	Mr Templeton
Mr Brown	Mr Jasper	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Jona	Mr Ramsay	Mr Williams
Mr Dickinson	Mr Kempton	Mr Reynolds	
Mr Ebery	Mr Kennett	Mr Richardson	
Mr Evans	Mr Leigh	Mr Ross-Edwards	
(Ballarat North)	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McGrath	Mrs Sibree	Mr Delzoppo
(Gippsland East)	Mr McKellar	Mr Tanner	Mr Steggall

And so it was resolved in the affirmative.

NO. 2—DRUGS POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL (No. 2)—
Clause 7.

(1) For Part VI. of the Principal Act there shall be substituted the following expression:

‘PART V.—DRUGS OF DEPENDENCE
[Proposed sections 70–71 not printed]

72. (1) A person who without being authorized by or licensed under this Act or the regulations to do so cultivates or attempts to cultivate a narcotic plant is guilty of an indictable offence and liable—

- (a) where the court is satisfied on the balance of probabilities that the offence was not committed by the person for any purpose related to trafficking in that plant—to a penalty of not more than 20 penalty units or to

NOTE—Bold type denotes insertion or substitution by amendment.

imprisonment for a term of not more than one year or to both that penalty and imprisonment;

- (b) in any other case—to a penalty of not more than 1000 penalty units or to imprisonment for a term of not more than 15 years or to both that penalty and imprisonment.

(2) In this section “cultivate” in relation to a narcotic plant includes—

- (a) sow a seed of a narcotic plant; or
 (b) plant, grow, tend, nurture or harvest a narcotic plant.

(3) Where a person cultivates, without being authorized by or licensed under this Act or the regulations to do so, a narcotic plant in a quantity which is not less than the traffickable quantity applicable to a drug of dependence being that narcotic plant the cultivation of that plant in that quantity is *prima facie* evidence of trafficking by that person in a drug of dependence being that plant.

(4) Where a person cultivates a narcotic plant with intent to traffick in a drug of dependence consisting of the fresh or dried parts of that plant or being a product of that plant, the cultivation of that plant is *prima facie* evidence of trafficking by that person in a drug of dependence being that plant.

(5) It is a good defence to a prosecution for an offence involving the cultivation of a narcotic plant if the person charged with the offence adduces evidence which satisfies the court of the balance of probabilities that, having regard to all of the circumstances (including his conduct) in which the matter alleged to constitute the offence arose or preparatory to the alleged commission of the offence, he did not know or suspect and could not reasonably have been expected to have known or suspected that the narcotic plant was a narcotic plant.

73. (1) A person who without being authorized by or licensed under this Act or the regulations to do so has or attempts to have in his possession a drug of dependence is guilty of an indictable offence and liable—

- (a) where the court is satisfied on the balance of probabilities that the offence was committed in relation to a quantity of cannabis that is not more than the small quantity applicable to cannabis—to a penalty of not more than 5 penalty units;
 (b) subject to paragraph (a), where the court is satisfied on the balance of probabilities that the offence was not committed by the person for any purpose relating to trafficking in that drug of dependence—to a penalty of not more than 20 penalty units or to imprisonment for a term of not more than one year or to both that penalty and imprisonment; or
 (c) in any other case—to a penalty of not more than 200 penalty units or to imprisonment for a term of not more than five years or to both that penalty and imprisonment.

(2) Where a person has in his possession, without being authorized by or licensed under this Act or the regulations to do so, a drug of dependence in a quantity that is not less than the traffickable quantity applicable to that drug of dependence, the possession of that drug of dependence if that quantity is *prima facie* evidence of trafficking by that person in that drug of dependence.

[Proposed sections 74—90 not printed]

—(Mr Roper)

Amendment proposed—That proposed paragraph 72 (1) (a) be omitted.

—(Mr Lieberman)

Question—That the paragraph proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 40

Mr Cain	Mr Harrowfield	Mr Miller	Mr Simpson
Miss Callister	Mr Hassett	Mr Newton	Mr Stirling
Mr Cathie	Mrs Hill	Mr Pope	Mrs Toner
Dr Coghill	Mr Hill	Mr Roper	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Seitz	Mr Walsh
Mr Ernst	Mr Kennedy	Mrs Setches	
Mr Fogarty	Mr Kirkwood	Mr Sheehan	<i>Tellers</i>
Mr Fordham	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Hockley
Mr Gavin	Mr McDonald	Mr Shell	Mr Norris
Mr Gray	Mr Micallef	Mr Sidiropoulos	

NOES, 28

Mr Austin	Mr Hann	Mrs Patrick	Mr Wallace
Mr Brown	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Kempton	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Richardson	
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr McKellar	Mrs Sibree	Mr Leigh
Mr Evans	Mr McNamara	Mr Tanner	Mr Stegall
(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton	

And so it was resolved in the affirmative.

No. 3—Clause 7.

Further amendment proposed—That the expression “20” in proposed paragraph 73 (1) (b) be omitted with the view of inserting in place thereof the expression “50”.

—(Mr Lieberman)

Question—That the expression proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Mr Cain	Mr Hassett	Mr Newton	Mr Simpson
Miss Callister	Mrs Hill	Mr Pope	Mr Spyker
Mr Cathie	Mr Hill	Mrs Ray	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Roper	Mrs Toner
Mr Culpin	Mr Jolly	Mr Rowe	Mr Trezise
Mr Ernst	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Fogarty	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Fordham	Mr McCutcheon	Mr Sheehan	
Mr Gavin	Mr McDonald	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gray	Mr Micallef	Mr Shell	Mr Hockley
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	Mr Norris

NOES, 25

Mr Brown	Mr Hann	Mrs Patrick	Mr Wallace
Mr Burgin	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Kempton	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Richardson	
Mr Ebery	Mr McKellar	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Tanner	Mr Leigh
(<i>Gippsland East</i>)	Mr Maclellan	Mr Templeton	Mr Stegall

And so it was resolved in the affirmative.

Wednesday, 23 November 1983

No. 4—INDUSTRIAL RELATIONS (FURTHER AMENDMENT) BILL—Clause 4, *as amended*.

(1) In section 3 (1) of the Principal Act at the end of the interpretation of “industrial dispute” there shall be inserted the words “and a dispute arising from the dismissal or threatened dismissal from his employment of an employee”.

(2) After section 34 (4) of the Principal Act there shall be inserted the following sub-sections:

“(5) A Board may hear and determine any question in an industrial dispute as to whether the dismissal or threatened dismissal from his employment of an employee, not being an employee who has under any Act or law a right of appeal or review against his dismissal, was or would be harsh, unjust or unreasonable and the Board may direct the employer of that employee to re-employ that employee in his former position on terms that are not less favourable to the employee than if he had not been dismissed from his employment or not to dismiss him from his employment (as the case requires).

(6) Without limiting the generality of the provisions of sub-section (5) in any proceedings under that sub-section the Board may order that the employee be paid an amount not exceeding the amount of the wages he would have received had he been employed in that employment between the time of his dismissal and the time at which he was re-employed.

(7) The Board shall not, in the case of a dismissal, exercise the jurisdiction conferred upon it by sub-section (5) unless an application invoking that jurisdiction is made to the Registrar by or on behalf of the dismissed employee, within 4 business days after the day on which his employment is terminated.”.

(3) Section 44 of the Principal Act is amended as follows:

(a) In sub-section (2) after the word “registrar” there shall be inserted the expression “, upon being informed pursuant to sub-section (1) of an industrial dispute or upon receiving an application pursuant to section 34 (7),”; and

(b) After sub-section (3) there shall be inserted the following sub-sections:

“(3A) Where an application is received pursuant to section 34 (7) in respect of an industrial dispute, the chairman shall convene the meeting of the Board within 2 business days after the day on which the application is received by the Registrar.

(3B) In respect of an industrial dispute in relation to the dismissal of an employee, the duties imposed on the Board by sub-section (2), and on the chairman by sub-section (3), shall be discharged as expeditiously as possible.”.

(4) In section 3 (1) of the Principal Act after the interpretation of “Board” there shall be inserted the following interpretation:

“Business day” means a day on which the Registry of the Commission is ordinarily open for business.’

—(Mr Crabb)

Question—That clause 4, as amended, stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hassett	Mr Norris	Mr Stirling
Miss Callister	Mrs Hill	Mr Pope	Mrs Toner
Mr Cathie	Mr Hockley	Mr Roper	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Crabb	Mr Jolly	Mr Seitz	Mr Walsh
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Wilkes
Mr Ernst	Mr Kirkwood	Mr Sheehan	
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Fordham	Mr McDonald	Mr Shell	Mr Newton
Mr Gavin	Mr Mathews	Mr Sidiropoulos	Mr Sheehan
Mr Gray	Mr Micallef	Mr Simpson	(<i>Ballarat South</i>)
Mr Harrowfield	Mr Miller	Mr Spyker	

NOES, 26

Mr Austin	Mr Hann	Mr McGrath	Mr Saltmarsh
Mr Brown	Mr Jasper	Mr McKellar	Mr Tanner
Mr Burgin	Mr Jona	Mr McNamara	Mr Wallace
Mr Delzoppo	Mr Kempton	Mr Maclellan	Mr Williams
Mr Dickinson	Mr Kennett	Mrs Patrick	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Richardson	Mr Ebery
(<i>Ballarat North</i>)	Mr Lieberman	Mr Ross-Edwards	Mr Steggall

And so it was resolved in the affirmative.

No. 5—Clause 5, *as amended*.

After section 3 (2) of the Principal Act there shall be inserted the following subsection:

“(2A) The fact that a person is the lessee of a vehicle used in the delivery of goods or is the owner, whether wholly or partly, of any vehicle used in the transport of goods or passengers **or is the owner, whether wholly or partly, or lessee of a tow truck within the meaning of Part VI. of the Transport Act 1983** shall not prevent that person from being held to be an employee or worker for the purposes of this Act.”.

—(*Mr Crabb*)

Question—That clause 5, as amended, stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hassett	Mr Norris	Mr Stirling
Miss Callister	Mrs Hill	Mr Pope	Mrs Toner
Mr Cathie	Mr Hockley	Mr Roper	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Crabb	Mr Jolly	Mr Seitz	Mr Walsh
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Wilkes
Mr Ernst	Mr Kirkwood	Mr Sheehan	
Mr Fogarty	Mr McCutcheon	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Fordham	Mr McDonald	Mr Shell	Mr Newton
Mr Gavin	Mr Mathews	Mr Sidiropoulos	Mr Sheehan
Mr Gray	Mr Micallef	Mr Simpson	(<i>Ballarat South</i>)
Mr Harrowfield	Mr Miller	Mr Spyker	

NOTE—Bold type denotes insertion or substitution by amendment.

NOES, 26

Mr Austin	Mr Hann	Mr McGrath	Mr Saltmarsh
Mr Brown	Mr Jasper	Mr McKellar	Mr Tanner
Mr Burgin	Mr Jona	Mr McNamara	Mr Wallace
Mr Delzoppo	Mr Kempton	Mr Maclellan	Mr Williams
Mr Dickinson	Mr Kennett	Mrs Patrick	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Richardson	Mr Ebery
(Ballarat North)	Mr Lieberman	Mr Ross-Edwards	Mr Steggall

And so it was resolved in the affirmative

No. 6—Clause 7, as amended.

At the end of section 34 (1) of the Principal Act there shall be inserted the following paragraphs:

“(l) **the duties and responsibilities of employers upon the introduction of, or decision to introduce, technological changes in the trades in which they are engaged and the notice to be given of termination of services on that ground;**

(m) retrenchments and redundancies from any other cause and the notice to be given of termination of services.”.

—(Mr Crabb)

Question—That clause 7, as amended, stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 39

Mr Cain	Mr Hassett	Mr Newton	Mr Spyker
Miss Callister	Mrs Hill	Mr Pope	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Rowe	Mr Walsh
Mr Crabb	Mr Jolly	Mr Seitz	Mr Wilkes
Mr Culpin	Mr Kennedy	Mrs Setches	
Mr Ernst	Mr Kirkwood	Mr Sheehan	<i>Tellers</i>
Mr Fogarty	Mr McCutcheon	(Ballarat South)	Mr Sheehan
Mr Fordham	Mr McDonald	Mr Shell	(Ivanhoe)
Mr Gavin	Mr Mathews	Mr Sidiropoulos	Dr Vaughan
Mr Gray	Mr Micallef	Mr Simpson	

NOES, 24

Mr Brown	Mr Jona	Mrs Patrick	Mr Williams
Mr Burgin	Mr Kempton	Mr Richardson	
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Leigh	Mr Saltmarsh	
Mr Ebery	Mr Lieberman	Mr Steggall	<i>Tellers</i>
Mr Hann	Mr McGrath	Mr Tanner	Mr McKellar
Mr Jasper	Mr Maclellan	Mr Wallace	Mr McNamara

And so it was resolved in the affirmative.

No. 7—Clause 8.

After section 44 (6) of the Principal Act there shall be inserted the following sub-section:

“(7) Where an industrial dispute is referred to the Commission under this section the Commission shall have and may exercise, in addition to any other powers conferred upon it by or under this Act, all the powers of a Board under section 34.”.

—(Mr Crabb)

Question—That clause 8 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 39

Mr Cain	Mr Hassett	Mr Newton	Mr Spyker
Miss Callister	Mrs Hill	Mr Pope	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Rowe	Mr Walsh
Mr Crabb	Mr Jolly	Mr Seitz	Mr Wilkes
Mr Culpin	Mr Kennedy	Mrs Setches	
Mr Ernst	Mr Kirkwood	Mr Sheehan	
Mr Fogarty	Mr McCutcheon	(Ballarat South)	<i>Tellers</i>
Mr Fordham	Mr McDonald	Mr Shell	Mr Sheehan
Mr Gavin	Mr Mathews	Mr Sidiropoulos	(Ivanhoe)
Mr Gray	Mr Micallef	Mr Simpson	Dr Vaughan

NOES, 23

Mr Brown	Mr Jasper	Mr Maclellan	Mr Tanner
Mr Burgin	Mr Kempton	Mrs Patrick	Mr Wallace
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Williams
Mr Dickinson	Mr Leigh	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr Lieberman	Mr Saltmarsh	Mr McKellar
Mr Hann	Mr McGrath	Mr Steggall	Mr McNamara

And so it was resolved in the affirmative.

Thursday, 24 November 1983

No. 8—PUBLIC AUTHORITIES (DIVIDENDS) BILL—Clause 4.

(1) In this Act—

“Public authority” means—

- (a) the Gas and Fuel Corporation of Victoria;
- (b) the Melbourne and Metropolitan Board of Works;
- (c) the Port of Melbourne Authority;
- (d) the State Electricity Commission; or
- (e) the Grain Elevators Board.

“Public equity”—

- (a) in relation to a financial year of a public authority other than the Gas and Fuel Corporation of Victoria, means an amount calculated in accordance with the formula $(A - B) - (C - D)$; and
- (b) in relation to a financial year of the Gas and Fuel Corporation of Victoria, means an amount calculated in accordance with the formula $(A - B) - (C - D) - E$, where—

A represents the current value of the assets of the public authority as at 30 June immediately preceding that financial year;

B represents that part of the fixed assets that consists of capital work in progress;

C represents the liabilities (whether current or non-current) of the public authority as at that date;

D represents the liabilities incurred to finance capital work in progress; and

E represents that part of the capital liabilities of the public authority as at that date that is in the form of Shares held by persons other than the State of Victoria.

“Treasurer” means Treasurer of Victoria.

(2) Subject to sub-section (3), of the value of "A", "B", "C", "D" and "E" in the formulae set out in the interpretation of "Public equity" in sub-section (1) shall be determined by the Treasurer after consultation with the Minister responsible for the public authority.

(3) For the purposes of this Act advances or loans made to a public authority out of the Public Account in respect of which a return is being paid to the State of Victoria in the form of interest or in any other form shall not be treated as being part of the public equity of the public authority.

—(Mr Jolly)

Amendment proposed—That after the word "Authority" in sub-section 1 (c) there be inserted the word "or".

—(Mr Austin)

Question—That the word proposed to be inserted be so inserted—put.

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 26

Mr Austin	Mr Hann	Mr McKellar	Mr Templeton
Mr Brown	Mr Jasper	Mr McNamara	Mr Wallace
Mr Burgin	Mr Jona	Mr Maclellan	Mr Williams
Mr Dickinson	Mr Kempton	Mrs Patrick	
Mr Ebery	Mr Kennett	Mr Ramsay	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr Delzoppo
(Ballarat North)	Mr McGrath	Mr Tanner	Mr Steggall
Mr Evans			
(Gippsland East)			

NOES, 39

Mr Cain	Mr Harrowfield	Mrs Ray	Mr Stirling
Miss Callister	Mrs Hill	Mr Roper	Mrs Toner
Mr Cathie	Mr Hill	Mr Seitz	Dr Vaughan
Dr Coghill	Mr Hockley	Mrs Setches	Mr Walsh
Mr Crabb	Mr Jolly	Mr Sheehan	Mr Wilkes
Mr Culpin	Mr Kennedy	(Ballarat South)	
Mr Ernst	Mr McDonald	Mr Shell	
Mr Fogarty	Mr Miller	Mr Sidiropoulos	
Mr Fordham	Mr Newton	Mr Simmonds	<i>Tellers</i>
Mr Gavin	Mr Norris	Mr Simpson	Mr Hassett
Mr Gray	Mr Pope	Mr Spyker	Mr McCutcheon

And so it passed in the negative.

No. 9—LIQUOR CONTROL (FEES) BILL—Clause 4.

(1) In section 156 of the Principal Act, for sub-sections (1), (2) and (3) there shall be substituted the following sub-sections:

“(1) The fee for a brewer’s licence shall be the sum of—

- (a) the amount equal to 9 per centum of the gross amount paid or payable to the licensee for all liquor, other than prescribed liquor, during the twelve months ended on the last day of June preceding the date of the application for the grant or renewal of the licence;
- (b) the amount equal to 15 per centum of the gross amount paid or payable to the licensee for wine of the grape, other than prescribed liquor, during the twelve months ended on the last day of June preceding the date of the application for the grant or renewal of the licence;
- (c) the amount equal to 5 cents for each litre of wine of the grape, other than prescribed liquor, sold during the twelve months ended on the last day of June preceding the date of the application for the grant or renewal of the licence; and

- (d) the amount equal to 2 per centum of the gross amount paid or payable to the licensee for all prescribed liquor during the twelve months ended on the last day of June preceding the date of the application for the grant or renewal of the licence.

(2) The fee for a licence, other than a brewer's licence, a vigneron's licence or a ship's provedore's licence, shall be the sum of—

- (a) the amount equal to 9 per centum of the gross amount paid or payable for all liquor, other than wine of the grape or prescribed liquor, during the twelve months ended on the last day of June preceding the date of the application for the grant or renewal of the licence;
- (b) the amount equal to 15 per centum of the gross amount paid or payable for wine of the grape, other than prescribed liquor, during the twelve months ended on the last day of June preceding the date of the application for the grant or renewal of the licence;
- (c) the amount equal to five cents for each litre of wine of the grape, other than prescribed liquor, purchased during the twelve months ended on the last day of June preceding the date of the application for the grant or renewal of the licence; and
- (d) the amount equal to 2 per centum of the gross amount paid or payable for all prescribed liquor during the twelve months ended on the last day of June preceding the date of the application for the grant or renewal of the licence—

where that liquor, wine of the grape or prescribed liquor was delivered upon or purchased for—

- (e) the premises or, in the case of a ship's licence, the vessel in respect of which the grant or renewal is sought;
- (f) any neighbouring premises in which the licensee temporarily carried on business; or
- (g) any booth in respect of which a licence was during that period of twelve months granted to him.

(3) The fee for a vigneron's licence shall be \$150 and, where the gross amount paid or payable to the licensee for all liquor, other than prescribed liquor, during the twelve months ended on the last day of June preceding the date of the application for the grant or renewal of the licence for consumption off the premises exceeds \$100 000, the amount equal to 8·8 per centum of the amount by which that gross amount exceeds \$100 000."

(2) In section 156 (5) of the Principal Act, for the expression "sub-section (1)" there shall be substituted the expression "sub-section (1) or (2)".

(3) Paragraph (a) of section 156 (6) of the Principal Act shall be repealed.

(4) Section 159 of the Principal Act is amended as follows:

- (a) In sub-section (1), for the words "payable on a percentage basis under this Act" there shall be substituted the words "(other than a fixed fee) payable under this Act";
- (b) In paragraph (a) of sub-section (2), after the words "disposed of" there shall be inserted the words "or the quantity of liquor purchased or sold";
- (c) In sub-section (3), for the words "payable on a percentage basis" there shall be substituted the words "(other than fixed fees) payable under this Act"; and
- (d) In sub-section (5), after the words "wholesale liquor merchant" there shall be inserted the words "licensed vigneron".

(5) In section 159 of the Principal Act, after sub-section (5) there shall be inserted the following sub-sections:

“(5A) For the purpose of enabling the Commission to fix a fee for a vigneron’s licence, the Chairman of the Commission may, by order in writing, require the licensee to state in such form as is prescribed by the regulations the quantity and nature of, and price or payable for liquor sold or supplied for consumption off the premises to persons other than persons holding licences under this Act during the twelve months ended on the preceding 30 June.

(5B) A licensed vigneron shall within fourteen days after an order applying to him is made under sub-section (5A) comply with the order.

Penalty: 2 penalty units.”

(6) In section 160 of the Principal Act—

(a) after sub-section (1) there shall be inserted the following sub-section:

“(1A) Every applicant for the grant of a vigneron’s licence shall at the time of the application furnish all particulars available to enable the Commission to estimate the probable extent of the annual sales of liquor, other than prescribed liquor, for consumption off the premises.”

(b) in sub-section (2), for the words “for which a fee is payable on a percentage basis” there shall be substituted the words “, other than a vigneron’s licence, for which a fee is payable under this Act”;

(c) in sub-section (3) after the words “transfer of a licence” there shall be inserted the words “other than a vigneron’s licence”;

(d) after sub-section (3) there shall be inserted the following sub-sections;

“(3A) Save as otherwise expressly provided, every applicant for the renewal of a vigneron’s licence shall on or before the first day of August in each year forward to the Secretary a statutory declaration by the applicant setting forth with regard to the twelve months ended on the last day of June preceding the date of the application as nearly as practicable or, if liquor had not been sold or supplied during the whole of that period for consumption off the premises, with regard to any shorter period preceding that last day of June during which liquor was so sold or supplied the quantity of liquor sold or supplied for consumption off the premises and the gross amount paid or payable to the licensee for that liquor.

(3B) In the case of an application for the transfer of a vigneron’s licence a like declaration of liquor sold or supplied for consumption off the premises up to the date of the application shall be furnished by the licensee if required by the Commission.”;

(e) after sub-section (4) there shall be inserted the following sub-section:

“(4A) In the case of an application for the renewal of a vigneron’s licence a like declaration shall be made as aforesaid setting forth the liquor sold or supplied by the licensee during that period of twelve months for consumption off the premises to persons other than persons licensed to sell liquor.”.

(7) In section 160A (1) of the Principal Act—

(a) in paragraph (a), after the expression “sub-section (1)” there shall be inserted the expression “or (1A)”; and

(b) in paragraph (b), after the expression “sub-section (2)” there shall be inserted the expression “or (3A)”.

—(Mr Jolly)

Amendment proposed—That the expression “15” in proposed sub-section 156 (1) (b) be omitted with the view of inserting in place thereof the expression “12”.

—(Mr Jasper)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 52

Mr Austin	Mr Fordham	Mr Micallef	Mr Simpson
Mr Brown	Mr Gray	Mr Miller	Mr Spyker
Mr Burgin	Mr Harrowfield	Mr Newton	Mr Stirling
Mr Cain	Mr Hassett	Mr Norris	Mr Tanner
Miss Callister	Mrs Hill	Mrs Patrick	Mr Templeton
Mr Cathie	Mr Hill	Mr Ramsay	Mrs Toner
Dr Coghill	Mr Hockley	Mrs Ray	Dr Vaughan
Mr Crabb	Mr Jolly	Mr Richardson	Mr Walsh
Mr Culpin	Mr Kennedy	Mr Roper	Mr Wilkes
Mr Delzoppo	Mr Kirkwood	Mr Seitz	
Mr Dickinson	Mr Leigh	Mr Sheehan	
Mr Ebery	Mr McCutcheon	(Ballarat South)	<i>Tellers</i>
Mr Ernst	Mr McDonald	Mr Shell	Mr Gavin
Mr Fogarty	Mr McKellar	Mr Sidiropoulos	Mr Williams

NOES, 6

Mr Evans (Gippsland East)	Mr Hann	Mr Ross-Edwards	<i>Tellers</i>
	Mr Jasper		Mr McNamara
			Mr Steggall

And so it was resolved in the affirmative.

No. 10—Clause 4.

Further amendment proposed—That after the word “licence” in proposed sub-section 156 (1) (b) there be inserted the word “and;”.

—(Mr Jasper)

Question—That the word proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 6

Mr Evans (Gippsland East)	Mr Hann	Mr Ross-Edwards	<i>Tellers</i>
	Mr Jasper		Mr McNamara
			Mr Steggall

NOES, 51

Mr Brown	Mr Hassett	Mr Newton	Mr Spyker
Mr Burgin	Mrs Hill	Mr Norris	Mr Stirling
Miss Callister	Mr Hill	Mrs Patrick	Mr Tanner
Dr Coghill	Mr Hockley	Mr Ramsay	Mr Templeton
Mr Crabb	Mr Jolly	Mrs Ray	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Richardson	Mr Vaughan
Mr Delzoppo	Mr Kirkwood	Mr Roper	Mr Walsh
Mr Dickinson	Mr Leigh	Mr Saltmarsh	Mr Wilkes
Mr Ebery	Mr Lieberman	Mr Seitz	
Mr Ernst	Mr McCutcheon	Mr Sheehan	
Mr Fogarty	Mr McDonald	(Ballarat South)	<i>Tellers</i>
Mr Fordham	Mr McKellar	Mr Shell	Mr Gavin
Mr Gray	Mr Micallef	Mr Sidiropoulos	Mr Williams
Mr Harrowfield	Mr Miller	Mr Simpson	

And so it passed in the negative.

No. 11—Clause 4.

Further amendment proposed—That the expression “8·8” in proposed sub-section 156 (3) be omitted with the view of inserting in place thereof the expression “2·4”.

—(Mr Jasper)

Question—That the expression proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 52

Mr Austin	Mr Gavin	Mr Micallef	Mr Spyker
Mr Brown	Mr Gray	Mr Miller	Mr Stirling
Mr Burgin	Mr Harrowfield	Mr Newton	Mr Templeton
Miss Callister	Mr Hassett	Mr Norris	Mrs Toner
Mr Cathie	Mrs Hill	Mrs Patrick	Dr Vaughan
Dr Coghill	Mr Jolly	Mr Ramsay	Mr Walsh
Mr Crabb	Mr Kennedy	Mrs Ray	Mr Wilkes
Mr Culpin	Mr Kennett	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Kirkwood	Mr Roper	
Mr Dickinson	Mr Leigh	Mr Saltmarsh	
Mr Ebery	Mr Lieberman	Mr Seitz	
Mr Ernst	Mr McCutcheon	Mr Shell	<i>Tellers</i>
Mr Fogarty	Mr McDonald	Mr Sidiropoulos	Mr Hockley
Mr Fordham	Mr McKellar	Mr Simpson	Mr Tanner

NOES, 6

Mr Evans	Mr Hann	Mr Ross-Edwards	<i>Tellers</i>
(Gippsland East)	Mr Jasper		Mr McNamara
			Mr Steggall

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA

DIVISIONS IN COMMITTEE OF THE WHOLE

No. 28

Tuesday, 29 November 1983

NO. 1—EGG INDUSTRY STABILIZATION BILL—Clause 16.

Subject to section 19, the Licensing Committee shall not issue a licence under this Division to any person other than a natural person.

—(Mr Wilkes)

Question—That clause 16 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Miss Callister	Mr Hill	Mr Pope	Mr Stirling
Mr Cathie	Mr Hill	Mr Remington	Mrs Toner
Dr Coghill	Mr Hockley	Mr Roper	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Seitz	Mr Walsh
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr McCutcheon	Mr Sheehan	
Mr Fordham	Mr McDonald	(Ballarat South)	
Mr Gavin	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Sidiropoulos	Mr Kennedy
Mr Harrowfield	Mr Newton	Mr Simpson	Mr Sheehan
Mr Hassett	Mr Norris	Mr Spyker	(Ivanhoe)

NOES, 29

Mr Austin	Mr Evans	Mr McKellar	Mr Tanner
Mr Brown	(Gippsland East)	Mrs Patrick	Mr Templeton
Mr Burgin	Mr Hann	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Dickinson	Mr Jona	Mr Richardson	Mr Williams
Mr Ebery	Mr Kempton	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr Kennett	Mrs Sibree	Mr Leigh
(Ballarat North)	Mr McGrath	Mr Steggall	Mr McNamara

And so it was resolved in the affirmative.

NO. 2—Clause 20.

(1) Subject to section 19, the Licensing Committee shall not issue a licence to any person under this Division, unless it is satisfied that he is a *bona fide* poultry farmer at the place or places to which the licence relates or will relate.

(2) Notwithstanding sub-section (1), where the applicant for a licence is not at the date of the application a *bona fide* poultry farmer, the Licensing Committee may issue a licence to that person on condition that he will forthwith become and continue to be a *bona fide* poultry farmer at the place or places to which the licence relates.

(3) The Licensing Committee shall not issue a licence to any person under this Division if as a result—

- (a) the hen quota of that person would exceed 10 000 or such other number as that person is authorized to hold by this Act; or
- (b) the total amount of hen quota applying at any place to which the licence relates would exceed 40 000 or such other number as is authorized by this Act in respect of that place.

—(Mr Wilkes)

Question—That clause 20 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 49

Miss Callister	Mrs Hill	Mr Pope	Mr Stirling
Mr Cathic	Mr Hockley	Mrs Ray	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Remington	Mr Trezise
Mr Culpin	Mr Jasper	Mr Roper	Dr Vaughan
Mr Ernst	Mr Kennedy	Mr Ross-Edwards	Mr Wallace
Mr Evans	Mr Kirkwood	Mr Rowe	Mr Walsh
(Gippsland East)	Mr McCutcheon	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr McDonald	Mrs Setches	
Mr Fordham	Mr McGrath	Mr Sheehan	
Mr Gavin	Mr McNamara	(Ivanhoe)	
Mr Gray	Mr Micallef	Mr Shell	Tellers
Mr Hann	Mr Miller	Mr Sidiropoulos	Mr Sheehan
Mr Harrowfield	Mr Newton	Mr Simpson	(Ballarat South)
Mr Hassett	Mr Norris	Mr Spyker	Mr Steggall

NOES, 22

Mr Austin	Mr Jona	Mr Reynolds	
Mr Brown	Mr Kempton	Mr Richardson	
Mr Burgin	Mr Kennett	Mr Saltmarsh	
Mr Delzoppo	Mr McKellar	Mrs Sibree	
Mr Ebery	Mr Maclellan	Mr Tanner	Tellers
Mr Evans	Mrs Patrick	Mr Templeton	Mr Dickinson
(Ballarat North)	Mr Ramsay	Mr Williams	Mr Leigh

And so it was resolved in the affirmative.

No. 3—Clause 24.

(1) Notwithstanding anything to the contrary in this Act, where a licensee has died—

- (a) the executor or administrator of the estate of the deceased licensee; or
- (b) with the consent of the Licensing Committee a beneficiary or beneficiaries of the estate of the deceased licensee—

may subject to any conditions or restrictions to which the licence of the deceased licensee was subject, operate any poultry farm to which the licence applied immediately before the death of the deceased licensee until—

- (c) the granting of probate or the administration of the estate to the executor or administrator; or
- (d) the expiration of twelve months after the death of the licensee—

whichever is the earlier.

(2) Sub-section (1) applies notwithstanding that the executor or administrator or beneficiary (as the case requires) is not the holder of the licence.

—(Mr Wilkes)

Amendment proposed—That after sub-clause (2) there be inserted the following sub-clauses:

- (3) Where any person who is the relation of a deceased licensee becomes entitled under the will or on the intestacy of the deceased licensee to any

interest in land and any hen quota applying to that land, that person may hold that hen quota under this Act in respect of that land notwithstanding that the total amount of hen quota held by that person under this Act would exceed 10 000 or such other number as he is otherwise authorized to hold by this Act.

- (4) In sub-section (3) "relation" in relation to a deceased licensee, means the spouse, son, daughter, father, mother, brother, sister, grandfather, grandmother, grandson or grand-daughter of the deceased licensee.'

—(Mr Hann)

Question—That the sub-clauses proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 29

Mr Austin	Mr Evans	Mr McGrath	Mr Steggall
Mr Brown	(Gippsland East)	Mr McKellar	Mr Tanner
Mr Burgin	Mr Hann	Mr Ramsay	Mr Templeton
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Wallace
Mr Dickinson	Mr Jona	Mr Richardson	Mr Whiting
Mr Ebery	Mr Kempton	Mr Ross-Edwards	Tellers
Mr Evans	Mr Kennett	Mr Saltmarsh	Mr McNamara
(Ballarat North)	Mr Leigh	Mrs Sibree	Mr Williams

NOES, 42

Miss Callister	Mr Hockley	Mr Roper	Mr Stirling
Mr Cathic	Mr Ihlein	Mr Rowe	Mrs Toner
Dr Coghill	Mr Kennedy	Mr Seitz	Mr Trezise
Mr Culpin	Mr Kirkwood	Mrs Setches	Dr Vaughan
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McDonald	(Ivanhoe)	Mr Wilkes
Mr Fordham	Mr Miller	Mr Sheehan	
Mr Gavin	Mr Newton	(Ballarat South)	
Mr Gray	Mr Norris	Mr Sidiropoulos	
Mr Harrowfield	Mr Pope	Mr Simmonds	Tellers
Mr Hassett	Mrs Ray	Mr Simpson	Mr Micallef
Mrs Hill	Mr Remington	Mr Spyker	Mr Shell

And so it passed in the negative.

No. 4—Clause 34, *as amended*.

(1) Subject to this Act, the owner of a poultry farm to which a hen quota of 40 000 or less applies at the date of completion of the sale may sell the poultry farm together with the hen quota.

(2) Subject to this section, the owner of a poultry farm to which a hen quota in excess of 40 000 applies at the date of completion of the sale may sell the poultry farm together with hen quota determined in accordance with this section.

(3) Where there are sufficient purchasers of a poultry farm referred to in sub-section (2) to ensure that when the hen quota which may be sold with the poultry farm is divided among the purchasers, the total hen quota allocated to each purchaser under this Act will not exceed 10 000, the poultry farm may be sold together with that hen quota.

(4) For the purposes of sub-section (3) the maximum hen quota which may be sold with the poultry farm shall be determined by—

- determining the amount which is twelve and one-half per cent of the amount of hen quota in excess of 40 000 which applied in respect of the poultry farm on 16 November 1983;
- reducing the amount of hen quota held in excess of 40 000 in respect of the poultry farm on that date by the amount determined in accordance

with paragraph (a) for each first day of July which occurs between 16 November 1983 and the date of completion of the sale of the poultry farm; and

(c) adding the amount arrived at under paragraph (b) to 40 000.

(5) Where there are not sufficient purchasers of the poultry farm to comply with sub-section (3), but there are four or more purchasers and none of the purchasers is the holder of hen quota under this Act, the poultry farm may be sold to those purchasers together with hen quota which does not exceed the maximum hen quota determined in accordance with sub-section (6) and the hen quota so sold shall be divided equally between the purchasers.

(6) For the purposes of sub-section (5) the maximum hen quota which may be sold with the poultry farm shall be determined by—

(a) determining the amount which is twenty per cent of the amount of hen quota in excess of 40 000 which applied in respect of the poultry farm on 16 November 1983;

(b) reducing the amount of hen quota in excess of 40 000 held in respect of the poultry farm on that date by the amount determined in accordance with paragraph (a) for each first day of July which occurs between 16 November 1983 and the date of completion of the sale of the poultry farm; and

(c) adding the amount arrived at under paragraph (b) to 40 000.

(7) Where there are not sufficient or eligible purchasers of the poultry farm to comply with sub-section (3) or (5), the maximum amount of hen quota which may be sold with the poultry farm shall be determined in accordance with sections 32 and 33.

(8) Any amount of hen quota held in respect of a poultry farm which is not allocated to a purchaser on the sale of the poultry farm pursuant to this section may be sold in accordance with Part VII. on the application of the owner of the hen quota.

(9) Where the whole or part of the hen quota which applies to a poultry farm is not held by the owner of the poultry farm, the powers of the owner of the poultry farm under this section may only be exercised jointly with the person or persons holding that hen quota.

—(Mr Wilkes)

Amendment proposed—That after sub-clause (9) there be inserted the following sub-clauses:

(10) Notwithstanding anything to the contrary in the foregoing provisions of this section, where a licensee holds hen quota under this Act in respect of a poultry farm and the licensee—

(a) wishes to retire from poultry farming; or

(b) by reason of ill-health or incapacity is unable to continue to be a *bona fide* poultry farmer in respect of that poultry farm—

the licensee may sell that hen quota to a relation of the licensee.

(11) A person who acquires hen quota pursuant to sub-section (10) may hold that hen quota under this Act in respect of the poultry farm referred to in that sub-section notwithstanding that the total amount of hen quota held by that person under this Act would exceed 10 000 or such other number as he is otherwise authorized to hold by this Act.

(12) In sub-section (10) "relation" in relation to a licensee means the spouse, son, daughter, father, mother, brother, sister, grandfather, grandmother, grandson or grand-daughter of the licensee.

—(Mr Hann)

Question—That the sub-clauses proposed to be inserted be so inserted—put.
Committee divided

(Chairman—Mr Wilton)

AYES, 31

Mr Austin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Brown	Mr Jasper	Mr Reynolds	
Mr Burgin	Mr Jona	Mr Richardson	
Mr Delzoppo	Mr Kempton	Mr Ross-Edwards	
Mr Dickinson	Mr Kennett	Mr Saltmarsh	
Mr Ebery	Mr Leigh	Mrs Sibree	
Mr Evans	Mr McGrath	Mr Steggall	
(Ballarat North)	Mr McKellar	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Templeton	Mr McNamara
(Gippsland East)	Mrs Patrick	Mr Wallace	Mr Williams

NOES, 45

Miss Callister	Mr Hill	Mr Pope	Mr Simmonds
Mr Cathie	Mr Hockley	Mrs Ray	Mr Simpson
Dr Coghill	Mr Ihlein	Mr Remington	Mr Spyker
Mr Crabb	Mr Jolly	Mr Roper	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Rowe	Mrs Toner
Mr Ernst	Mr Kirkwood	Mr Seitz	Mr Trezise
Mr Fogarty	Mr McCutcheon	Mrs Setches	Dr Vaughan
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Gavin	Mr Mathews	(Ivanhoe)	Mr Wilkes
Mr Gray	Mr Miller	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Newton	(Ballarat South)	Mr Micallef
Mr Hassett	Mr Norris	Mr Sidiropoulos	Mr Shell

And so it passed in the negative.

NO. 5—EDUCATION (AMENDMENT) BILL—Clause 9.

For section 24 of the Principal Act there shall be substituted the following section:

“24. (1) In every State school there shall be observed in accordance with this section a ceremony at which the pupils acknowledge their role as citizens of Australia.

(2) The school council at each State school shall in accordance with the guidelines issued by the Minister determine the form of any ceremony under sub-section (1) and the intervals at which such a ceremony shall take place.

(3) The flag to be used at a ceremony under sub-section (1) shall be the Australian National Flag.”

—(Mr Fordham)

Question—That clause 9 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 60

Mr Austin	Mr Gray	Mr Micallef	Mrs Sibree
Mr Brown	Mr Harrowfield	Mr Miller	Mr Sidiropoulos
Mr Burgin	Mr Hassett	Mr Newton	Mr Simmonds
Miss Callister	Mr Hill	Mr Pope	Mr Simpson
Mr Cathie	Mr Hockley	Mr Ramsay	Mr Spyker
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Culpin	Mr Jona	Mr Reynolds	Mr Templeton
Mr Delzoppo	Mr Kempton	Mr Richardson	Mrs Toner
Mr Dickinson	Mr Kennedy	Mr Rowe	Mr Trezise
Mr Ebery	Mr Kennett	Mr Seitz	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Evans	Mr Leigh	Mr Sheehan	Mr Wilkes
(Ballarat North)	Mr McDonald	(Ivanhoe)	Mr Williams
Mr Fogarty	Mr McKellar	Mr Sheehan	<i>Tellers</i>
Mr Fordham	Mr Maclellan	(Ballarat South)	Mr Norris
Mr Gavin	Mr Mathews	Mr Shell	Mr Tanner

NOES, 9

Mr Evans
(*Gippsland East*)
Mr Hann

Mr Jasper
Mr McGrath
Mr Ross-Edwards

Mr Wallace
Mr Whiting

Tellers
Mr McNamara
Mr Steggall

And so it was resolved in the affirmative.

No. 6—Clause 11.

(1) For section 35 of the Principal Act there shall be substituted the following section:

‘35. In this Part, “school” means an assembly at appointed times of ten or more persons of not less than six nor more than eighteen years of age for the purpose of their being instructed by a teacher in all or any of the subjects prescribed for the purposes of this section, but does not include—

- (a) any post-secondary education institution within the meaning of the *Post-Secondary Education Act 1978*;
- (b) any class in business or commercial practice held for persons whose ages are greater than school age;
- (c) any day training centre within the meaning of the *Mental Health Act 1959*;
- (d) any assembly of persons all of whom are members of not more than two families;
- (e) any State school; or
- (f) any class held outside normal school hours.’

[*Sub-sections (2)–(19) not printed*]

—(*Mr Fordham*)

Amendment proposed—That the word “ten” be omitted with the view of inserting in place thereof the word “twenty”.

—(*Mr Fordham*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 28

Mr Austin
Mr Brown
Mr Burgin
Mr Dickinson
Mr Ebery
Mr Evans
(*Gippsland East*)
Mr Hann

Mr Jasper
Mr Jona
Mr Kempton
Mr Kennett
Mr Leigh
Mr McGrath
Mr McKellar
Mr McNamara

Mr Maclellan
Mr Ramsay
Mr Reynolds
Mr Richardson
Mr Ross-Edwards
Mrs Sibree
Mr Steggall
Mr Tanner

Mr Templeton
Mr Whiting
Mr Williams

Tellers
Mr Delzoppo
Mr Wallace

NOES, 42

Miss Callister
Mr Cathic
Dr Coghill
Mr Crabb
Mr Culpin
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Gray
Mr Harrowfield
Mr Hassett
Mrs Hill

Mr Hockley
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McDonald
Mr Mathews
Mr Micallef
Mr Miller
Mr Newton
Mr Norris
Mr Pope
Mrs Ray

Mr Roper
Mr Rowe
Mr Seitz
Mrs Setches
Mr Sheehan
(*Ivanhoe*)
Mr Sheehan
(*Ballarat South*)
Mr Shell
Mr Sidiropoulos
Mr Simmonds
Mr Simpson

Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh

Tellers
Mr Ernst
Mr Ihlein

And so it passed in the negative.

No. 7 Clause 11, *as amended*.

(1) For section 35 of the Principal Act there shall be substituted the following section:

‘35. In this Part, “school” means an assembly at appointed times of **twenty** or more persons of not less than six nor more than eighteen years of age for the purpose of their being instructed by a teacher in all or any of the subjects prescribed for the purposes of this section, but does not include—

- (a) any post-secondary education institution within the meaning of the *Post-Secondary Education Act 1978*;
- (b) any class in business or commercial practice held for persons whose ages are greater than school age;
- (c) any day training centre within the meaning of the *Mental Health Act 1959*;
- (d) any assembly of persons all of whom are members of not more than two families;
- (e) any State school; or
- (f) any class held outside normal school hours.’

(2) In section 37 of the Principal Act—

- (a) in sub-section (1) (a) the words “in the form or to the effect of the Third Schedule” shall be repealed;
- (b) in sub-section (1) (b) the words “in the form or to the effect of the Fourth Schedule” shall be repealed; and
- (c) for paragraph (d) of sub-section (3) there shall be substituted the following paragraph:

“(d) defining what schools shall for the purposes of this Part be primary, secondary or special schools (as the case may be);”

(3) For sub-sections (2) and (3) of section 39 of the Principal Act there shall be substituted the following sub-section:

“(2) The Board may determine to register a teacher as a primary, secondary, special or technical teacher or as a teacher of only one or more (not being all) of the subjects prescribed for the purposes of section 35.”

(4) For section 40 of the Principal Act there shall be substituted the following section:

“40. Every person applying to be registered as a teacher shall give to the Board sufficient information to determine whether—

- (a) the person should be registered as a primary, secondary, special or technical teacher or as a teacher of only one or more specified subjects; and
- (b) the school (if any) where the person is or was employed is or was a primary, secondary or special school.”

(5) In section 41 of the Principal Act for the words “felony or of misdemeanour” there shall be substituted the words “an indictable offence”.

(6) In section 42 of the Principal Act—

- (a) for sub-section (1) there shall be substituted the following sub-sections:

“(1) Every school shall be registered in the register of schools as a primary school, secondary school or special school or as a school which is a combination of all or any two of such schools.

(1A) The proprietor or head teacher of every school shall at least six months before the opening of the school make application in the prescribed form for approval to open the school.

(1B) No school shall be opened unless the Board has granted approval for its opening.

(1C) If the Board has refused to grant approval for the opening of a school, the proprietor or head teacher of the school may apply in writing to the Minister who may grant or refuse to grant approval for the opening of the school, and where the Minister grants that approval the school may be opened.”;

(b) in sub-section (3)—

(i) in paragraph (a) for the word “may” there shall be substituted the word “shall”; and

(ii) in paragraph (b) for the words “special subject” there shall be substituted the words “single subject or in relation to any bilingual education programme approved by the Board”;

(c) after sub-section (3) there shall be inserted the following sub-sections:

“(4) For the purposes of registering a school as a secondary school, the Board shall determine the year levels for which the school shall be registered.

(5) The Board shall not register a secondary school unless the average enrolment for the year levels for which the school is to be registered is ten or more.

(6) Notwithstanding the provisions of section 35, where a primary school in a rural area or a special school has an enrolment of more than ten but less than twenty persons of not less than six nor more than eighteen years of age the Board may register that school under this Part.

(7) Where a school has been registered pursuant to sub-section (6), the provisions of this Part shall apply to and in relation to that school in all respects as if that school were a school within the meaning of section 35.”.

(7) In section 43 of the Principal Act—

(a) in sub-section (1)—

(i) for the expression “(1) The” there shall be substituted the expression “(1) Subject to sub-section (1A), the”; and

(ii) in paragraph (d) after the word “conveniences” there shall be inserted the words “or the safety of pupils”;

(b) after sub-section (1) there shall be inserted the following sub-section:

“(1A) The Board shall not cancel the registration of any school by reason only that the enrolment at the school is not in compliance with section 35, **42 (5) or 42 (6) (as the case may be)**, where the Board is satisfied that the non-compliance is the result of special circumstances of a temporary nature.”;

(c) in sub-section (2) before the word “cancellation” there shall be inserted the word “intended”; and

(d) in sub-section (5)—

(i) the words “or teachers in” shall be repealed; and

(ii) for the expression “\$100” there shall be substituted the expression “10 penalty units”.

- (8) In section 44 of the Principal Act—
- (a) in sub-section (1) the words “or teach in” shall be repealed;
 - (b) at the foot of sub-section (1) there shall be inserted the following:
“Penalty: 10 penalty units.”;
 - (c) in sub-section (2)—
 - (i) for the expression ‘mentioned in the interpretation of “school” in this Part’ there shall be substituted the expression “prescribed for the purposes of section 35”; and
 - (ii) in paragraph (b) for the words “be employed temporarily as a teacher” there shall be substituted the word “teach”;
 - (d) in sub-section (3) (b) for the words “be employed temporarily as a teacher” there shall be substituted the word “teach”; and
 - (e) after sub-section (3) there shall be inserted the following sub-sections:
 - “(4) Sub-sections (2) and (3) do not apply to or in relation to any person who immediately before the commencement of section 11 of the *Education (Amendment) Act 1983*—
 - (a) was a teacher in a school; and
 - (b) was not registered and was not required to be registered as a teacher under this Part as in force immediately before that commencement.
 - (5) Where a person to or in relation to whom sub-section (4) applies ceases to be a teacher in any school for a period of more than three months or for such longer period as the Board in any particular case determines—
 - (a) that person shall before recommencing to teach in a school comply with sub-section (2); and
 - (b) no proprietor or head teacher of a school shall employ that person as a teacher in the school until that person has complied with sub-section (2).”.
- (9) For section 46 of the Principal Act there shall be substituted the following section:
- “46. (1) The proprietor or head teacher of every registered school shall furnish to the Registrar of the Board on or before 31 July in each year a return in or to the effect of the form determined by the Board.
- (2) Every proprietor or head teacher of a registered school who wilfully makes any false entry in a return under this section shall be liable to a penalty of not more than 5 penalty units.”.
- (10) In section 47 of the Principal Act—
- (a) in sub-section (1)—
 - (i) for the words “marked in ink” there shall be substituted the word “recorded”; and
 - (ii) for the word “Minister” there shall be substituted the word “Board”; and
 - (b) in sub-section (4) for the expression “\$40” there shall be substituted the expression “1 penalty unit”.
- (11) In section 48 of the Principal Act—
- (a) in sub-section (1) the words “a teacher or” and “teacher or” shall be repealed; and

(b) for sub-sections (2) and (3) there shall be substituted the following sub-section:

“(2) With each application for registration of a school there shall be deposited with the accountant to the Education Department a fee of \$200 which shall be paid into the Consolidated Fund.”.

(12) In section 52 of the Principal Act for the expression “\$200” there shall be substituted the expression “10 penalty units”.

(13) The Third, Fourth and Fifth Schedules to the Principal Act shall be repealed.

(14) On and from the commencement of this section, all teachers and all schools registered under Part III. of the Principal Act immediately before that commencement shall continue subject to the Principal Act as amended by this section to be registered.

(15) Where a school in relation to which sub-section (14) applies does not upon the commencement of this section or at any time within five years after that commencement have an enrolment of **twenty** or more persons of not less than six nor more than eighteen years of age or being a secondary school have an average enrolment of ten or more such persons for the year levels for which the school is registered, that school shall notwithstanding that fact continue to be registered under Part III. of the Principal Act.

(16) Where at the expiration of five years after the commencement of this section a school in relation to which sub-section (14) applies does not have an enrolment of **twenty** or more persons of not less than six nor more than eighteen years of age or being a secondary school have an average enrolment of ten or more such persons for the year levels for which the school is registered, that school shall cease to be registered under Part III. of the Principal Act.

(17) For the purposes of sub-section (14), the Registered Schools Board shall determine—

(a) in respect of each teacher registered under Part III. of the Principal Act immediately before the commencement of this section, whether that teacher should be registered as a primary, secondary, special or technical teacher or as a teacher of one or more specified subjects; and

(b) subject to sub-section (18), in respect of each school registered under Part III. of the Principal Act immediately before the commencement of this section, whether that school should be registered as a primary, secondary or special school and in the case of a school to be registered as a secondary school the year levels for which it should be registered—

and shall cause the registers of teachers and schools under section 37 of the Principal Act to be revised accordingly.

(18) Where any school was immediately before the commencement of this section registered under Part III. of the Principal Act as a technical school—

(a) that school shall notwithstanding the amendments made to section 42 of the Principal Act by this section continue to be registered as a technical school; and

(b) Part III. of the Principal Act (other than section 42 (4) and (5)) as amended by this section shall apply to and in relation to that school in all respects as if it were registered as a secondary school.

(19) On and from the commencement of this section, any permission given under section 44 of the Principal Act as in force immediately before that commencement to a person to be employed temporarily as a teacher in a school shall be deemed to be permission to teach in the school given under section 44 of the Principal Act as amended by this section.

—(Mr Fordham)

Question—That clause 11, as amended, stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Miss Callister	Mr Hockley	Mr Roper	Mr Spyker
Mr Cathic	Mr Ihlein	Mr Rowe	Mr Stirling
Dr Coghill	Mr Jolly	Mr Seitz	Mrs Toner
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Ernst	Mr McDonald	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fogarty	Mr Mathews	Mr Sheehan	
Mr Fordham	Mr Micallef	(<i>Ballarat South</i>)	
Mr Gavin	Mr Miller	Mr Shell	
Mr Gray	Mr Newton	Mr Sidiropoulos	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Simmonds	Mrs Hill
Mr Hassett	Mr Pope	Mr Simpson	Mrs Ray

NOES, 27

Mr Brown	Mr Jona	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Kempton	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Leigh	Mrs Sibree	
Mr Ebery	Mr McGrath	Mr Steggall	
Mr Evans	Mr McKellar	Mr Tanner	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McNamara	Mr Templeton	Mr Jasper
Mr Hann	Mr Maclellan	Mr Wallace	Mr Reynolds

And so it was resolved in the affirmative.

Wednesday, 30 November 1983

NO. 8—TEACHING SERVICE BILL—Clause 5, *as amended*.

(1) In section 2 of the Principal Act—

(a) for the interpretations of “Approved agent” and “Approved unit” there shall be substituted the following interpretations:

“Approved agent” means a union or association determined by the Commission under section 31 to be the approved agent of an approved unit.

“Approved unit” means a group of officers or employees or both of the teaching service determined by the Commission under section 30 to be an approved unit for the purposes of this Act.;

(b) for the interpretations of “Commission” and “Commissioner” there shall be substituted the following interpretations:

“Commission” means the Victorian Teaching Service Conciliation and Arbitration Commission established under this Act.

“Commissioner” means Commissioner of the Commission.;

(c) before the interpretation of “Director-General” there shall be inserted the following interpretation:

“Determination” means—

(a) a determination made or deemed to be made by the Commission; and

(b) an order made or deemed to be made by the Minister under section 11.;

(d) the interpretation of “Education Service Appeals Board” shall be repealed;

- (e) in the interpretation of "Government office" for the words "education service" there shall be substituted the words "teaching service";
- (f) after the interpretation of "Government office" there shall be inserted the following interpretations:
- "Industrial dispute" means a dispute in relation to any industrial matter.
- "Industrial matter" means any matter relating to employment in the teaching service, and, without affecting the generality of the foregoing, includes the following matters:
- (a) All matters or things affecting or relating to work done or to be done;
- (b) The salaries, wages, allowances or other remuneration of an officer or employee or of a person to be employed in the teaching service;
- (c) Whether or not any salary, wage, allowance or other remuneration is payable at a time when an officer or employee is not actually working;
- (d) Whether or not an officer or employee is entitled to leave of absence for or in relation to—
- (i) recreation;
- (ii) **pregnancy and the care of a child after birth;**
- (iii) the adoption by the officer or employee of a child;
- (iv) illness;
- (v) pressing necessity;
- (vi) study; or
- (vii) **any special purpose or activity—**
and the terms and conditions upon which such leave of absence may be granted;
- (e) Pay in lieu of leave in the event of the resignation, retirement or death of an officer or employee;
- (f) Recognition of the service (other than in the teaching service) of an officer or employee;
- (g) The hours of employment and times of attendance of officers or employees;
- (h) The nature of the duties of officers or employees;
- (i) The qualifications and status of officers or employees;
- (j) The classification of offices in the teaching service and raising, lowering or otherwise altering of any classification;
- (k) The number and distribution of positions in any classification;
- (l) Any conditions (including qualifications or experience) for appointment, promotion or transfer to any office or position;
- (m) The preferential employment of or the non-employment of any particular person or class of persons being or not being a member or members of an approved agent;
- (n) The sizes of classes of students;
- (o) The appointment of persons to assist officers or employees;
- (p) The provision of facilities and resources to assist officers or employees;
- (q) The provision of first-aid equipment, medical attendants, ambulance facilities, rest rooms, sanitary and washing facilities,

NOTE—Bold type denotes insertion or substitution by amendment.

canteens, cafeteria, dining rooms and other amenities for officers or employees;

- (r) All matters affected by or resulting from or pertaining to technological change;
- (s) Dismissal arising out of redundancy or any other cause (other than dismissal arising out of disciplinary procedures) and any payment to be made upon such a dismissal and any review of such a dismissal;
- (t) Retrospective operation of determinations; and
- (u) Where a dispute arises in respect of any of the above matters, any matter which may be a contributory cause of such a dispute—
but does not include any matter provided for in Part V.;

[Sub-section (1) (g) to (j) and sub-section (2) not printed]

—(Mr Fordham)

Amendment proposed—That paragraph (m) in the proposed interpretation of “Industrial matter” be omitted.

—(Mr Jona)

Question—That the words and expression proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 39

Miss Callister	Mr Jolly	Mr Roper	Mr Stirling
Mr Crabb	Mr Kennedy	Mr Rowe	Mrs Toner
Mr Ernst	Mr Kirkwood	Mr Seitz	Mr Trezise
Mr Fogarty	Mr McCutcheon	Mrs Setches	Dr Vaughan
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Gavin	Mr Micallef	(<i>Ivanhoe</i>)	
Mr Gray	Mr Miller	Mr Shell	
Mr Hassett	Mr Norris	Mr Sidiropoulos	
Mrs Hill	Mr Pope	Mr Simmonds	<i>Tellers</i>
Mr Hockley	Mrs Ray	Mr Simpson	Mr Harrowfield
Mr Ihlein	Mr Remington	Mr Spyker	Mr Newton

NOES, 31

Mr Austin	Mr Hann	Mrs Patrick	Mr Templeton
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Kempton	Mr Richardson	Mr Williams
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	
Mr Evans	Mr Leigh	Mr Saltmarsh	
(<i>Ballarat North</i>)	Mr McKellar	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Steggall	Mr Ebery
(<i>Gippsland East</i>)	Mr Maclellan	Mr Tanner	Mr McGrath

And so it was resolved in the affirmative.

No. 9—Clause 9.

DIVISION I—PRELIMINARY

[Sections 10–29 not printed]

DIVISION 2A—APPROVAL OF UNITS AND AGENTS

30. (1) The Commission shall from time to time having regard to the structure of the teaching service determine the units of officers or employees or both of the teaching service.

(2) The Commission shall from time to time having regard to the structure of the technical and further education teaching service determine the units of officers of the technical and further education teaching service.

(3) The Commission may at any time having regard to the structure of the teaching service determine that a group of officers or employees or both of the teaching service shall cease to be an approved unit.

(4) The Commission may at any time having regard to the structure of the technical and further education teaching service determine that a group of officers of the teaching service shall cease to be an approved unit.

(5) The Commission shall before making any determination under this section cause a notice to be published in the *Education Gazette* inviting submissions in relation to the matter which may be determined.

(6) The Commission may if it thinks fit conduct a public hearing into any matter which may be determined under this section.

31. (1) A union or an association representing officers or employees or both in the teaching service or officers in the technical and further education teaching service may apply to the Commission to be the approved agent of an approved unit.

(2) The Commission shall cause notice of an application under sub-section (1) to be sent to the Minister and—

(a) where another union or association is an approved agent for the approved unit, to that union or association; and

(b) in the case of an application from a union or association representing officers in the technical and further education teaching service, to the Technical and Further Education Board and—

and to such other persons, unions or associations as it considers appropriate.

(3) Unless otherwise agreed by the Commission and the applicant under sub-section (1), the Minister and where applicable the Technical and Further Education Board and the approved agent referred to in sub-section (2) (a) the hearing of an application under sub-section (1) shall be conducted in public.

(4) The Commission may determine that an applicant under sub-section (1) shall be the approved agent for an approved unit.

(5) The approved agent of an approved unit shall have the right to represent in relation to all industrial matters all officers and employees in the teaching service or officers in the technical and further education teaching service (as the case may be) who are members of the approved unit, whether or not those officers or employees or officers are members of the approved agent.

(6) In determining whether or not an applicant under sub-section (1) shall be the approved agent for an approved unit, the Commission shall have regard to the fact that another union or association is the approved agent for the approved unit.

(7) Where the Commission under section 30 (3) or (4) has determined that a group of officers or employees or both of the teaching service or a group of officers of the technical and further education teaching service (as the case may be) shall cease to be an approved unit, any union or association that is the approved agent for that approved unit shall cease to be such an approved agent.

(8) The Commission may at any time determine that a union or association shall cease to be the approved agent of an approved unit, but shall not do so unless it has first given the union or association an opportunity to be heard in relation to that matter.

—(Mr Fordham)

Amendment proposed, *as amended*—That after sub-section 30 (6) there be inserted the following sub-section:

“(7) Notwithstanding this section, principals **and vice-principals** shall be an approved unit of the teaching service.”.

—(Mr Jona)

Question—That the sub-section proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 31

Mr Austin	Mr Hann	Mrs Patrick	Mr Templeton
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Kempton	Mr Richardson	Mr Williams
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	
Mr Evans	Mr Leigh	Mr Saltmarsh	
(Ballarat North)	Mr McKellar	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Steggall	Mr Ebery
(Gippsland East)	Mr Maclellan	Mr Tanner	Mr McGrath

NOES, 40

Miss Callister	Mr Hockley	Mrs Ray	Mr Simpson
Dr Coghill	Mr Ihlein	Mr Remington	Mr Spyker
Mr Crabb	Mr Jolly	Mr Roper	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Rowe	Mrs Toner
Mr Ernst	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Fogarty	Mr McCutcheon	Mrs Setches	Mr Walsh
Mr Fordham	Mr McDonald	Mr Sheehan	
Mr Gavin	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gray	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Norris	Mr Sidiropoulos	Mr Harrowfield
Ms Hill	Mr Pope	Mr Simmonds	Mr Newton

And so it passed in the negative.

No. 10—Clause 9.

Further amendment proposed, *as amended*—That after sub-section 31 (8) there be inserted the following sub-sections:

“(9) Where the Commission has determined that an applicant under sub-section (1) shall not be the approved agent for an approved unit, the applicant may appeal against that determination to the Minister who may determine that the applicant shall or shall not be the approved agent for the approved unit.

(10) Notwithstanding this section, the approved agent for the approved unit of principals, **and vice-principals** shall be a union or association most of the members of which are principals, **vice-principals** or other persons concerned in the administration of schools.

(11) The Commission shall as soon as practicable after the commencement of section 9 of the *Teaching Service Act* 1983 determine under sub-section (10) the approved agent for the approved unit of principals **and vice-principals**”.

—(Mr Jona)

Question—That the sub-sections proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 31

Mr Austin	Mr Hann	Mrs Patrick	Mr Williams
Mr Brown	Mr Jasper	Mr Ramsay	
Mr Burgin	Mr Jona	Mr Reynolds	
Mr Delzoppo	Mr Kempton	Mr Richardson	
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	
Mr Ebery	Mr Leigh	Mrs Sibree	
Mr Evans	Mr McGrath	Mr Steggall	
(Ballarat North)	Mr McKellar	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Templeton	Mr Saltmarsh
(Gippsland East)	Mr Maclellan	Mr Whiting	Mr Wallace

NOES, 41

Miss Callister	Mrs Hill	Mr Norris	Mr Simpson
Dr Coghill	Mr Hockley	Mr Pope	Mr Spyker
Mr Crabb	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Culpin	Mr Jolly	Mr Remington	Mrs Toner
Mr Ernst	Mr Kennedy	Mr Roper	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Rowe	Dr Vaughan
Mr Fordham	Mr McCutcheon	Mr Seitz	Mr Walsh
Mr Gavin	Mr McDonald	Mrs Setches	
Mr Gray	Mr Mathews	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Miller	(<i>Ivanhoe</i>)	Mr Shell
Mr Hassett	Mr Newton	Mr Simmonds	Mr Sidiropoulos

And so it passed in the negative.

NO. 11—STATE DISASTERS BILL—Clause 9, *as amended*.

(1) The *Country Fire Authority Act 1958* is hereby amended as follows:

- (a) In section 30 (g) after the word "threatened" there shall be inserted the words "or likely to be threatened"; and
- (b) In section 31—
- (i) in sub-section (3) (b) after the word "threatened" there shall be inserted the words "or likely to be threatened"; and
- (ii) sub-section (4) shall be repealed.

(2) For section 33 (1) (e) of the *Metropolitan Fire Brigades Act 1958* there shall be substituted the following paragraph:

"(e) may order to withdraw and (in the event of a failure or refusal to withdraw) remove or direct any member of any fire brigade or any member of the police force to remove any persons who interfere by their presence or otherwise with the operations of any brigade or who are in or on any land building or premises then burning or threatened or likely to be threatened by fire;"

(3) Section 58 of the *Metropolitan Fire Brigades Act 1958* shall be repealed.

—(Mr Mathews)

Question—That clause 9, as amended, stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mr Hassett	Mr Pope	Mr Stirling
Miss Callister	Mrs Hill	Mrs Ray	Mr Trezise
Mr Cathic	Mr Hockley	Mr Roper	Dr Vaughan
Dr Coghill	Mr Ihlein	Mr Rowe	Mr Walsh
Mr Crabb	Mr Jolly	Mr Seitz	Mr Wilkes
Mr Culpin	Mr Kennedy	Mrs Setches	
Mr Ernst	Mr Kirkwood	Mr Sheehan	
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Fordham	Mr Mathews	Mr Shell	<i>Tellers</i>
Mr Gavin	Mr Micallef	Mr Sidiropoulos	Mr Norris
Mr Gray	Mr Miller	Mr Simpson	Mr Sheehan
Mr Harrowfield	Mr Newton	Mr Spyker	(<i>Ballarat South</i>)

NOES, 27

Mr Austin	Mr Evans	Mr Maclellan	Mr Wallace
Mr Brown	(<i>Gippsland East</i>)	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Hann	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Leigh	Mr Saltmarsh	
Mr Ebery	Mr McGrath	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Steggall	Mr Jasper
(<i>Ballarat North</i>)	Mr McNamara	Mr Templeton	Mr Kempton

And so it was resolved in the affirmative.

Thursday, 1 December 1983

NO. 12—LEGAL PROFESSION PRACTICE (FURTHER AMENDMENT) BILL—Clause 3.

Section 62 of the *Summary Offences Act* 1966 shall be repealed.

—(Mr Cain)

Question—That clause 3 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 40

Mr Cain	Mr Hassett	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathic	Mr Hockley	Mr Remington	Mr Stirling
Dr Coghill	Mr Jolly	Mr Roper	Mrs Toner
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Sheehan	Dr Vaughan
Mr Ernst	Mr McCutcheon	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fordham	Mr Micallef	Mr Sheehan	
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Shell	Mr McDonald
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	Mr Rowe

NOES, 29

Mr Austin	Mr Hann	Mr Maclellan	Mr Steggall
Mr Brown	Mr Jasper	Mrs Patrick	Mr Templeton
Mr Burgin	Mr Jona	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Kempton	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Kennett	Mr Richardson	
Mr Ebery	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Saltmarsh	Mr Tanner
(<i>Gippsland East</i>)	Mr McNamara	Mrs Sibree	Mr Wallace

And so it was resolved in the affirmative.

Friday, 2 December 1983

NO. 13—SOUTH MELBOURNE LAND BILL—Clause 4.

(1) For the purposes of this Act, the Minister shall have power, upon the recommendation of the Minister administering the *Town and Country Planning Act 1961*, to purchase by agreement, or to acquire compulsorily any land within the designated area.

(2) Any land purchased or otherwise acquired under this Act by the Minister shall be surrendered and transferred or conveyed to Her Majesty and, notwithstanding anything to the contrary in any Act or law, shall thereupon become unalienated lands of the Crown freed and discharged of all trusts, encumbrances, reservations, limitations and restrictions and from every estate and interest therein.

(3) The *Lands Compensation Act 1958* is hereby incorporated with this Act and shall be construed together therewith as one Act and shall take effect with regard to the acquisition of land by the Minister for the purposes of this Act.

(4) In the construction of the *Lands Compensation Act 1958* for the purposes of this section, unless inconsistent with the context or subject-matter—

“The Special Act” means this section.

“The Minister of Public Works” and the “Minister” mean the Minister for Conservation, Forests and Lands.

“The works or undertaking” and “the execution of the works” shall mean the taking by the Minister of any land under the authority of this section.

—(Mr Cathie)

Amendment proposed—That the words “or to acquire compulsorily” in sub-clause (1) be omitted.

—(Mr Austin)

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

Committee divided.

(Chairman—Mr Wilton)

AYES, 38

Mr Cain	Mr Hassett	Mr Miller	Mr Simpson
Miss Callister	Mrs Hill	Mr Newton	Mr Stirling
Mr Cathie	Mr Hockley	Mr Norris	Mrs Toner
Mr Culpin	Mr Ihlein	Mr Pope	Mr Trezise
Mr Ernst	Mr Jolly	Mr Roper	Dr Vaughan
Mr Fogarty	Mr Kennedy	Mr Rowe	Mr Wilkes
Mr Fordham	Mr Kirkwood	Mr Seitz	<i>Tellers</i>
Mr Gavin	Mr McCutcheon	Mrs Setches	Mrs Ray
Mr Gray	Mr McDonald	Mr Shell	Mr Remington
Mr Harrowfield	Mr Micallef	Mr Sidiropoulos	

NOES, 23

Mr Austin	Mr Jona	Mrs Patrick	Mr Templeton
Mr Burgin	Mr Kempton	Mr Reynolds	Mr Wallace
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Williams
Mr Dickinson	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr McKellar	Mr Saltmarsh	Mr Leigh
Mr Hann	Mr Maclellan	Mr Tanner	Mr Steggall

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 29

Tuesday, 6 March 1984

No. 1—WORKERS COMPENSATION (AMENDMENT) BILL (No. 3)—Clause 4, *as amended*.

In section 9 of the Principal Act in paragraph (b) of clause 1 of *The Clauses Referred To* for sub-paragraph (iv) there shall be substituted the following sub-paragraphs:

“(iv) An employer shall provide suitable employment for his injured worker during the worker’s partial incapacity for work but, if the employer fails to do so, the worker shall be compensated as if his incapacity for work were total, unless—

(A) where an order is made under section 83 (3) or where section 102 applies, the Insurance Commissioner; or

(B) in any other case, the insurer—

provides, or arranges for, such suitable employment having regard to the worker’s incapacity and place of abode;

(iva) Without in any way limiting or derogating from the powers of the Board conferred by this Act, the question whether suitable employment within the meaning of sub-paragraph (iv) has been provided by an employer, the Insurance Commissioner or the insurer (as the case may be) shall be determined by the Board;

(ivb) Where a worker does not accept suitable employment which has been provided or arranged for him in accordance with sub-paragraph (iv), the worker shall, subject to the provisions of this Act, be entitled to compensation only for partial incapacity;”.

—(Mr Jolly)

Question—That clause 4, as amended, stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 39

Miss Callister	Mrs Hill	Mr Pope	Mr Simpson
Dr Coghill	Mr Hill	Mrs Ray	Mr Stirling
Mr Crabb	Mr Hockley	Mr Remington	Mrs Toner
Mr Culpin	Mr Ihlein	Mr Roper	Mr Trezise
Mr Ernst	Mr Jolly	Mr Seitz	Mr Vaughan
Mr Fogarty	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Fordham	Mr Kirkwood	Mr Sheehan	
Mr Gavin	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Gray	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Mathews	(<i>Ballarat South</i>)	Mr Micallef
Mr Hassett	Mr Miller	Mr Shell	Mr Rowe

NOTE—Bold type denotes substitution by amendment.

NOES, 30

Mr Austin	Mr Hann	Mr McNamara	Mr Steggall
Mr Brown	Mr Jasper	Mr Maclellan	Mr Tanner
Mr Burgin	Mr Jona	Mr Ramsay	Mr Templeton
Mr Delzoppo	Mr Kennett	Mr Reynolds	Mr Whiting
Mr Dickinson	Mr Leigh	Mr Richardson	Mr Williams
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Saltmarsh	Mr Kempton
(<i>Gippsland East</i>)	Mr McKellar	Mrs Sibree	Mr Wallace

And so it was resolved in the affirmative.

No. 2—Clause 5.

In section 9 of the Principal Act after clause 5 of *The Clauses Referred To* there shall be inserted the following clause:

‘5A. (1) Subject to sub-clause (2), an employer shall commence making weekly payments as soon as is practicable after the commencement of the incapacity in respect of which they are payable, and in any case not more than 21 days after the worker has provided to the employer—

- (a) a certificate from a medical practitioner, certifying that the worker has an incapacity for work and specifying the nature of the injury which is the cause of that incapacity; and
- (b) a claim in writing for compensation in respect of that incapacity together with the prescribed particulars of the claim.

(2) An employer who disputes his liability, or the extent of his liability, to make weekly payments under this Act to a worker may within the period of 21 days referred to in sub-clause (1) apply to the Board for an order that he is not required to commence making weekly payments.

(3) Where an employer makes an application under sub-clause (2) in relation to a worker, the provisions of sub-clause (1) shall be suspended in relation to that worker pending the determination of the application.

(4) Upon the hearing of an application made under sub-clause (2), the Board may—

- (a) adjourn the application upon such terms as it thinks fit;
- (b) if it considers that there is a genuine dispute as to whether the employer is liable to make weekly payments—uphold the application;
- (c) if it considers that there is a genuine dispute as to the extent of the employer’s liability to make weekly payments—
 - (i) uphold the application in relation to so much of the weekly payments as is in dispute; and
 - (ii) order that sub-clause (6) shall apply to the balance of the weekly payments with such modifications as the Board considers are necessary; or
- (d) if it considers there is no genuine dispute as to the liability, or the extent of the liability, of the employer to make weekly payments—dismiss the application.

(5) In this clause “genuine dispute” does not include a dispute as to a worker’s capacity for employment.

(6) Where an application made under sub-clause (2) is dismissed, the employer shall—

- (a) commence making weekly payments to the worker; and
- (b) pay to the worker an amount equal to—
 - (i) the total of all outstanding weekly payments; and

- (ii) interest at a rate determined by the Board for the purposes of this sub-clause not exceeding 12% per year upon each outstanding weekly payment, from the time when that payment would have been payable until the money is paid.

(7) In sub-clause (6) "outstanding weekly payment" means a weekly payment which the employer, if an application under sub-clause (2) had not been made, would have been required to pay to the worker within the period commencing on the day of the commencement of the incapacity and concluding immediately before the day on which the application is dismissed.

(8) For the purposes of this Act a payment made under paragraph (b) of sub-clause (6) shall be deemed to be compensation payable under this Act.

(9) Where—

- (a) an application made under sub-clause (2) is dismissed; and
(b) the Board is of the opinion that the applicant made the application without reasonable grounds for doing so, and knowing that he had no reasonable grounds for doing so—

the Board may impose a penalty of an amount not exceeding \$1000 on the applicant.

(10) Where—

- (a) an application made under sub-clause (2) is heard by a person authorised to hear the application and is not heard by the Board;
(b) the application is dismissed; and
(c) the person hearing the application is of the opinion that the applicant may have made the application without reasonable grounds for doing so, and knowing that he had no reasonable grounds for doing so—

the person hearing the application shall refer the matter to the Board for determination under sub-clause (9).

(11) An employer who—

- (a) fails to commence to make weekly payments pursuant to this clause; or
(b) where the operation of sub-clause (1) is suspended by the making of an application under sub-clause (2) and the application is dismissed or an order is made under paragraph (c) of sub-clause (4), fails to commence to make weekly payments or to pay any other amount payable under sub-clause (6) or under that order—

shall be guilty of an offence against this Act and liable to a penalty not exceeding \$1000.

(12) The fact that an application under sub-clause (2) has been upheld or dismissed shall not be taken into account by the Board in any proceedings other than proceedings under this clause or under clause 6A.

—(Mr Jolly)

Question—That clause 5 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Mr Cain	Mr Hassett	Mr Miller	Mr Shell
Miss Callister	Mrs Hill	Mr Pope	Mr Sidiropoulos
Dr Coghill	Mr Hill	Mrs Ray	Mr Simpson
Mr Crabb	Mr Hockley	Mr Remington	Mr Stirling
Mr Culpin	Mr Ihlein	Mr Roper	Mrs Toner
Mr Ernst	Mr Jolly	Mr Seitz	Mr Trezise
Mr Fogarty	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Fordham	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Gavin	Mr McCutcheon	(Ivanhoe)	Tellers
Mr Gray	Mr McDonald	Mr Sheehan	Mr Micallef
Mr Harrowfield	Mr Mathews	(Ballarat South)	Mr Rowe

NOES, 29

Mr Austin	Mr Evans	Mr McGrath	Mr Steggall
Mr Brown	(<i>Gippsland East</i>)	Mr McKellar	Mr Tanner
Mr Burgin	Mr Hann	Mr McNamara	Mr Templeton
Mr Delzoppo	Mr Jasper	Mr Maclellan	Mr Whiting
Mr Dickinson	Mr Jona	Mr Ramsay	Mr Williams
Mr Ebery	Mr Kennett	Mr Reynolds	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Ross-Edwards	Mr Kempton
(<i>Ballarat North</i>)	Mr Lieberman	Mr Saltmarsh	Mr Wallace

And so it was resolved in the affirmative.

No. 3—Clause 6.

(1) In section 9 of the Principal Act after clause 6 of *The Clauses Referred To* there shall be inserted the following clause:

'6A. (1) Where a worker who is receiving weekly payments for total or partial incapacity returns to work the following provisions apply:

- (a) Where the worker returns to work other than with the employer by whom compensation is payable, the worker shall forthwith notify that employer of the fact that he has returned to work;
 - (b) A worker who fails to comply with paragraph (a) shall be guilty of an offence against this Act; and
 - (c) Whether or not the worker returns to work with the employer by whom compensation is payable, that employer is entitled to end or diminish the making of weekly payments from the day on which the worker returns to work.
- (2) Subject to sub-clause (3), where a worker to whom sub-clause (1) applies—
- (a) within three months after he returns to work ceases to work be reason of incapacity for work resulting from, or materially contributed to by, the original injury; and
 - (b) provides to the employer whom compensation was payable—
 - (i) a certificate from a medical practitioner, certifying that the worker has an incapacity for work and specifying the nature of the injury which is the cause of that incapacity; and
 - (ii) an application by the worker for the resumption of weekly payments—

the employer by whom compensation was payable shall as soon as is practicable, and in any case not more than 21 days after he has received the certificate and application, recommence making weekly payments for total or partial incapacity (as the case may be) for the period commencing on the day on which the worker again ceased to work.

(3) Where—

- (a) under sub-clause (2) a worker provides a certificate from a medical practitioner to the employer by whom compensation was payable; and
- (b) during the period after the worker returned to work he worked for an employer other than the employer by whom compensation was payable—

the worker shall provide a copy of the certificate and application to the employer with whom the worker returned to work.

(4) An employer who—

- (a) receives an application by a worker made under sub-clause (2); and
- (b) asserts that the incapacity for work does not result from and is not materially contributed to by the original injury—

may within the period of 21 days referred to in sub-clause (2) apply to the Board for an order that he is not required to recommence making weekly payments.

(5) Where an employer makes an application under sub-clause (4) in relation to a worker, the provisions of sub-clause (2) shall be suspended in relation to that worker pending the determination of that application.

(6) Upon the hearing of an application made under sub-clause (4) the Board may—

- (a) adjourn the application upon such terms as it thinks fit;
- (b) if it considers that there is a genuine dispute as to whether the incapacity for work resulted from or was materially contributed to by the original injury—order that the suspension of the worker's right to weekly payments shall continue in respect of so much of the weekly payments as is the subject of the genuine dispute and upon the making of such an order the suspension of the worker's right to weekly payments shall continue accordingly; or
- (c) if it considers there is no genuine dispute as to whether the incapacity for work resulted from or was materially contributed to by the original injury—dismiss the application.

(7) Where an application made under sub-clause (3) is dismissed, the employer shall—

- (a) recommence making weekly payments to the worker for total or partial incapacity (as the case may be); and
- (b) pay to the worker an amount equal to—
 - (i) the total of all outstanding weekly payments; and
 - (ii) interest at a rate determined by the Board for the purposes of this sub-clause not exceeding 12% per year upon each outstanding weekly payment, calculated from the time when that payment would have been payable until the money is paid.

(8) In sub-clause (7) "outstanding weekly payment" means a weekly payment which the employer, if an application under sub-clause (3) had not been made, would have been required to pay to the worker within the period commencing on the day when the worker again ceased to work and concluding immediately before the day on which the application is dismissed.

(9) For the purposes of this Act a payment made under paragraph (b) of sub-clause (7) shall be deemed to be compensation payable under this Act.

(10) Where—

- (a) an application made under sub-clause (3) is dismissed; and
- (b) the Board is of the opinion that the applicant made the application without reasonable grounds for doing so, and knowing that he had no reasonable grounds for doing so—

the Board may impose a penalty of an amount not exceeding \$1000 on the applicant.

(11) Where—

- (a) an application made under sub-clause (3) is heard by a person authorized to hear the application and is not heard by the Board;
- (b) the application is dismissed; and
- (c) the person hearing the application is of the opinion that the applicant may have made the application without reasonable grounds for doing so, and knowing that he had no reasonable grounds for doing so—

the persons hearing the application shall refer the matter to the Board for determination under sub-clause (10).

(12) An employer who—

- (a) fails to recommence to make weekly payments for total or partial incapacity (as the case may be) pursuant to this clause; or
- (b) where the operation of sub-clause (2) is suspended by the making of an application under sub-clause (3) and the application is dismissed, fails to recommence to make weekly payments for total or partial incapacity (as the case may be) or to pay an amount payable under paragraph (b) of sub-clause (7)—

shall be guilty of an offence against this Act and liable to a penalty not exceeding \$1000.

(13) The fact that an application made under sub-clause (3) has been upheld or dismissed shall not be taken into account by the Board in any proceedings other than proceedings under this clause.’

(2) In section 9 of the Principal Act in clause 7 of *The Clauses Referred To*, for paragraph (a) of sub-clause (1) there shall be substituted the following paragraph:

“(a) he is entitled to do so under clause 6A;”.

—(Mr Jolly)

Question—That clause 6 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Mr Cain	Mr Hassett	Mr Miller	Mr Shell
Miss Callister	Mrs Hill	Mr Pope	Mr Sidiropoulos
Dr Coghill	Mr Hill	Mrs Ray	Mr Simpson
Mr Crabb	Mr Hockley	Mr Remington	Mr Stirling
Mr Culpin	Mr Ihlein	Mr Roper	Mrs Toner
Mr Ernst	Mr Jolly	Mr Seitz	Mr Trezise
Mr Fogarty	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Fordham	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Gavin	Mr McCutcheon	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gray	Mr McDonald	Mr Sheehan	Mr Micallef
Mr Harrowfield	Mr Mathews	(<i>Ballarat South</i>)	Mr Rowe

NOES, 29

Mr Austin	Mr Evans	Mr McKellar	Mr Steggall
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner
Mr Burgin	Mr Hann	Mr Maclellan	Mr Templeton
Mr Delzoppo	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Dickinson	Mr Jona	Mr Reynolds	Mr Williams
Mr Ebery	Mr Leigh	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr Kempton
(<i>Ballarat North</i>)	Mr McGrath	Mr Saltmarsh	Mr Wallace

And so it was resolved in the affirmative.

Wednesday, 7 March 1984

NO. 4—CONSUMER AFFAIRS (ITEM PRICING) BILL—Clause 3.

After section 13A of the Principal Act there shall be inserted the following Division:

DIVISION 2AA—ITEM PRICING

13AB. (1) In this Division unless inconsistent with the context or subject-matter—
“Food” means any substance ordinarily consumed by humans or intended for human consumption.

“Groceries” includes food, drink, toileteries, cleaning agents and other goods for household or garden use.

“Grocery store” means any store or part of a store where food and other groceries are sold in a self service form, and does not include a store or part of a store where goods other than food included in the interpretation of “groceries” are sold and food is not sold.

“Item of goods” means—

- (a) a single item of goods; or
- (b) a package made up of several items of goods which is treated for the purposes of sale as a single item.

“Label” includes tag, band or ticket.

“Price” means an amount of money expressed in Australian currency.

“Retail sale” in relation to goods means sale which is not made for the purpose of resale of those goods nor for the purpose of using the goods in any trade business profession or industry.

“Self service form”, in relation to the sale of goods, means a form of retail which persons are invited to choose and carry to a point for payment items of the goods.

“Small store” means a store where—

- (a) there are no more than four storekeepers of the store and the storekeeper or storekeepers are the owner or owners of the business of the store and entitled to the profits of the store;
- (b) every storekeeper of the store is a person actively conducting or actively assisting to conduct the business of the store;
- (c) the number of persons engaged on any day (either at the same time or at different times) in the conduct of the business of the store, as employees or otherwise, does not exceed five including any storekeeper of the store so engaged;
- (d) no storekeeper of the store is—
 - (i) a person acting as the employee or agent of another person in the conduct of the business of the store;
 - (ii) a person engaged as an employee or otherwise in the conduct of a business other than the business of the store; and
- (e) no direct or indirect interest in the business of the store is held by—
 - (i) a corporation that is engaged in a business other than the business of the store;
 - (ii) a director of a corporation that is engaged in a business other than the business of the store; or
 - (iii) a corporation that by virtue of section 7 (5) of the *Companies (Victoria) Code* 1981 is deemed to be related to a corporation referred to in sub-paragraph (i) or is deemed to be related to a corporation the director of which is engaged in a business other than the business of the store; or
 - (iv) any other person who is engaged as an employee or otherwise in the conduct of a business of the store.

“Supplier” means a person who sells goods in the course of a business but does not include an employee of such a person.

(2) For the purposes of the interpretation of “grocery store”, one part of a store is divided from the rest of the store if goods must be paid for before they can be removed from the first-mentioned part of the store by a customer.

(3) For the purposes of this Division, a price is marked on an item of goods only if it is tied, stapled or otherwise affixed to, or is written, printed, stamped, embossed, impressed or otherwise applied to the item or to any covering, label, reel or thing used in connexion with the item.

(4) In this Division, a reference to a line of goods is a reference to a number of items of goods which by size, brand, variety and package are identical with each other and distinguishable from all other goods.

[Proposed sections 13AC-13AG not printed]

—(Mr Spyker)

Amendment proposed—That before the interpretation of “Food” there be inserted the following interpretations:

“Australian Product Number Symbol” means a bar code which complies with the specifications of the International Article Number Association.

“Checkout point” means the point in a grocery store where persons are required to pay for items of goods.

“Electronic scanner checkout system” means a system employed at the checkout point in a grocery store, by which the price of each item of goods brought to the checkout by a customer is found by the use of a machine which reads Australian Product Number Symbols on items and refers to the item price file of the store to apply to the item the price allotted in the file to the item represented by the symbol.

“Field size” in relation to any label, receipt or other document or thing on which any information is displayed means the available number of spaces for characters on the label, receipt, document or thing.

“Fixture” includes shelf, stand or fitting.’

—(Mr McNamara)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 28

Mr Austin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Brown	Mr Jona	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Kempton	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Leigh	Mr Richardson	
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Jasper
(Gippsland East)	Mr McNamara	Mr Tanner	Mr Steggall

NOES, 42

Mr Cain	Mr Hassett	Mr Pope	Mr Spyker
Miss Callister	Mrs Hill	Mrs Ray	Mrs Toner
Mr Cathie	Mr Hockley	Mr Remington	Mr Trezise
Dr Coghill	Mr Ihlein	Mr Roper	Mr Walsh
Mr Crabb	Mr Jolly	Mr Rowe	Mr Wilkes
Mr Culpin	Mr Kennedy	Mrs Setches	
Mr Ernst	Mr Kirkwood	Mr Sheehan	
Mr Fogarty	Mr McCutcheon	(Ballarat South)	
Mr Fordham	Mr McDonald	Mr Shell	<i>Tellers</i>
Mr Gavin	Mr Micallef	Mr Sidiropoulos	Mr Seitz
Mr Gray	Mr Miller	Mr Simmonds	Mr Sheehan
Mr Harrowfield	Mr Norris	Mr Simpson	(Ivanhoe)

And so it passed in the negative.

Thursday, 8 March 1984

No. 5—LOCAL GOVERNMENT (MUNICIPAL COUNCILS TRIENNIAL ELECTIONS) BILL—Clauses 3–15.

3. (1) For section 51 of the Principal Act there shall be substituted the following section:

“51. This Part shall apply to the City of Melbourne and the City of Geelong.”

(2) Sections 63, 73, 120B and 149 (7) of the Principal Act are repealed.

4. (1) For section 57 of the Principal Act there shall be substituted the following section:

“57. Subject to this Act, the office of a councillor shall—

(a) commence at twelve midnight on the day of his election; and

(b) become vacant at six o'clock in the morning of the day appointed for the next general election.”

(2) Subject to the Principal Act as in force at the commencement of this Act, a councillor who holds office at that commencement shall go out of office at six o'clock in the morning of the day appointed for the general election required to be held pursuant to section 113 of the Principal Act.

5. Sections 58 and 61 of the Principal Act are repealed.

6. (1) Section 85 of the Principal Act shall be amended as follows:

(a) In sub-section (4) after the words “three days before nomination day” there shall be inserted the words “in any year in which a general election is required to be held pursuant to section 113”;

(b) For sub-section (5) there shall be substituted the following sub-section:

“(5) In any year when a general election is not required to be held pursuant to section 113, the municipal clerk shall not later than a date to be specified by Order in Council—

(a) cause the voters' roll or rolls to be printed;

(b) sign or certify the voters' roll or rolls; and

(c) ensure that copies of the voters' roll or rolls are available for inspection without payment of any fee by any person at the office of the Council.”; and

(c) In sub-section (6) after the expression “sub-section (4) (b)” there shall be inserted the expression “or (5) (b)”.

(2) In section 87 of the Principal Act after the expression “section 85 (4) (b)” there shall be inserted the expression “or 85 (5) (b)”.

7. For section 113 of the Principal Act there shall be substituted the following section:

“113. (1) In every municipality a general election for the return of councillors shall be held on the first Saturday in August 1985.

(2) After the general election held pursuant to sub-section (1) a general election for the return of councillors shall be held on the first Saturday in August in every third year.”

8. (1) Sections 113A and 114 of the Principal Act are repealed.

(2) For section 115 of the Principal Act there shall be substituted the following section:

“115. At every first election of councillors in any newly constituted municipality and at any general election the whole number of councillors assigned

to the municipality shall be returned, and in the case of a subdivided municipal district shall be returned in equal numbers for every subdivision.”.

9. Section 113B of the Principal Act is amended as follows:

- (a) For the word “annual” (wherever occurring) there shall be substituted the word “general”; and
- (b) For the words “first Saturday in August in each year” there shall be substituted the words “day appointed for a general election pursuant to section 113”.

10. For section 118 of the Principal Act there shall be substituted the following section:

“118. (1) Notwithstanding section 117 in case any extraordinary vacancy occurs in the office of any councillor within six months before any general election a Council may subject to this section by resolution passed by an absolute majority of the whole number of members of the Council resolve that such extraordinary vacancy shall not be filled up.

(2) The Council shall cause to be recorded in the minutes of the Council meeting at which the resolution is passed the Council’s reasons for any resolution passed pursuant to sub-section (1).

(3) The Council shall within 7 days of passing a resolution pursuant to sub-section (1) give public notice in some newspaper generally circulating in the municipal district of the passing of the resolution and the public notice shall contain a summary of the Council’s reasons for passing that resolution.

(4) Notwithstanding sub-section (1), the Minister may direct the Council to hold an election to fill the vacancy in accordance with section 117.”.

11. In section 130 (2) of the Principal Act for the word “annual” there shall be substituted the word “general”.

12. In section 157B of the Principal Act after the words “This part shall apply” there shall be inserted the words “to the City of Melbourne and”.

13. The provisions of the Principal Act as in force before the commencement of this Act shall continue to apply in respect of any election of councillors or poll of voters required to be held pursuant to the Principal Act before the day on which the general election of municipal councils is required to be held in 1985 pursuant to the Principal Act.

14. Notwithstanding the amendments made to the Principal Act by sections 3 and 12, the provisions of the *Melbourne Corporation (Election of Council) Act 1982* shall continue to apply to the City of Melbourne until the expiry of the *Melbourne Corporation (Election of Council) Act 1982* in respect of all acts matters or things other than any act matter or thing required to be done for the purposes of the holding of the general election required to be held in August 1985 pursuant to section 113 of the Principal Act.

15. For the purposes of sections 13 and 14 words and expressions used in those sections shall as the case may require have the same meaning as those words and expressions have pursuant to the *Local Government Act 1958*.

—(Mr Wilkes)

Motion made and question—That the Chairman do report progress and ask for leave to sit again (*Mrs Patrick*)—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 28

Mr Austin	Mr Jasper	Mrs Patrick	Mr Wallace
Mr Brown	Mr Jona	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Kempton	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mr Saltmarsh	
Mr Evans	Mr McKellar	Mrs Sibree	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	Mr Dickinson
Mr Hann	Mr Maclellan	Mr Tanner	Mr Richardson

NOES, 43

Mr Cain	Mr Hassett	Mr Pope	Mr Simmonds
Miss Callister	Mrs Hill	Mrs Ray	Mr Simpson
Mr Cathic	Mr Hockley	Mr Remington	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Roper	Mr Stirling
Mr Crabb	Mr Jolly	Mr Rowe	Mr Trezise
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Ernst	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Fordham	Mr Micallef	Mr Sheehan	<i>Tellers</i>
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	Mr McCutcheon
Mr Gray	Mr Newton	Mr Shell	Dr Vaughan
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	

And so it passed in the negative.

No. 6—

Question—That clauses 3 to 15 inclusive stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 27

Mr Brown	Mr Kempton	Mrs Patrick	Mr Whiting
Mr Burgin	Mr Kennett	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Leigh	Mr Ross-Edwards	
Mr Evans	Mr Lieberman	Mr Saltmarsh	
(<i>Gippsland East</i>)	Mr McGrath	Mrs Sibree	
Mr Hann	Mr McKellar	Mr Steggall	<i>Tellers</i>
Mr Jasper	Mr McNamara	Mr Tanner	Mr Ebery
Mr Jona	Mr Maclellan	Mr Wallace	Mr Richardson

NOES, 43

Miss Callister	Mr Hill	Mrs Ray	Mr Simpson
Mr Cathic	Mr Hockley	Mr Remington	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Roper	Mr Stirling
Mr Culpin	Mr Jolly	Mr Rowe	Mrs Toner
Mr Ernst	Mr Kennedy	Mrs Setches	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Gavin	Mr Micallef	Mr Sheehan	
Mr Gray	Mr Miller	(<i>Ballarat South</i>)	
Mr Harrowfield	Mr Newton	Mr Shell	<i>Tellers</i>
Mr Hassett	Mr Norris	Mr Sidiropoulos	Mr McCutcheon
Mrs Hill	Mr Pope	Mr Simmonds	Dr Vaughan

And so it passed in the negative.

No. 7—New Clause AA.

(1) After Part IV. of the Principal Act there shall be inserted the following Part:

‘PART IVA.—TRIENNIAL ELECTIONS

157C. In this Part unless inconsistent with the context or subject-matter—

“General election” means an election for all the members of a municipal council.

157D. This Part applies to—

- (a) the City of Melbourne; and
- (b) any other municipal council declared by an Order in Council made under section 157E to be a municipal council to which this Part applies.

157E. (1) A municipal council may by resolution passed by an absolute majority of the whole number of members of the council resolve that elections for that council shall be held in accordance with this Part.

(2) Where a municipal council makes a resolution under sub-section (1) the council shall not later than the entitlement date in any year in which a general election is to be held under this Part apply for an Order in Council to be made under this section.

(3) The Governor in Council may by Order in Council published in the *Government Gazette* declare that a municipal council which has applied under sub-section (2) shall be a municipal council to which this Part applies.

157F. (1) Where a municipal council makes an applicataion under section 157E the Governor in Council may not later than 1 July 1984 by Order in Council published in the *Government Gazette* direct that notwithstanding anything to the contrary in this Act—

- (a) an annual election shall not be held in 1984 in respect of that municipal council; and
- (b) the councillors due to go out of office at the annual election in 1984 shall subject to this Act continue in office until the general election to be held in 1985.

(2) Where a councillor would have gone out of office but for sub-section (1) and that councillor advises the municipal clerk in writing within 14 days of an Order in Council being made under sub-section (1) that he does not wish to continue in office after the day on which the annual election would have been held—

- (a) an extraordinary vacancy shall be deemed to have occurred; and
- (b) an election to fill an extraordinary vacancy shall be held on the day on which the annual election would have been held.

157G. Notwithstanding anything to the contrary in this Act the provisions in Part III. of this Act shall apply in respect of a municipal council to which this Part applies as if those provisions were modified as follows:

- (a) There was substituted for section 57 the following section:
 - “57. Subject to this Act, the office of a councillor shall—
 - (a) commence at twelve midnight on the day of his election; and
 - (b) become vacant at six o'clock in the morning on the day appointed for the next general election.”;
- (b) Sections 58, 61, 113A and 114 were repealed;
- (c) Section 85 was amended as follows:
 - (i) In sub-section (4) after the words “three days before nomination day” there was inserted the words “in any year in which a general election is required to be held pursuant to section 113”;
 - (ii) For sub-section (5) there was substituted the following sub-section:
 - “(5) In any year when a general election is not required to be held pursuant to section 113, the municipal clerk shall not later than a date to be specified by Order in Council—
 - (a) cause the voters' roll or rolls to be printed;

- (b) sign or certify the voters' roll or rolls; and
- (c) ensure that copies of the voters' roll or rolls are available for inspection without payment of any fee by any person at the office of the Council."; and
- (iii) In sub-section (6) after the expression "sub-section (4) (b)" there was inserted the expression "or (5) (b)";
- (d) Section 87 was amended as follows:
 - In section 87 after the expression "section 85 (4) (b)" there was inserted the expression "or 85 (5) (b)";
- (e) There was substituted for section 113 the following section:
 - "113. (1) A general election for the return of councillors shall be held on the first Saturday in August 1985.
 - (2) After the general election held pursuant to sub-section (1) a general election for the return of councillors shall be held on the first Saturday in August in every third year.";
- (f) There was substituted for section 115 the following section:
 - "115. At any general election the whole number of councillors assigned to the municipality shall be returned and in the case of a subdivided municipal district shall be returned in equal numbers for every subdivision.";
- (g) Section 113B was amended as follows:
 - (i) For the word "annual" (wherever occurring) there was substituted the word "general"; and
 - (ii) For the words "first Saturday in August in each year" there was substituted the words "day appointed for a general election pursuant to section 113";
- (h) There was substituted for section 118 the following section:
 - "118. (1) Notwithstanding section 117 in case any extraordinary vacancy occurs in the office of any councillor within six months before any general election a municipal council may subject to this section by resolution passed by an absolute majority of the whole number of members of the municipal council resolve that such extraordinary vacancy shall not be filled up.
 - (2) The municipal council shall cause to be recorded in the minutes of the Council meeting at which the resolution is passed the Council's reasons for any resolution passed pursuant to sub-section (1).
 - (3) The municipal council shall within 7 days of passing a resolution pursuant to sub-section (1) give public notice in some newspaper generally circulating in the municipal district of the passing of the resolution and the public notice shall contain a summary of the Council's reasons for passing that resolution.
 - (4) Notwithstanding sub-section (1), the Minister may direct the municipal council to hold an election to fill the vacancy in accordance with section 117."; and
- (i) Section 130 (2) was amended as follows:
 - In section 130 (2) for the word "annual" there was substituted the word "general".

157H. The Governor in Council may by Order in Council published in the *Government Gazette* give such directions or provide for any matters or things including provisions of a transitional nature as appear to the Governor to be

necessary or expedient with respect to any general election of councillors under this Part and may by like Order in Council amend or vary such Order in Council.

157I. (1) For the purposes of the application of this Act to a municipal council to which this Part applies a reference in this Act to an "election" shall be construed as including a reference to a "general election" unless inconsistent with the context or subject-matter.'

(2) The Principal Act shall be amended as follows:

(a) In section 1 in the table of provisions after the part referring to Part IV. there shall be inserted the following expression:

"Part IVA.—Triennial Elections, ss. 157C–157I.";

(b) For section 51 there shall be substituted the following section:

"51. This Part shall apply to the City of Melbourne and the City of Geelong.";

(c) Sections 63, 73, 120B and 149 (7) shall be repealed; and

(d) In section 157B after the words "shall apply" there shall be inserted the words "to the City of Melbourne and".

(3) Notwithstanding the amendments made to the Principal Act by this Act the provisions of the *Melbourne Corporation (Election of Council) Act 1982* shall continue to apply to the City of Melbourne until the expiry of the *Melbourne Corporation (Election of Council) Act 1982* in respect of all acts matters or things other than any act matter or thing required to be done for the purposes of the holding of the general election required to be held in August 1985 pursuant to Part IVA. of the Principal Act."

—(Mr Wilkes)

Question—That New Clause AA be added to the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mr Hassett	Mrs Ray	Mrs Toner
Miss Callister	Mrs Hill	Mr Remington	Mr Trezise
Mr Cathie	Mr Hockley	Mr Roper	Dr Vaughan
Dr Coghill	Mr Jolly	Mr Rowe	Mr Walsh
Mr Crabb	Mr Kirkwood	Mr Sheehan	Mr Wilkes
Mr Culpin	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Ernst	Mr McDonald	Mr Shell	
Mr Fogarty	Mr Micallef	Mr Sidiropoulos	<i>Tellers</i>
Mr Fordham	Mr Miller	Mr Simmonds	Mr Hill
Mr Gavin	Mr Newton	Mr Simpson	Mr Sheehan
Mr Gray	Mr Norris	Mr Spyker	(<i>Ballarat South</i>)
Mr Harrowfield	Mr Pope	Mr Stirling	

NOES, 29

Mr Austin	Mr Hann	Mr McNamara	Mrs Sibree
Mr Brown	Mr Jasper	Mr Maclellan	Mr Steggall
Mr Burgin	Mr Jona	Mrs Patrick	Mr Whiting
Mr Delzoppo	Mr Kempton	Mr Ramsay	Mr Williams
Mr Dickinson	Mr Kennett	Mr Reynolds	
Mr Ebery	Mr Leigh	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr Tanner
(<i>Gippsland East</i>)	Mr McKellar	Mr Saltmarsh	Mr Wallace

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA

DIVISIONS IN COMMITTEE OF THE WHOLE

No. 30

Tuesday, 20 March 1984

No. 1—FOOD BILL (No. 2)—Clause 4.

(1) In this Act unless inconsistent with the context or subject-matter—

[Various interpretations in sub-clause (1) not printed]

“Committee” means the Food Standards Committee established under section 60.

[Various interpretations in sub-clause (1) and sub-clauses (2)–(6) not printed]

—(Mr Roper)

Amendment proposed—That the expression “60” in the interpretation of “Committee” be omitted with the view of inserting in place thereof the expression “59”.

—(Mr Whiting)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 38

Mr Cain	Mr Harrowfield	Mr Mathews	Mr Simpson
Miss Callister	Mr Hassett	Mr Micallef	Mr Stirling
Mr Cathie	Mrs Hill	Mr Miller	Mrs Toner
Dr Coghill	Mr Hill	Mr Newton	Dr Vaughan
Mr Crabb	Mr Hockley	Mr Pope	Mr Walsh
Mr Culpin	Mr Ihlein	Mrs Ray	Mr Wilkes
Mr Fogarty	Mr Jolly	Mr Roper	<i>Tellers</i>
Mr Fordham	Mr Kennedy	Mr Rowe	Mr Ernst
Mr Gavin	Mr Kirkwood	Mr Seitz	Mr Sheehan
Mr Gray	Mr McDonald	Mr Shell	<i>(Ballarat South)</i>

NOES, 23

Mr Brown	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Kempton	Mr Reynolds	
Mr Delzoppo	Mr Leigh	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mr Saltmarsh	
Mr Evans	Mr McGrath	Mrs Sibree	<i>Tellers</i>
<i>(Ballarat North)</i>	Mr McKellar	Mr Tanner	Mr Dickinson
Mr Hann	Mr McNamara	Mr Wallace	Mr Steggall

And so it was resolved in the affirmative.

No. 2—Clause 17.

It is a defence to a charge under section 8 (1), 8 (3), 8 (4), 13 (1) or 13 (2) or under regulations made for the purposes of section 13 (3) to prove that—

(a) the food in respect of which the charge is brought is to be exported to another country; and

- (b) the sale, preparation, packing or labelling of the food complies with the laws in force in the country to which the food is exported at the time at which it is exported.

—(Mr Roper)

Amendment proposed—That the expression “(1)” be inserted at the beginning of the clause.

—(Mr Lieberman)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 23

Mr Brown	Mr Kempton	Mr Ramsay	Mr Williams
Mr Burgin	Mr Kennett	Mr Reynolds	
Mr Delzoppo	Mr Leigh	Mr Richardson	
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	
Mr Evans	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
(Ballarat North)	Mr McKellar	Mr Tanner	Mr Dickinson
Mr Hann	Mr McNamara	Mr Whiting	Mr Jasper

NOES, 42

Mr Cain	Mr Hassett	Mr Miller	Mr Simmonds
Miss Callister	Mrs Hill	Mr Newton	Mr Simpson
Mr Cathie	Mr Hill	Mr Pope	Mr Spyker
Dr Coghill	Mr Hockley	Mrs Ray	Mr Stirling
Mr Culpin	Mr Ihlein	Mr Remington	Mrs Toner
Mr Ernst	Mr Jolly	Mr Roper	Mr Trezise
Mr Fogarty	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Fordham	Mr Kirkwood	Mr Seitz	Mr Wilkes
Mr Gavin	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Mathews	(Ballarat South)	Mr McCutcheon
Mr Harrowfield	Mr Micallef	Mr Shell	Dr Vaughan

And so it passed in the negative.

NO. 3—CONSUMER AFFAIRS (ITEM PRICING) BILL—Clause 3.

After section 13A of the Principal Act there shall be inserted the following Division:

‘DIVISION 2AA—ITEM PRICING

13AB. (1) In this Division unless inconsistent with the context or subject-matter—

“Food” means any substance ordinarily consumed by humans or intended for human consumption.

[Various interpretations in proposed section 13AB (1), sub-sections (2) to (4) and proposed section 13AC—13AG not printed]

—(Mr Spyker)

Amendment proposed—That the word “consumed” in the interpretation of “Food” be omitted with the view of inserting in place thereof the word “eaten”.

—(Mr McNamara)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mrs Hill	Mr Miller	Mr Spyker
Miss Callister	Mr Hill	Mr Newton	Mr Stirling
Mr Cathie	Mr Hockley	Mr Pope	Mrs Toner
Dr Coghill	Mr Ihlein	Mrs Ray	Mr Trezise
Mr Culpin	Mr Jolly	Mr Remington	Dr Vaughan
Mr Ernst	Mr Kennedy	Mr Roper	Mr Walsh
Mr Fogarty	Mr Kirkwood	Mr Rowe	Mr Wilkes
Mr Fordham	Mr McCutcheon	Mr Seitz	<i>Tellers</i>
Mr Gavin	Mr McDonald	Mr Shell	Mr Harrowfield
Mr Gray	Mr Mathews	Mr Simmonds	Mr Sheehan
Mr Hassett	Mr Micallef	Mr Simpson	(Ballarat South)

NOES, 25

Mr Brown	Mr Jasper	Mr McNamara	Mr Wallace
Mr Burgin	Mr Kempton	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Leigh	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr Ebery
(Ballarat North)	Mr McGrath	Mr Saltmarsh	Mr Steggall
Mr Hann	Mr McKellar	Mr Tanner	

And so it was resolved in the affirmative.

No. 4—Clause 3.

Further amendment proposed—That the words “for human consumption” in the interpretation of “Food” be omitted with the view of inserting in place thereof the words “to be eaten by humans”.

—(Mr McNamara)

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

Committee divided.

(Chairman—Mr Wilton)

AYES, 40

Mr Cain	Mr Hassett	Mr Micallef	Mr Spyker
Miss Callister	Mrs Hill	Mr Miller	Mr Stirling
Mr Cathie	Mr Hill	Mr Pope	Mrs Toner
Dr Coghill	Mr Hockley	Mrs Ray	Dr Vaughan
Mr Culpin	Mr Ihlein	Mr Rowe	Mr Walsh
Mr Ernst	Mr Jolly	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr Kennedy	Mr Sheehan	<i>Tellers</i>
Mr Fordham	Mr Kirkwood	(Ballarat South)	Mr Newton
Mr Gavin	Mr McCutcheon	Mr Shell	Mr Remington
Mr Gray	Mr McDonald	Mr Simmonds	
Mr Harrowfield	Mr Mathews	Mr Simpson	

NOES, 22

Mr Brown	Mr Evans	Mr McNamara	Mr Wallace
Mr Burgin	(Gippsland East)	Mr Reynolds	
Mr Delzoppo	Mr Hann	Mr Richardson	
Mr Dickinson	Mr Jasper	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr Kempton	Mr Saltmarsh	Mr McGrath
Mr Evans	Mr Leigh	Mr Steggall	Mr Williams
(Ballarat North)	Mr McKellar	Mr Tanner	

And so it was resolved in the affirmative.

Wednesday, 21 March 1984

No. 5—FOOD BILL (No. 2)—Clause 60.

(1) For the purposes of this Act there shall be established a Committee to be known as the Food Standards Committee.

(2) The Committee shall consist of eleven members of whom—

- (a) one (who shall be the chairman) shall be a medical practitioner who is for the time being a health officer of the Commission and who is appointed by the Governor in Council on the nomination of the Minister;
- (b) one shall be the person for the time being holding the office of Director-General of Agriculture or his nominee;
- (c) one shall be a medical officer of health who is appointed by the Governor in Council on the nomination of the Minister after consideration of a panel of not less than three names submitted to the Minister by the body known as the Municipal Association of Victoria;
- (d) one shall be a health surveyor of a council who is appointed by the Governor in Council on the nomination of the Minister;
- (e) one shall be a person who is appointed by the Governor in Council on the nomination of the Minister after consideration of a panel of not less than three names submitted to the Minister by the body known as the Food Technology Association;
- (f) one shall be a person who is appointed by the Governor in Council on the nomination of the Minister after consideration of a panel of not less than three names submitted to the Minister by the body known as the Australian Nutrition Foundation;
- (g) one shall be an appropriately qualified person who is appointed by the Governor in Council on the nomination of the Minister administering the *Consumer Affairs Act 1972*;
- (h) one shall be a person who is appointed by the Governor in Council on the nomination of the Minister after consideration of a panel of not less than three names submitted to the Minister by the body known as the Victorian Chamber of Manufactures;
- (i) one shall be a person who is appointed by the Governor in Council on the nomination of the Minister after consideration of a panel of not less than three names submitted to the Minister by the body known as the Victorian Trades Hall Council; and
- (j) two shall be appropriately qualified persons who are appointed by the Governor in Council on the nomination of the Minister.

[Sub-clauses (3)–(11) not printed]

—(Mr Roper)

Amendment proposed—That the word “and” after paragraph (i) be omitted.

—(Mr Whiting)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Miss Callister	Mr Hockley	Mr Rowe	Mr Stirling
Mr Cathie	Mr Ihlein	Mr Seitz	Mrs Toner
Dr Coghill	Mr Jolly	Mrs Setches	Mr Trezise
Mr Crabb	Mr Kennedy	Mr Sheehan	Dr Vaughan
Mr Culpin	Mr Kirkwood	(<i>Ivanhoe</i>)	Mr Walsh
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr Micallef	(<i>Ballarat South</i>)	
Mr Fordham	Mr Miller	Mr Shell	
Mr Gavin	Mr Newton	Mr Sidiropoulos	
Mr Gray	Mrs Ray	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Remington	Mr Simpson	Mr Hassett
Mrs Hill	Mr Roper	Mr Spyker	Mr Norris

NOES, 27

Mr Brown	Mr Evans	Mr Lieberman	Mr Saltmarsh
Mr Burgin	(<i>Gippsland East</i>)	Mr McGrath	Mr Tanner
Mr Delzoppo	Mr Hann	Mr McKellar	Mr Templeton
Mr Dickinson	Mr Jasper	Mr McNamara	Mr Wallace
Mr Ebery	Mr Jona	Mr Ramsay	Mr Whiting
Mr Evans	Mr Kempton	Mr Richardson	Mr Williams
(<i>Ballarat North</i>)	Mr Kennett	Mr Ross-Edwards	<i>Tellers</i>
			Mr Leigh
			Mr Steggall

And so it was resolved in the affirmative.

No. 6—CONSUMER AFFAIRS (ITEM PRICING) BILL—Clause 3.

After section 13A of the Principal Act there shall be inserted the following Division:

‘DIVISION 2AA—ITEM PRICING

13AB. (1) In this Division unless inconsistent with the context or subject-matter—

“Food” means any substance ordinarily consumed by humans or intended for human consumption.

“Groceries” includes food, drink, toiletries, cleaning agents and other goods for household or garden use.

“Grocery store” means any store or part of a store where food and other groceries are sold in a self service form, and does not include a store or part of a store where goods other than food included in the interpretation of “groceries” are sold and food is not sold.

“Item of goods” means—

(a) a single item of goods; or

(b) a package made up of several items of goods which is treated for the purposes of sale as a single item.

“Label” includes tag, band or ticket.

“Price” means an amount of money expressed in Australian currency.

“Retail sale” in relation to goods means sale which is not made for the purpose of resale of those goods nor for the purpose of using the goods in any trade business profession or industry.

“Self service form”, in relation to the sale of goods, means a form of retail sale in which persons are invited to choose and carry to a point for payment items of the goods.

“Small store” means a store where—

(a) there are no more than four storekeepers of the store and the storekeeper or storekeepers are the owner or owners of the business of the store and entitled to the profits of the store;

- (b) every storekeeper of the store is a person actively conducting or actively assisting to conduct the business of the store;
- (c) the number of persons engaged on any day (either at the same time or at different times) in the conduct of the business of the store, as employees or otherwise, does not exceed five including any storekeeper of the store so engaged;
- (d) no storekeeper of the store is—
 - (i) a person acting as the employee or agent of another person in the conduct of the business of the store;
 - (ii) a person engaged as an employee or otherwise in the conduct of a business other than the business of the store; and
- (e) no direct or indirect interest in the business of the store is held by—
 - (i) a corporation that is engaged in a business other than the business of the store;
 - (ii) a director of a corporation that is engaged in a business other than the business of the store;
 - (iii) a corporation that by virtue of section 7 (5) of the *Companies (Victoria) Code 1981* is deemed to be related to a corporation referred to in sub-paragraph (i) or is deemed to be related to a corporation the director of which is engaged in a business other than the business of the store; or
 - (iv) any other person who is engaged as an employee or otherwise in the conduct of a business other than the business of the store.

“Supplier” means a person who sells goods in the course of a business but does not include an employee of such a person.

(2) For the purposes of the interpretation of “grocery store”, one part of a store is divided from the rest of the store if goods must be paid for before they can be removed from that first-mentioned part of the store by a customer.

(3) For the purposes of this Division, a price is marked on an item of goods only if it is tied, stapled or otherwise affixed to, or is written, printed, stamped, embossed, impressed or otherwise applied to the item or to any covering, label, reel or thing used in connexion with the item.

(4) In this Division, a reference to a line of goods is a reference to a number of items of goods which by size, brand, variety and package are identical with each other and distinguishable from all other goods.

13AC. (1) A supplier shall not exhibit or expose for sale by a self-service form at a store to which this Division applies an item of any goods to which this section applies unless the item has its price conspicuously marked on it.

Penalty: \$5000.

(2) It is a good defence to a charge under sub-section (1) that the supplier took every reasonable precaution to ensure that he complied with sub-section (1).

(3) It is sufficient proof that a supplier has not taken every reasonable precaution to ensure that he complied with sub-section (1) if—

- (a) 12 items; or
- (b) 25 per centum of the items—

whichever is the lesser—of a line of goods do not have a price marked on them.

(4) Subject to sub-section (5) this section applies to all goods except—

- (a) goods which are prescribed, or are of a class or description of goods which are prescribed, to be exempt from the operation of this section;
- (b) goods which are exhibited or exposed for sale in an unpackaged form;

- (c) food which is sold for consumption on the premises of the store in which it is sold;
 - (d) liquor; or
 - (e) cigarettes, cigars, tobacco and the like.
- (5) This section does not apply to an item of goods—
- (a) which is—
 - (i) not more than 50 cubic centimetres in volume;
 - (ii) not more than 75 grams in weight; and
 - (iii) for sale at a price which is greater than the prescribed price;
 - (b) which is—
 - (i) exhibited or exposed for sale in a place other than the shelf, stand or fitting on which items of those goods are usually exhibited or exposed;
 - (ii) offered for sale at a price lower than that at which an item of those goods is usually offered; and
 - (iii) exhibited or exposed for sale in such a way as to identify it with a sign conspicuously displaying in the prescribed manner the prescribed information; or
 - (c) which is exhibited or exposed for sale in a display package where the display package—
 - (i) is designed for the purpose of display;
 - (ii) contains a number of identical items of the goods; and
 - (iii) has the price of an item of the goods marked on it in the prescribed manner.

13AD. This Division applies to every grocery store unless it is—

- (a) a small store; or
- (b) prescribed, or of a class or description of grocery stores which are prescribed, to be exempt from the operation of this Division.

13AE. A supplier shall not exhibit or expose for sale in a self-service form at a grocery store to which this Division applies an item of goods which does not have its price marked on it unless the price of the item is conspicuously displayed—

- (a) in such a way as to identify the price with the goods concerned; and
- (b) in the prescribed manner—

on or adjacent to the shelf, stand or other fitting in or on which the goods are exhibited or exposed for sale.

Penalty: \$5000.

13AF. (1) A supplier who exhibits or exposes an item of goods for sale by a self service form at a store to which this Division applies, shall not sell the item at a price greater than the lowest price of any price which is marked on the item or which is displayed in such a way as to identify it with the item.

Penalty: \$5000.

(2) It is a good defence to a charge under sub-section (1) that the supplier took every reasonable precaution to ensure that he complied with sub-section (1).

13AG. The Governor in Council may make regulations with respect to any matter or thing which is authorized or required to be prescribed or which is necessary to be prescribed for carrying out the provisions of this Division.’.

—(Mr Spyker)

Amendment proposed—That after the interpretation of “Item of goods” in proposed section 13AB (1) there be inserted the following:

“Item price file”, in relation to a grocery store, means the list of items, their Australian Product Number Symbols and their prices, used at that store by an electronic scanner checkout system to refer to a price for an item.”

—(Mr McNamara)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 28

Mr Brown	Mr Hann	Mr Ramsay	Mr Williams
Mr Burgin	Mr Jona	Mr Reynolds	
Mr Delzoppo	Mr Kempton	Mr Richardson	
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	
Mr Ebery	Mr Leigh	Mr Saltmarsh	
Mr Evans	Mr Lieberman	Mrs Sibree	
(Ballarat North)	Mr McKellar	Mr Steggall	Tellers
Mr Evans	Mr McNamara	Mr Templeton	Mr Jasper
(Gippsland East)	Mr Maclellan	Mr Wallace	Mr Tanner

NOES, 41

Miss Callister	Mr Hockley	Mrs Ray	Mr Simmonds
Mr Cathic	Mr Kennedy	Mr Remington	Mr Simpson
Dr Coghill	Mr Kirkwood	Mr Roper	Mr Spyker
Mr Culpin	Mr McCutcheon	Mr Rowe	Mr Stirling
Mr Ernst	Mr McDonald	Mrs Setches	Mr Trezise
Mr Fogarty	Mr Mathews	Mr Sheehan	Dr Vaughan
Mr Gavin	Mr Micallef	(Ivanhoe)	Mr Walsh
Mr Gray	Mr Miller	Mr Sheehan	Mr Wilkes
Mr Harrowfield	Mr Newton	(Ballarat South)	Tellers
Mr Hassett	Mr Norris	Mr Shell	Mr Ihlein
Mrs Hill	Mr Pope	Mr Sidiropoulos	Mr Seitz

And so it passed in the negative.

No. 7—Clause 3.

Motion made and question—That the Chairman do report progress and ask for leave to sit again (Mr Richardson)—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 28

Mr Brown	Mr Hann	Mr Reynolds	Mr Williams
Mr Burgin	Mr Jasper	Mr Richardson	
Mr Delzoppo	Mr Jona	Mr Ross-Edwards	
Mr Dickinson	Mr Kempton	Mr Saltmarsh	
Mr Ebery	Mr Lieberman	Mrs Sibree	
Mr Evans	Mr McGrath	Mr Steggall	
(Ballarat North)	Mr McKellar	Mr Tanner	Tellers
Mr Evans	Mr McNamara	Mr Templeton	Mr Leigh
(Gippsland East)	Mr Ramsay	Mr Whiting	Mr Wallace

NOES, 40

Miss Callister	Mr Hockley	Mr Pope	Mr Spyker
Mr Cathie	Mr Ihlein	Mrs Ray	Mr Stirling
Dr Coghill	Mr Kennedy	Mr Remington'	Mr Trezise
Mr Crabb	Mr Kirkwood	Mr Roper	Dr Vaughan
Mr Culpin	Mr McCutcheon	Mr Rowe	Mr Walsh
Mr Ernst	Mr McDonald	Mr Seitz	Mr Wilkes
Mr Fogarty	Mr Mathews	Mrs Setches	
Mr Gray	Mr Micallef	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Miller	(Ballarat South)	Mr Sheehan
Mr Hassett	Mr Newton	Mr Shell	(Ivanhoe)
Mrs Hill	Mr Norris	Mr Simpson	Mr Sidiropoulos

And so it passed in the negative.

No. 8—Clause 3.

Further amendment proposed—That sub-section (4) of proposed section 13AB be omitted.

—(Mr McNamara)

Question—That the sub-section proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Miss Callister	Mr Hockley	Mrs Ray	Mr Stirling
Mr Cathie	Mr Ihlein	Mr Remington	Mr Toner
Dr Coghill	Mr Kennedy	Mr Roper	Mr Trezise
Mr Crabb	Mr Kirkwood	Mr Rowe	Dr Vaughan
Mr Culpin	Mr McCutcheon	Mr Seitz	Mr Walsh
Mr Ernst	Mr McDonald	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr Mathews	Mr Sheehan	
Mr Fordham	Mr Micallef	(Ballarat South)	<i>Tellers</i>
Mr Gavin	Mr Miller	Mr Shell	Mr Sheehan
Mr Harrowfield	Mr Newton	Mr Simmonds	(Ivanhoe)
Mr Hassett	Mr Norris	Mr Simpson	Mr Sidiropoulos
Mrs Hill	Mr Pope	Mr Spyker	

NOES, 29

Mr Austin	Mr Jasper	Mr Maclellan	Mr Tanner
Mr Brown	Mr Jona	Mr Ramsay	Mr Templeton
Mr Burgin	Mr Kempton	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Richardson	Mr Williams
Mr Dickinson	Mr Lieberman	Mr Ross-Edwards	
Mr Ebery	Mr McGrath	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McKellar	Mrs Sibree	Mr Leigh
(Gippsland East)	Mr McNamara	Mr Stegall	Mr Wallace

And so it was resolved in the affirmative.

No. 9—Clause 3.

Further amendment proposed—That the word “supplier” in proposed section 13AC (1) be omitted with the view of inserting in place thereof the words “person who operates a grocery store where goods are passed through an electronic scanner checkout system”.

—(Mr McNamara)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Miss Callister	Mr Hockley	Mrs Ray	Mr Spyker
Mr Cathie	Mr Ihlein	Mr Roper	Mr Stirling
Dr Coghill	Mr Kennedy	Mr Rowe	Mrs Toner
Mr Crabb	Mr Kirkwood	Mrs Setches	Mr Trezise
Mr Culpin	Mr McCutcheon	Mr Sheehan	Dr Vaughan
Mr Ernst	Mr McDonald	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fogarty	Mr Mathews	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Micallef	(<i>Ballarat South</i>)	
Mr Gray	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Sidiropoulos	Mr Remington
Mr Hassett	Mr Norris	Mr Simmonds	Mr Seitz
Mrs Hill	Mr Pope	Mr Simpson	

NOES, 27

Mr Austin	Mr Jasper	Mr Reynolds	Mr Wallace
Mr Brown	Mr Kempton	Mr Richardson	Mr Whiting
Mr Burgin	Mr Kennett	Mr Ross-Edwards	
Mr Delzoppo	Mr Leigh	Mr Saltmarsh	<i>Tellers</i>
Mr Dickinson	Mr Lieberman	Mrs Sibree	Mr McGrath
Mr Ebery	Mr McKellar	Mr Steggall	Mr Williams
Mr Evans	Mr McNamara	Mr Tanner	
(<i>Gippsland East</i>)	Mr Ramsay	Mr Templeton	

And so it was resolved in the affirmative.

No. 10—Clause 3.

Further amendment proposed—That sub-section (3) of proposed section 13AC be omitted.

—(Mr Richardson)

Question—That the sub-section proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Hockley	Mr Remington	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Roper	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Rowe	Mr Trezise
Mr Culpin	Mr Kirkwood	Mrs Setches	Dr Vaughan
Mr Ernst	Mr McCutcheon	Mr Sheehan	Mr Walsh
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fordham	Mr Mathews	Mr Sheehan	
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Shell	Mr Micallef
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Seitz
Mr Hassett	Mr Pope	Mr Simpson	

NOES, 25

Mr Austin	Mr Jasper	Mr Reynolds	
Mr Brown	Mr Kempton	Mr Richardson	
Mr Burgin	Mr Kennett	Mr Ross-Edwards	
Mr Delzoppo	Mr Leigh	Mrs Sibree	<i>Tellers</i>
Mr Dickinson	Mr Lieberman	Mr Steggall	Mr McGrath
Mr Ebery	Mr McKellar	Mr Tanner	Mr Williams
Mr Evans	Mr McNamara	Mr Templeton	
(<i>Gippsland East</i>)	Mr Ramsay	Mr Wallace	

And so it was resolved in the affirmative.

NO. 11—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 2.

(1) Subject to sub-section (2), the several provisions of this Act (including the several items in Schedule One) shall come into operation on the day or the respective days to be fixed by proclamation or successive proclamations of the Governor in Council published in the *Government Gazette*.

(2) Schedule Two shall come into operation on the same day as item 25 of Schedule One.

—(Mr Simmonds)

Motion made and question—That the Chairman do report progress and ask for leave to sit again (Mr Tanner)—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 25

Mr Austin	Mr Evans	Mr McKellar	Mr Tanner
Mr Brown	(Gippsland East)	Mr McNamara	Mr Wallace
Mr Burgin	Mr Kempton	Mr Ramsay	Mr Whiting
Mr Dickinson	Mr Kennett	Mr Reynolds	Mr Williams
Mr Ebery	Mr Leigh	Mr Richardson	Tellers
Mr Evans	Mr Lieberman	Mr Ross-Edwards	Mr Delzoppo
(Ballarat North)	Mr McGrath	Mr Steggall	Mr Jasper

NOES, 36

Miss Callister	Mr Hassett	Mr Pope	Mr Spyker
Dr Coghill	Mrs Hill	Mrs Ray	Mr Stirling
Mr Crabb	Mr Hockley	Mr Remington	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Roper	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mr Scitz	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mr Sheehan	
Mr Fordham	Mr McDonald	(Ballarat South)	
Mr Gavin	Mr Mathews	Mr Shell	Tellers
Mr Gray	Mr Micallef	Mr Simmonds	Mr Hill
Mr Harrowfield	Mr Norris	Mr Simpson	Mr Newton

And so it passed in the negative.

NO. 12—Clause 8, *as amended*.

(1) The functions of the Commission are—

- (a) to inquire into and report to the Minister upon any matters referred to it by the Minister;
- (b) to make recommendations to the Minister with respect to—
 - (i) the operation and administration of this Act and the regulations; and
 - (ii) regulations or codes of practice proposed to be made or approved;
- (c) to examine review and make recommendations in relation to existing and proposed registration or licensing schemes relating to occupational health safety and welfare;
- (d) to provide advice to and co-operate with Government departments, public authorities, trade unions, employer organizations and other interested persons in relation to occupational health safety and welfare;
- (e) to formulate standards specifications or other forms of guidance for the purpose of assisting employers self-employed persons and employees to maintain appropriate standards of occupational health safety and welfare;
- (f) to promote education and training **and approve courses** in occupational health and safety;

NOTE—Bold type denotes insertion by amendment.

- (g) to devise in co-operation with educational authorities or bodies courses in relation to occupational health safety and welfare and to recommend that such courses be integrated into programmes in educational institutions;
- (h) to recommend to the Minister the establishment of public inquiries into any matter relating to occupational health and safety;
- (i) to collect and disseminate information on occupational health safety and welfare; and
- (j) to commission and sponsor research into occupational health safety and welfare.

(2) The Commission shall issue for public review and comment any regulations or codes of practice with respect to which it proposes under sub-section (1) (b) (ii) to make any recommendations to the Minister.

(3) The Commission shall ensure, as far as possible, that any information it provides is in such languages and form as are appropriate for the persons to whom the information is directed.

(4) The Minister shall within 60 days after receiving from the Commission a recommendation under sub-section (1) make reply in writing to the Commission in relation to that recommendation.

—(Mr Simmonds)

Amendment proposed—That after sub-clause (4) there be inserted the following sub-clauses:

“(5) Notwithstanding this Act or the regulations, the Commission may where it is satisfied that an employer has made satisfactory arrangements for occupational health safety and welfare at any workplace under the control and management of the employer exempt the employer from any or all of the requirements of this Act or the regulations as the Commission determines.

(6) A member of the Commission shall not while such a member or at any other time divulge or communicate to any person or publish any information which comes to the knowledge of the member in the course of the functions and duties of the member and which relates to trade secrets or other matters of a business commercial or financial nature.”

—(Mr Tanner)

Question—That the sub-clauses proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 27

Mr Austin	Mr Evans	Mr McKellar	Mr Tanner
Mr Brown	(Gippsland East)	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Dickinson	Mr Jona	Mr Richardson	Mr Williams
Mr Ebery	Mr Kempton	Mr Ross-Edwards	
Mr Evans	Mr Leigh	Mr Saltmarsh	<i>Tellers</i>
(Ballarat North)	Mr Lieberman	Mrs Sibree	Mr Delzoppo
	Mr McGrath	Mr Steggall	Mr McNamara

NOES, 39

Miss Callister	Mrs Hill	Mrs Ray	Mr Stirling
Dr Coghill	Mr Hockley	Mr Remington	Mrs Toner
Mr Crabb	Mr Kennedy	Mr Roper	Mr Trezise
Mr Culpin	Mr Kirkwood	Mr Seitz	Dr Vaughan
Mr Ernst	Mr McCutcheon	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(Ballarat South)	
Mr Gavin	Mr Micallef	Mr Shell	
Mr Gray	Mr Miller	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Simpson	Mr Hill
Mr Hassett	Mr Pope	Mr Spyker	Mr Newton

And so it passed in the negative.

No. 13—Clause 18.

(1) An employer shall provide and maintain so far as is practicable for employees a working environment that is safe and without risks to health.

(2) Without in any way limiting the generality of sub-section (1), an employer contravenes that sub-section if the employer fails—

(a) to provide and maintain plant and systems of work that are so far as is practicable safe and without risks to health;

(b) to make arrangements for ensuring so far as is practicable safety and absence of risks to health in connexion with the use, handling, storage and transport of plant and substances;

(c) to maintain so far as is practicable any workplace under the control and management of the employer in a condition that is safe and without risks to health;

(d) to provide adequate facilities for the welfare of employees at any workplace under the control and management of the employer; or

(e) to provide such information, instruction, training and supervision to employees as are necessary to enable the employees to perform their work in a manner that is safe and without risks to health.

(3) For the purposes of sub-sections (1) and (2)—

(a) “employee” includes an independent contractor engaged by an employer and any employees of the independent contractor; and

(b) the duties of an employer under those sub-sections extend to such an independent contractor and the independent contractor’s employees, in relation to matters over which the employer—

(i) has control; or

(ii) would have had control but for any agreement between the employer and the independent contractor to the contrary.

(4) An employer shall so far as is practicable—

(a) monitor the health of the employees of the employer;

(b) keep information and records relating to the health and safety of the employees of the employer;

(c) employ or engage persons who being suitably qualified in relation to occupational health and safety are able to provide advice to the employer in relation to the health and safety of the employees of the employer;

(d) monitor conditions at any workplace under the control and management of the employer; and

(e) provide information to the employees of the employer, in such languages as are appropriate, with respect to health and safety at the workplace.

including the names of persons to whom an employee may make an inquiry or complaint in relation to health and safety.

—(Mr Simmonds)

Amendment proposed—That sub-clause (1) be omitted with the view of inserting in place thereof the following:

“(1) An employer shall having regard to the nature of the occupations of the employer’s employees provide and maintain so far as is reasonably practicable for those employees a working environment that is safe and without undue risks to health.”.

—(Mr Tanner)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Miss Callister	Mrs Hill	Mr Norris	Mr Simpson
Dr Coghill	Mr Hill	Mr Pope	Mr Spyker
Mr Crabb	Mr Hockley	Mr Remington	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Roper	Mrs Toner
Mr Ernst	Mr Kirkwood	Mr Seitz	Mr Trezise
Mr Fogarty	Mr McCutcheon	Mrs Setches	Mr Walsh
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Mathews	(Ballarat South)	
Mr Gray	Mr Micallef	Mr Shell	Tellers
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	Mrs Ray
Mr Hassett	Mr Newton	Mr Simmonds	Dr Vaughan

NOES, 28

Mr Austin	Mr Evans	Mr McNamara	Mr Tanner
Mr Brown	(Gippsland East)	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Delzoppo	Mr Jona	Mr Richardson	Mr Williams
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	
Mr Ebery	Mr Leigh	Mr Saltmarsh	Tellers
Mr Evans	Mr Lieberman	Mrs Sibrec	Mr Kempton
(Ballarat North)	Mr McGrath	Mr Steggall	Mr McKellar

And so it was resolved in the affirmative.

No. 14—Clause 18.

Further amendment proposed—That after the word “is” in sub-clause (2) (a) there be inserted the word “reasonably”.

—(Mr Tanner)

Question—That the word proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 29

Mr Austin	Mr Evans	Mr McNamara	Mr Steggall
Mr Brown	(Gippsland East)	Mr Maclellan	Mr Tanner
Mr Burgin	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Delzoppo	Mr Jona	Mr Reynolds	Mr Whiting
Mr Dickinson	Mr Kennett	Mr Richardson	Mr Williams
Mr Ebery	Mr Leigh	Mr Ross-Edwards	Tellers
Mr Evans	Mr Lieberman	Mr Saltmarsh	Mr Kempton
(Ballarat North)	Mr McGrath	Mrs Sibrec	Mr McKellar

NOES, 41

Miss Callister	Mrs Hill	Mr Norris	Mr Simpson
Dr Coghill	Mr Hill	Mr Pope	Mr Spyker
Mr Crabb	Mr Hockley	Mr Remington	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Roper	Mrs Toner
Mr Ernst	Mr Kirkwood	Mr Seitz	Mr Trezise
Mr Fogarty	Mr McCutcheon	Mrs Setches	Mr Walsh
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Mathews	(Ballarat South)	
Mr Gray	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	Mr Ray
Mr Hassett	Mr Newton	Mr Simmonds	Dr Vaughan

And so it passed in the negative.

No. 15—Clause 18.

Question—That clause 18 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Miss Callister	Mrs Hill	Mr Remington	Mrs Toner
Mr Cathie	Mr Hill	Mr Roper	Mr Trezise
Dr Coghill	Mr Hockley	Mr Seitz	Dr Vaughan
Mr Crabb	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Culpin	Mr McCutcheon	Mr Sheehan	Mr Wilkes
Mr Ernst	Mr Mathews	(Ballarat South)	
Mr Fogarty	Mr Micallef	Mr Shell	
Mr Fordham	Mr Miller	Mr Sidiropoulos	<i>Tellers</i>
Mr Gavin	Mr Newton	Mr Simmonds	Mr Kennedy
Mr Gray	Mr Norris	Mr Simpson	Mr McDonald
Mr Harrowfield	Mr Pope	Mr Spyker	
Mr Hassett	Mrs Ray	Mr Stirling	

NOES, 27

Mr Austin	Mr Jasper	Mr Maclellan	Mr Whiting
Mr Brown	Mr Jona	Mr Ramsay	Mr Williams
Mr Burgin	Mr Kempton	Mr Richardson	
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Leigh	Mr Saltmarsh	
Mr Ebery	Mr Lieberman	Mr Steggall	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Tanner	Mr McNamara
(Gippsland East)	Mr McKellar	Mr Wallace	Mr Reynolds

And so it was resolved in the affirmative.

Thursday, 22 March 1984

NO. 16—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 21, *as amended*.

(1) A person who designs, manufactures, imports or supplies any plant for use at a workplace shall—

- (a) ensure, so far as is practicable, that the plant is so designed and constructed as to be safe and without risks to health when properly used;
- (b) carry out or arrange for the carrying out of such testing and examination as may be necessary for the performance of the duty imposed by paragraph (a); and
- (c) take such action as is necessary to ensure that there will be available in connexion with the use of the plant at the workplace adequate information about the use for which it is designed and has been tested, and about any conditions necessary to ensure that when put to that use it will be safe and without risks to health.

(2) A person who erects or installs any plant for use at a workplace shall ensure, so far as is practicable, that nothing about the way in which it is erected or installed makes it unsafe or a risk to health when properly used.

(3) A person who manufactures, imports or supplies any substance for use at a workplace shall—

- (a) ensure, so far as is practicable, that the substance is safe and without risks to health when properly used;
- (b) carry out or arrange for the carrying out of such testing and examination as may be necessary for the performance of the duty imposed by paragraph (a); and
- (c) take such action as is necessary to ensure that there will be available in connexion with the use of the substance at the workplace adequate information about the results of any relevant tests which have been carried out on or in connexion with the substance and about any conditions necessary to ensure that it will be safe and without risks to health when properly used.

(4) For the purposes of this section, any plant or substance is not to be regarded as properly used where it is used without regard to any relevant information or advice that is available relating to its use.

—(Mr Simmonds)

Amendment proposed—That after sub-clause (4) there be inserted the following sub-clause:

“(5) Any duty imposed on any person by this section shall extend only to things done in the course of a trade, business or other undertaking carried on by the person (whether for profit or not) and to matters within the person’s control.”.

—(Mr Tanner)

Question—That the sub-clause proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 26

Mr Austin	Mr Hann	Mr Reynolds	Mr Wallace
Mr Brown	Mr Jasper	Mr Richardson	Mr Whiting
Mr Burgin	Mr Jona	Mr Ross-Edwards	Mr Williams
Mr Delzoppo	Mr Leigh	Mrs Sibree	
Mr Dickinson	Mr McGrath	Mr Steggall	<i>Tellers</i>
Mr Ebery	Mr McKellar	Mr Tanner	Mr Kempton
Mr Evans	Mr Maclellan	Mr Templeton	Mr McNamara

(Gippsland East)

NOES, 42

Miss Callister	Mr Ihlein	Mr Remington	Mr Spyker
Dr Coghill	Mr Jolly	Mr Roper	Mr Stirling
Mr Crabb	Mr Kennedy	Mr Seitz	Mrs Toner
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Trezise
Mr Ernst	Mr McCutcheon	Mr Shechan	Dr Vaughan
Mr Fogarty	Mr McDonald	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fordham	Mr Micallef	Mr Shechan	
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	
Mr Gray	Mr Newton	Mr Shell	
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	<i>Tellers</i>
Mr Hassett	Mr Pope	Mr Simmonds	Mrs Hill
Mr Hill	Mrs Ray	Mr Simpson	Mr Hockley

And so it passed in the negative

NOTE—Bold type denotes insertion or substitution by amendment.

No. 17—Clause 22.

(1) An employee while at work shall take the care of which the employee is capable for the employee's own health and safety and for the health and safety of any other person who may be affected by the employee's acts or omissions at the workplace.

(2) An employee shall not—

(a) wilfully or recklessly interfere with or misuse anything provided in the interests of safety health or welfare in pursuance of any provision of this Act or the regulations; or

(b) wilfully place at risk the health or safety of any person at the workplace.

—(Mr Simmonds)

Amendment proposed—That after sub-clause (2) there be inserted the following sub-clause:

“(3) An employee shall as regards any duty or requirement imposed by or under this Act on the employee's employer or any other person co-operate with the employer or person so far as is necessary to enable that duty or requirement to be performed or complied with.”

—(Mr Tanner)

Question—That the sub-clause proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 27

Mr Austin	Mr Hann	Mr Reynolds	Mr Whiting
Mr Brown	Mr Jasper	Mr Richardson	Mr Williams
Mr Burgin	Mr Jona	Mr Ross-Edwards	
Mr Delzoppo	Mr Leigh	Mrs Sibree	
Mr Dickinson	Mr McGrath	Mr Steggall	
Mr Ebery	Mr McKellar	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr MacLellan	Mr Templeton	Mr Kempton
(Gippsland East)	Mr Ramsay	Mr Wallace	Mr McNamara

NOES, 44

Miss Callister	Mr Hill	Mrs Ray	Mr Simmonds
Mr Cathie	Mr Ihlein	Mr Remington	Mr Simpson
Dr Coghill	Mr Kennedy	Mr Roper	Mr Spyker
Mr Crabb	Mr Kirkwood	Mr Rowe	Mr Stirling
Mr Culpin	Mr McCutcheon	Mr Seitz	Mrs Toner
Mr Ernst	Mr McDonald	Mrs Setches	Mr Trezise
Mr Fogarty	Mr Mathews	Mr Sheehan	Dr Vaughan
Mr Fordham	Mr Micallef	(Ivanhoe)	Mr Walsh
Mr Gavin	Mr Miller	Mr Sheehan	
Mr Gray	Mr Newton	(Ballarat South)	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Shell	Mrs Hill
Mr Hassett	Mr Pope	Mr Sidiropoulos	Mr Hockley

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 31

Tuesday, 27 March 1984

NO 1.—OCCUPATIONAL HEALTH AND SAFETY BILL—Clause 26.

(1) A trade union may, in respect of each workplace at which any of its members work as employees, appoint one or more of those members to be health and safety representatives at that workplace.

(2) A person shall cease to be a health and safety representative upon—

- (a) ceasing to be an employee at the workplace;
- (b) resigning as a health and safety representative;
- (c) a revocation by the trade union of the appointment of the health and safety representative; or
- (d) being disqualified under section 32.

(3) A health and safety representative shall perform a function or duty under this Part only at the workplace in respect of which the health and safety representative is appointed.

—(Mr Simmonds)

Amendment proposed—That sub-clause (1) be omitted with the view of inserting in place thereof the following sub-clauses:

“(1) A trade union may, in respect of each workplace at which any of its members work as employees, conduct an election by and from those members for one or more health and safety representatives at the workplace.

(2) Where an employer believes that there are more health and safety representatives at a workplace under the control and management of the employer than are necessary to ensure effective representation in relation to occupational health and safety of employees at the workplace, the employer may apply to the Industrial Relations Commission, which may determine the appropriate number of health and safety representatives.

(3) In making a determination under sub-section (2), the Industrial Relations Commission shall have regard to—

- (a) the number of employees at the workplace;
- (b) their occupations;
- (c) the hazards at the workplace—

and may have regard to any other matters it considers relevant.”.

—(Mr Simmonds)

The question proposing to omit sub-clause (1) having been agreed to.

Question—That the sub-clauses proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Miss Callister	Mr Ihlein	Mr Roper	Mr Spyker
Mr Cathie	Mr Jolly	Mr Rowe	Mr Stirling
Dr Coghill	Mr Kennedy	Mr Seitz	Mrs Toner
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Trezise
Mr Ernst	Mr McDonald	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr Mathews	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fordham	Mr Micallef	Mr Sheehan	Mr Wilkes
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	
Mr Gray	Mr Newton	Mr Shell	
Mr Hassett	Mr Norris	Mr Sidiropoulos	<i>Tellers</i>
Mr Hill	Mr Pope	Mr Simmonds	Mr Harrowfield
Mr Hockley	Mr Remington	Mr Simpson	Mrs Ray

NOES, 28

Mr Austin	Mr Evans	Mr McNamara	Mr Templeton
Mr Brown	(<i>Gippsland East</i>)	Mr Maclellan	Mr Wallace
Mr Burgin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Jona	Mr Ross-Edwards	
Mr Ebery	Mr Kennett	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Steggall	Mr Kempton
(<i>Ballarat North</i>)	Mr McKellar	Mr Tanner	Mr McGrath

And so it was resolved in the affirmative.

No. 2—Clause 26, *as amended*.

(1) A trade union may, in respect of each workplace at which any of its members work as employees, conduct an election by and from those members for one or more health and safety representatives at the workplace.

(2) Where an employer believes that there are more health and safety representatives at a workplace under the control and management of the employer than are necessary to ensure effective representation in relation to occupational health and safety of employees at the workplace, the employer may apply to the Industrial Relations Commission, which may determine the appropriate number of health and safety representatives.

(3) In making a determination under sub-section (2), the Industrial Relations Commission shall have regard to—

- (a) the number of employees at the workplace;**
- (b) their occupations;**
- (c) the hazards at the workplace—**

and may have regard to any other matters it considers relevant.

(4) A person shall cease to be a health and safety representative upon—

- (a) ceasing to be an employee at the workplace;**
- (b) resigning as a health and safety representative;**
- (c) failing to be re-elected; or**
- (d) being disqualified under section 33.**

(5) A health and safety representative shall perform a function or duty under this Part only at the workplace in respect of which the health and safety representative is elected.

—(*Mr Simmonds*)

Question—That clause 26, as amended, stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Miss Callister	Mr Ihlein	Mr Roper	Mr Spyker
Mr Cathie	Mr Jolly	Mr Rowe	Mr Stirling
Dr Coghill	Mr Kennedy	Mr Seitz	Mrs Toner
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Trezise
Mr Ernst	Mr McDonald	Mr Sheehan	Dr Vaughan
Mr Fogarty	Mr Mathews	(<i>Ivanhoe</i>)	Mr Walsh
Mr Fordham	Mr Micallef	Mr Sheehan	
Mr Gavin	Mr Miller	(<i>Ballarat South</i>)	
Mr Gray	Mr Newton	Mr Shell	
Mr Hassett	Mr Norris	Mr Sidiropoulos,	<i>Tellers</i>
Mr Hill	Mr Pope	Mr Simmonds	Mr Harrowfield
Mr Hockley	Mr Remington	Mr Simpson	Mrs Ray

NOES, 29

Mr Austin	Mr Evans	Mr McKellar	Mr Tanner
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Templeton
Mr Burgin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Delzoppo	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Dickinson	Mr Jona	Mr Reynolds	Mr Williams
Mr Ebery	Mr Kennett	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Ross-Edwards	Mr Kempton
(<i>Ballarat North</i>)	Mr Lieberman	Mr Steggall	Mr McGrath

And so it was resolved in the affirmative.

No. 3—Clause 27, as amended.

(1) A health and safety representative may for the purpose of health and safety at a workplace—

- (a) inspect the whole or any part of the workplace—
 - (i) at any time after giving reasonable notice to the employer; and
 - (ii) immediately in the event of any accident, hazardous situation, dangerous occurrence or immediate risk to the health and safety of any person;
- (b) accompany any inspector during an inspection of the workplace; and
- (c) require the establishment of a health and safety committee in accordance with section 34.

(2) An employer shall—

- (a) subject to sub-section (3), permit a health and safety representative to have access to such information as the employer possesses relating to—
 - (i) actual or potential hazards arising at any workplace under the control and management of the employer, the conduct of the undertaking of the employer or the plant or substances used for the purposes of that undertaking; and
 - (ii) the health and safety of the employees of the employer;
- (b) subject to sub-section (5), permit a health and safety representative to be present at any interview concerning occupational health and safety between the employer or a representative of the employer and an employee;
- (c) consult health and safety representatives on all proposed changes to the workplace, the plant or substances used in that undertaking or the conduct of that undertaking being changes that may affect health safety and welfare at the workplace;

NOTE: Bold type denotes substitution by amendment.

- (d) permit health and safety representatives to take such time off work with pay as is necessary or prescribed for the purposes of performing their functions or duties or taking part in any course of training relating to occupational health and safety which is approved by the Commission or conducted by the Ministry of Employment and Training; and
- (e) provide such other facilities and assistance to health and safety representatives as are necessary or prescribed to enable them to perform their functions and duties.
- (3) An employer shall not pursuant to sub-section (2) (a) (ii) supply to a health and safety representative any medical information in respect of an employee unless—
- (a) the employee has consented to the supply of the information to the health and safety representative; or
- (b) the information is in a form which does not identify the employee.
- (4) An employer shall not prevent or obstruct the attendance of a health and safety representative at a course of training of the type referred to in sub-section (2) (d).
- (5) A health and safety representative shall not be present at any interview of a kind referred to in sub-section (2) (b) without the consent of the employee.
- (6) A health and safety representative may with the consent of the employee be present at any interview between an employee and an inspector concerning health and safety at a workplace.
- (7) A health and safety representative may for the purposes of performing a function or duty under this Part seek whenever necessary the assistance of any person.
- (8) An employer shall allow a person assisting a health and safety representative access to the workplace unless the employer considers that the person by reason of a lack of knowledge of occupational health and safety is not a suitable person to assist a health and safety representative.
- (9) Where an employer does not allow a person assisting a health and safety representative access to the workplace, the health and safety representative may apply to the Industrial Relations Commission for an order directing the employer to allow that access **and specifying the terms and conditions of that access.**
- (10) An application under sub-section (9) shall be referred by the President of the Industrial Relations Commission to a Commissioner, who shall determine the matter as soon as practicable.
- (11) Subject to section 23, **no provision of this Part shall be construed as imposing any duty upon a health and safety representative.**

—(Mr Simmonds)

Amendment proposed—That sub-clause (4) be omitted with the view of inserting in place thereof the following sub-clause:

“(4) Where—

- (a) regulations have not been made to prescribe times for the purposes of sub-section (2) (d); and
- (b) a dispute arises between a health and safety representative and an employer as to the amount of time necessary for the performance of the functions or duties of the health and safety representative or for the

NOTE: Bold type denotes substitution or insertion by amendment.

health and safety representative to take part in any course of training of the type referred to in sub-section (2) (d)—

the health and safety representative or the employer may apply to the Industrial Relations Commission which may determine that matter.”

—(Mr Tanner)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Mr Cain	Mr Hill	Mrs Ray	Mr Simmonds
Miss Callister	Mr Ihlein	Mr Remington	Mr Simpson
Mr Cathie	Mr Jolly	Mr Roper	Mr Spyker
Dr Coghill	Mr Kennedy	Mr Rowe	Mr Stirling
Mr Culpin	Mr Kirkwood	Mr Seitz	Mrs Toner
Mr Ernst	Mr McDonald	Mrs Setches	Mr Trezise
Mr Fogarty	Mr Mathews	Mr Sheehan	Mr Walsh
Mr Fordham	Mr Micallef	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Miller	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Newton	(<i>Ballarat South</i>)	Mr Hockley
Mr Harrowfield	Mr Norris	Mr Shell	Dr Vaughan
Mr Hassett	Mr Pope	Mr Sidiropoulos	

NOES, 23

Mr Austin	Mr Evans	Mr McNamara	Mr Williams
Mr Brown	(<i>Gippsland East</i>)	Mr Ramsay	
Mr Burgin	Mr Hann	Mr Reynolds	
Mr Delzoppo	Mr Jasper	Mr Tanner	<i>Tellers</i>
Mr Dickinson	Mr Kempton	Mr Templeton	Mr McKellar
Mr Ebery	Mr Kennett	Mr Wallace	Mr Steggall
Mr Evans	Mr Leigh	Mr Whiting	
(<i>Ballarat North</i>)			

And so it was resolved in the affirmative.

No. 4—Clause 27, as amended.

Question—That clause 27, as amended, stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 39

Mr Cain	Mr Hassett	Mrs Ray	Mr Stirling
Miss Callister	Mrs Hill	Mr Remington	Mrs Toner
Dr Coghill	Mr Hockley	Mr Roper	Mr Trezise
Mr Crabb	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Culpin	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Ernst	Mr McDonald	Mr Sheehan	
Mr Fogarty	Mr Mathews	(<i>Ballarat South</i>)	
Mr Fordham	Mr Micallef	Mr Shell	<i>Tellers</i>
Mr Gavin	Mr Miller	Mr Simmonds	Mr Norris
Mr Gray	Mr Newton	Mr Simpson	Mr Sidiropoulos
Mr Harrowfield	Mr Pope	Mr Spyker	

NOES, 26

Mr Austin	Mr Hann	Mr McGrath	Mr Tanner
Mr Brown	Mr Jasper	Mr McKellar	Mr Wallace
Mr Burgin	Mr Jona	Mr McNamara	Mr Whiting
Mr Dickinson	Mr Kempton	Mr Reynolds	Mr Williams
Mr Ebery	Mr Kennett	Mr Richardson	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Ross-Edwards	Mr Delzoppo
(<i>Ballarat North</i>)	Mr Lieberman	Mr Saltmarsh	Mr Steggall

And so it was resolved in the affirmative.

No. 5—Clause 38, *as amended*.

(1) Any person who—

- (a) refuses access to a workplace to an inspector or person assisting an inspector;
- (b) obstructs an inspector in the exercise of the powers of the inspector under this Act or the regulations or induces or attempts to induce any other person to do so;
- (c) fails to produce any document required under this Act or the regulations by an inspector;
- (d) conceals the location or existence of any other person or any plant or substance from an inspector;
- (e) prevents or attempts to prevent any other person from assisting an inspector; or
- (f) in any other way, hinders impedes or opposes an inspector in the exercise of the powers of the inspector under this Act or the regulations—

shall be guilty of an offence.

(2) The occupier of and employer at any workplace at which an offence under sub-section (1) occurs shall be guilty of the same offence **unless the occupier or employer proves that the act or omission constituting the offence took place without the knowledge of the occupier or employer and that the occupier or employer did not know and could not reasonably have known thereof.**

(3) Any person who assaults or directly or indirectly intimidates or threatens or attempts to intimidate or threaten an inspector or a person assisting an inspector shall be guilty of an offence.

(4) Any person who is guilty of an offence against this section shall be liable—

- (a) where that person is a body corporate, to a penalty of not less than 250 penalty units nor more than 500 penalty units; or
- (b) in any other case, to a penalty of not less than 50 penalty units nor more than 100 penalty units or to imprisonment for not more than five years or both.

—(Mr Simmonds)

Amendment proposed—That sub-clause (4) be omitted with the view of inserting in place thereof the following sub-clause:

“(4) Any person who is guilty of an offence against sub-section (3) shall be liable—

- (a) where that person is a body corporate, to a penalty of not more than 500 penalty units; or
- (b) in any other case, to a penalty of not more than 100 penalty units or to imprisonment for not more than two years or both.”

—(Mr Tanner)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 37

Mr Cain	Mr Gray	Mr Pope	Mr Simpson
Miss Callister	Mr Hassett	Mrs Ray	Mr Spyker
Mr Cathie	Mrs Hill	Mr Remington	Mr Stirling
Dr Coghill	Mr Hockley	Mr Roper	Mr Trezise
Mr Crabb	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Culpin	Mr McDonald	Mrs Setches	Mr Walsh
Mr Ernst	Mr Mathews	Mr Sheehan	
Mr Fogarty	Mr Micallef	(Ballarat South)	<i>Tellers</i>
Mr Fordham	Mr Miller	Mr Shell	Mr Norris
Mr Gavin	Mr Newton	Mr Simmonds	Mr Sidiropoulos

NOES, 28

Mr Austin	Mr Hann	Mr McNamara	Mr Williams
Mr Brown	Mr Jasper	Mr Ramsay	
Mr Burgin	Mr Jona	Mr Reynolds	
Mr Dickinson	Mr Kempton	Mr Richardson	
Mr Ebery	Mr Kennett	Mr Ross-Edwards	
Mr Evans	Mr Leigh	Mr Saltmarsh	
(Ballarat North)	Mr Lieberman	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Wallace	Mr Delzoppo
(Gippsland East)	Mr McKellar	Mr Whiting	Mr Steggall

And so it was resolved in the affirmative.

No. 6—Clause 38, *as amended*.Question—That clause 38, as amended, stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 37

Mr Cain	Mr Gray	Mr Pope	Mr Simpson
Miss Callister	Mr Hassett	Mr Remington	Mr Spyker
Mr Cathie	Mrs Hill	Mr Roper	Mr Stirling
Dr Coghill	Mr Hockley	Mr Seitz	Mr Trezise
Mr Crabb	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Culpin	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Ernst	Mr Mathews	(Ballarat South)	
Mr Fogarty	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Fordham	Mr Newton	Mr Sidiropoulos	Mr Micallef
Mr Gavin	Mr Norris	Mr Simmonds	Mrs Ray

NOES, 28

Mr Austin	Mr Evans	Mr McKellar	Mr Tanner
Mr Brown	(Gippsland East)	Mr McNamara	Mr Wallace
Mr Burgin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Jona	Mr Richardson	
Mr Ebery	Mr Kennett	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr Leigh	Mr Saltmarsh	Mr Kempton
(Ballarat North)	Mr Lieberman	Mr Steggall	Mr McGrath

And so it was resolved in the affirmative.

No. 7—Clause 53.

(1) An employer shall not dismiss an employee or injure an employee in the employment of the employee or alter the position of an employee to the detriment of the employee by reason only that the employee—

- (a) is or has been a health and safety representative or member of a health and safety committee;
- (b) performs or has performed any function or duty as such a representative or member;

- (c) assists or has assisted or gives or has given any information to an inspector, health and safety representative or health and safety committee; or
- (d) makes or has made a complaint in relation to health and safety to the employer, a fellow employee, inspector, health and safety representative or health and safety committee.

(2) An employer or prospective employer shall not refuse or deliberately omit to offer employment to a prospective employee or treat a prospective employee less favourably than another prospective employee would be treated in relation to the terms on which employment is offered by reason only that the first-mentioned prospective employee—

- (a) has been a health and safety representative or member of a health and safety committee;
- (b) has performed any function or duty as such a representative or member;
- (c) has assisted or given information to an inspector, health and safety representative or health and safety committee; or
- (d) has made a complaint in relation to health and safety to a former employer, former fellow employee, inspector, health and safety representative or health and safety committee.

(3) Any person who is guilty of an offence against this section shall be liable—

- (a) where that person is a body corporate, to a penalty of not less than 250 penalty units nor more than 500 penalty units; or
- (b) in any other case, to a penalty of not less than 50 penalty units nor more than 100 penalty units or to imprisonment for five years or both.

(4) In proceedings for an offence against this section, if all the facts constituting the offence other than the reason for the defendant's action are proved, the onus of proving that the act of discrimination was not actuated by the reason alleged in the charge shall lie on the defendant.

(5) Where a person is convicted of an offence against this section, the court may in addition to imposing a penalty upon the offender make one or both of the following orders:

- (a) It may order the offender to pay within a specified period to the person against whom the offender discriminated such damages as it thinks fit to compensate that person;
- (b) It may order that the employee be reinstated or re-employed in the employee's former position or, where that position is not available, in a similar position or that the prospective employee be employed in the position for which the prospective employee had applied or a similar position.

—(Mr Simmonds)

Amendment proposed—That after the expression “(1)” there be inserted the words “Subject to section 29,”

—(Mr Tanner)

Question—That the expression proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 25

Mr Brown	Mr Hann	Mr Ramsay	Mr Williams
Mr Burgin	Mr Kempton	Mr Reynolds	
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Dickinson	Mr Leigh	Mr Saltmarsh	
Mr Evans	Mr Lieberman	Mr Steggall	
(Ballarat North)	Mr McGrath	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr McKellar	Mr Wallace	Mr Ebery
(Gippsland East)	Mr McNamara	Mr Whiting	Mr Jasper

NOES, 38

Mr Cain	Mr Gray	Mr Norris	Mr Simpson
Miss Callister	Mr Hassett	Mr Pope	Mr Spyker
Mr Cathie	Mrs Hill	Mrs Ray	Mr Stirling
Dr Coghill	Mr Hockley	Mr Remington	Mr Trezise
Mr Crabb	Mr Kennedy	Mr Roper	Dr Vaughan
Mr Culpin	Mr Kirkwood	Mr Seitz	Mr Walsh
Mr Ernst	Mr Mathews	Mrs Setches	<i>Tellers</i>
Mr Fogarty	Mr Micallef	Mr Shell	Mr McDonald
Mr Fordham	Mr Miller	Mr Sidiropoulos	Mr Sheehan
Mr Gavin	Mr Newton	Mr Simmonds	(Ballarat South)

And so it passed in the negative.

No. 8—Clause 53.

Further amendment proposed—That sub-clauses (3), (4) and the expression—

“(5) Where a person is convicted of an offence against this section, the court may in addition to imposing a penalty upon the offender make one or both of the following orders:”

be omitted with the view to inserting in place thereof the following expression:

“(3) Proceedings for an offence against this section shall be before the Industrial Relations Commission in Court session, which may make one or both of the following orders:”.

—(Mr Tanner)

Question—That the sub-clauses and expression proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 42

Mr Cain	Mr Hassett	Mr Remington	Mr Simpson
Miss Callister	Mrs Hill	Mr Roper	Mr Spyker
Mr Cathie	Mr Hockley	Mr Rowe	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Seitz	Mr Trezise
Mr Crabb	Mr Kennedy	Mrs Setches	Dr Vaughan
Mr Culpin	Mr Kirkwood	Mr Sheehan	Mr Walsh
Mr Ernst	Mr McDonald	(Ivanhoe)	
Mr Fogarty	Mr Mathews	Mr Sheehan	
Mr Fordham	Mr Micallef	(Ballarat South)	
Mr Gavin	Mr Norris	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Pope	Mr Sidiropoulos	Mr Miller
Mr Harrowfield	Mrs Ray	Mr Simmonds	Mr Newton

NOES, 26

Mr Brown	Mr Hann	Mr McNamara	Mr Tanner
Mr Burgin	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Leigh	Mr Richardson	
Mr Ebery	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Saltmarsh	Mr Kempton
(Ballarat North)	Mr McKellar	Mr Steggall	Mr Wallace
Mr Evans			
(Gippsland East)			

And so it was resolved in the affirmative.

No. 9—Clause 53, *as amended*.

(1) An employer shall not dismiss an employee or injure an employee in the employment of the employee or alter the position of an employee to the detriment of the employee by reason only that the employee—

- (a) is or has been a health and safety representative or member of a health and safety committee;
 - (b) performs or has performed any function or duty as such a representative or member;
 - (c) assists or has assisted or gives or has given any information to an inspector, health and safety representative or health and safety committee; * *
 - (d) makes or has made a complaint in relation to health and safety to the employer, a fellow employee, inspector, health and safety representative or health and safety committee;
- or**
- (e) **refuses or has refused pursuant to section 24 to work or do particular work.**

(2) An employer or prospective employer shall not refuse or deliberately omit to offer employment to a prospective employee or treat a prospective employee less favourably than another prospective employee would be treated in relation to the terms on which employment is offered by reason only that the first-mentioned prospective employee—

- (a) has been a health and safety representative or member of a health and safety committee;
 - (b) has performed any function or duty as such a representative or member;
 - (c) has assisted or given information to an inspector, health and safety representative or health and safety committee; * *
 - (d) has made a complaint in relation to health and safety to a former employer, former fellow employee, inspector, health and safety representative or health and safety committee;
- or**
- (e) **has previously refused pursuant to section 24 to work or do particular work.**

(3) Any person who is guilty of an offence against this section shall be liable—

- (a) where that person is a body corporate, to a penalty of not less than 250 penalty units nor more than 500 penalty units;
- or**
- (b) in any other case, to a penalty of not less than 50 penalty units nor more than 100 penalty units or to imprisonment for five years or both.

(4) In proceedings for an offence against this section, if all the facts constituting the offence other than the reason for the defendant's action are proved, the onus of proving that the act of discrimination was not actuated by the reason alleged in the charge shall lie on the defendant.

(5) Where a person is convicted of an offence against this section, the court may in addition to imposing a penalty upon the offender make one or both of the following orders:

- (a) It may order the offender to pay within a specified period to the person against whom the offender discriminated such damages as it thinks fit to compensate that person;
- (b) It may order that the employee be reinstated or re-employed in the employee's former position or, where that position is not available, in a similar position or that the prospective employee be employed in the

NOTE: Bold type denotes insertion by amendment.

* * Denotes omission by amendment.

position for which the prospective employee had applied or a similar position.

—(Mr Simmonds) | ar

Question—That clause 53, as amended, stand part of the Bill—put.

ts)

Committee divided.

Committee divided.

(Chairman—Mr Wilton)

(Chairman—Mr Wilton)

AYES, 40

Mr Cain	Mr Hassett	Mr Roper	Mr Stirling
Miss Callister	Mrs Hill	Mr Rowe	Mr Trezise
Mr Cathie	Mr Hockley	Mr Seitz	Dr Vaughan
Dr Coghill	Mr Ihlein	Mrs Setches	Mr Walsh
Mr Crabb	Mr Kennedy	Mr Sheehan	
Mr Culpin	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Ernst	Mr Micallef	Mr Sheehan	
Mr Fogarty	Mr Miller	(<i>Ballarat South</i>)	
Mr Fordham	Mr Newton	Mr Sidiropoulos	
Mr Gavin	Mr Pope	Mr Simmonds	<i>Tellers</i>
Mr Gray	Mrs Ray	Mr Simpson	Mr Norris
Mr Harrowfield	Mr Remington	Mr Spyker	Mr Shell

NOES, 26

Mr Brown	Mr Evans	Mr KcKellar	Mr Steggall
Mr Burgin	(<i>Gippsland East</i>)	Mr McNamara	Mr Tanner
Mr Delzoppo	Mr Hann	Mr Ramsay	Mr Wallace
Mr Dickinson	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Ebery	Mr Kennett	Mr Richardson	Mr Williams
Mr Evans	Mr Lieberman	Mr Ross-Edwards	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr McGrath	Mr Saltmarsh	Mr Kempton
			Mr Leigh

And so it was resolved in the affirmative.

No. 10—Clause 56.

(1) The Minister may delegate to any person any of the powers, authorities, duties or functions of the Minister under this Act or the regulations other than this power of delegation.

(2) The instrument of delegation shall specify the period of time during which the delegation of power may be exercised or where the Minister has determined that the delegation shall be exercisable for an unlimited period of time, the instrument shall so specify.

(3) The Minister may vary or revoke a delegation made under this section.

(4) A power, authority, duty or function delegated by the Minister shall be exercised or performed in accordance with the instrument of delegation and shall be subject to the conditions and limitations specified in the instrument of delegation.

(5) The delegation of a power, authority, duty or function by the Minister does not prevent the exercise of the power or authority or the performance of the duty or function by the Minister.

(6) Any act or thing done in the performance of a duty or function or the exercise of an authority or power by the delegate under sub-section (1) has the same force and effect as if it had been done by the Minister.

(7) No act of a delegate done within the scope of a delegation under this section during the period in which that delegation remains in force shall be invalidated by reason of a later revocation or variation of the delegation.

—(Mr Simmonds)

Amendment proposed—That after the word “delegation” in sub-clause (1) there be inserted the words “or the powers of the Minister under section 44”

—(Mr Tanner)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 24

Mr Brown	Mr Hann	Mr McNamara	
Mr Burgin	Mr Jasper	Mr Ramsay	
Mr Delzoppo	Mr Kempton	Mr Reynolds	
Mr Ebery	Mr Kennett	Mr Ross-Edwards	
Mr Evans	Mr Leigh	Mr Saltmarsh	
(Ballarat North)	Mr Lieberman	Mr Steggall	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Tanner	Mr Dickinson
(Gippsland East)	Mr McKellar	Mr Wallace	Mr Williams

NOES, 41

Mr Cain	Mrs Hill	Mr Roper	Mr Spyker
Miss Callister	Mr Hockley	Mr Rowe	Mr Stirling
Mr Cathie	Mr Ihlein	Mr Seitz	Mr Trezise
Dr Coghill	Mr Kennedy	Mr Setches	Dr Vaughan
Mr Crabb	Mr Mathews	Mr Sheehan	Mr Walsh
Mr Culpin	Mr Micallef	(Ivanhoe)	
Mr Ernst	Mr Miller	Mr Sheehan	
Mr Fogarty	Mr Newton	(Ballarat South)	
Mr Fordham	Mr Norris	Mr Shell	<i>Tellers</i>
Mr Gavin	Mr Pope	Mr Sidiropoulos	Mr Hassett
Mr Gray	Mr Ray	Mr Simmonds	Mr McDonald
Mr Harrowfield	Mr Remington	Mr Simpson	

And so it passed in the negative.

No. 11—Clause 56.

Question—That clause 56 stand part of the Bill—put.
Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 41

Mr Cain	Mrs Hill	Mr Remington	Mr Spyker
Miss Callister	Mr Hockley	Mr Roper	Mr Stirling
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Trezise
Dr Coghill	Mr Kennedy	Mr Seitz	Dr Vaughan
Mr Crabb	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Culpin	Mr Mathews	(Ivanhoe)	
Mr Ernst	Mr Micallef	Mr Sheehan	
Mr Fogarty	Mr Miller	(Ballarat South)	
Mr Fordham	Mr Newton	Mr Shell	<i>Tellers</i>
Mr Gavin	Mr Norris	Mr Sidiropoulos	Mr Harrowfield
Mr Gray	Mr Pope	Mr Simmonds	Mrs Setches
Mr Hassett	Mrs Ray	Mr Simpson	

NOES, 23

Mr Brown	Mr Hann	Mr McNamara	Mr Williams
Mr Burgin	Mr Jasper	Mr Ramsay	
Mr Delzoppo	Mr Kempton	Mr Reynolds	
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Tanner	Mr Leigh
(Ballarat North)	Mr McKellar	Mr Wallace	Mr Steggall

And so it was resolved in the affirmative.

No. 12—New Clause BB.

(1) An employee may refuse to work or do particular work where the employee has reason to believe that to work or do the particular work would expose the employee or another person to danger to health or safety.

(2) An employee who refuses to work or do particular work shall immediately give notice of that refusal to—

- (a) a health and safety representative or, where there is no health and safety representative at the workplace, another employee; and
- (b) the employer or a representative of the employer.

(3) The persons to whom notice is given under sub-section (2) shall in the presence of the employee immediately inquire into the circumstances of the employee's refusal to work or do the particular work.

(4) Where after an inquiry under sub-section (3) the employee—

- (a) continues to believe that to work or do the particular work would expose the employee or another person to danger to health and safety; and
- (b) continues to refuse to work or do the particular work—

the employer shall immediately give notice of that refusal to an inspector.

(5) Upon receiving notice under sub-section (4), the inspector shall as soon as possible attend at the workplace and shall in the presence of the employee employer and persons to whom notice was given under sub-section (2) inquire into the circumstances of the refusal to work or do the particular work.

(6) The inspector may issue an improvement notice under section 40 or a prohibition notice under section 41 or not issue such a notice or take any other action under this Act the inspector deems necessary.

(7) An employer shall not direct an employee to do the work or particular work which another employee has pursuant to this section refused to do until the matter of that refusal has been resolved under sub-section (3) or (6) (as the case requires).".

—(Mr Simmonds)

Question—That new clause BB be added to the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Mr Cain	Mr Hassett	Mr Pope	Mr Simpson
Miss Callister	Mrs Hill	Mrs Ray	Mr Spyker
Mr Cathie	Mr Hockley	Mr Roper	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Seitz	Dr Vaughan
Mr Crabb	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Culpin	Mr Kirkwood	Mr Sheehan	
Mr Ernst	Mr McDonald	(Ivanhoe)	
Mr Fogarty	Mr Mathews	Mr Sheehan	
Mr Fordham	Mr Micallef	(Ballarat South)	
Mr Gavin	Mr Miller	Mr Shell	Tellers
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr Remington
Mr Harrowfield	Mr Norris	Mr Simmonds	Mr Rowe

NOES, 23

Mr Brown	Mr Kempton	Mr Reynolds	
Mr Burgin	Mr Kennett	Mr Ross-Edwards	
Mr Delzoppo	Mr Leigh	Mr Saltmarsh	
Mr Dickinson	Mr Lieberman	Mr Steggall	Tellers
Mr Ebery	Mr McGrath	Mr Tanner	Mr Evans
Mr Hann	Mr McKellar	Mr Wallace	(Ballarat North)
Mr Jasper	Mr Ramsay	Mr Williams	Mr McNamara

And so it was resolved in the affirmative

Wednesday, 28 March 1984

No. 13—PUBLIC SERVICE (AMENDMENT) BILL—Clause 4, *as amended*.

Section 3 (1) of the Principal Act is amended as follows:

- (a) For the interpretation of "Classification" there shall be substituted the following interpretation:
 ' "Classification" means the level, grade or class assigned by the Board to an office in a particular field of work. ';
- (b) After the interpretation of "Classification" there shall be inserted the following interpretation:
 ' "Designation" means the description or title of an office or the title of an officer. ';
- (c) For the interpretation of "Employé" there shall be substituted the following interpretation:
 ' "Employee" means a person employed under Division 6 of Part III. ';
- (d) In paragraph (b) of the interpretation of "Government office" for the words "public statutory body whether corporate or unincorporate" there shall be substituted the words "public statutory authority";
- (e) For the interpretation of "Minister" there shall be substituted the following interpretation:
 "Minister" means—
 (a) **in relation to an officer, the Minister for the time being administering the administrative unit in which the officer in connection with whom the term is used is employed; and**
 (b) **in relation to any other act, matter or circumstance means the Minister for the time being administering this Act;**
- (f) For the interpretation of "Officer" there shall be substituted the following interpretation:
 "Officer" means—
 (a) any person holding an office in the public service; and
 (b) an unattached officer—
 but does not include an employee. ';
- (g) In the interpretation of "Public notice" after the word "Victoria" there shall be inserted the words "or throughout the part of Victoria in which the position advertised is or is to be located"; and
- (h) After the interpretation of "Public notice" there shall be inserted the following interpretations:
 "Public Service Notices" means the publication published from time to time by the Board and known as the *Victorian Public Service Notices*.
 "Public statutory authority" means a body whether corporate or unincorporate constituted by or under any Act for a public purpose but does not include a municipality or the council of a municipality.
 "Relevant chief administrator" means the chief administrator of the administrative unit in connexion with which, or in which is employed an officer or employee in connexion with whom, the term is used.
 "Senior office" means—
 (a) any office which is declared under section 28B (1) to be an office in the senior executive service; or
 (b) any other office which is declared under section 28B (2) to be a senior office.
 "Senior officer" means a person for the time being holding a senior office.

NOTE: Bold type denotes insertion by amendment.

“This Act” includes regulations and determinations made under this Act.”

—(Mr Cain)

Amendment proposed—That the words “Act for a public purpose but does not include a municipality or the council of a municipality” in the proposed interpretation “Public statutory authority” in paragraph (h) be omitted with the view of inserting in place thereof the following:

“Act for a public purpose, but does not include—

- (a) any municipality or the council of any municipality;
- (b) any body or committee established under the *Local Government Act* 1958;
- (c) the Municipal Association of Victoria established under the *Municipal Association Act* 1907;
- (d) the Victorian Water and Sewerage Authorities Association established under the *Victorian Water and Sewerage Authorities Association Act* 1981;
- (e) any body constituted under the *River Improvement Act* 1958;
- (f) any relevant authority within the meaning of the *Water and Sewerage Authorities (Restructuring) Act* 1983.”

—(Mr Cain)

Further amendment proposed—That the following paragraph be added to the amendment—

“(g) the Local Authorities Superannuation Board established under the *Local Authorities Superannuation Act* 1958;”

—(Mr Ross-Edwards)

Question—That the paragraph proposed to be added to the amendment be so added—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 26

Mr Brown	Mr Jasper	Mr Maclellan	Mr Whiting
Mr Burgin	Mr Jona	Mr Ramsay	Mr Williams
Mr Ebery	Mr Kempton	Mr Reynolds	
Mr Evans	Mr Kennett	Mr Richardson	
(Ballarat North)	Mr Leigh	Mr Ross-Edwards	
Mr Evans	Mr Lieberman	Mr Saltmarsh	Tellers
(Gippsland East)	Mr McKellar	Mr Steggall	Mr Delzoppo
Mr Hann	Mr McNamara	Mr Tanner	Mr Wallace

NOES, 42

Mr Cain	Mr Harrowfield	Mr Micallef	Mr Sidiropoulos
Miss Callister	Mr Hassett	Mr Miller	Mr Simmonds
Mr Cathie	Mrs Hill	Mr Newton	Mr Stirling
Dr Coghill	Mr Hill	Mr Norris	Mrs Toner
Mr Crabb	Mr Hockley	Mrs Ray	Mr Trezise
Mr Culpin	Mr Ihlein	Mr Remington	Dr Vaughan
Mr Ernst	Mr Jolly	Mr Roper	Mr Walsh
Mr Fogarty	Mr Kennedy	Mr Seitz	Mr Wilkes
Mr Fordham	Mr Kirkwood	Mrs Setches	Tellers
Mr Gavin	Mr McDonald	Mr Sheehan	Mr Pope
Mr Gray	Mr Mathews	(Ballarat South)	Mr Shell

And so it passed in the negative.

No. 14—CONSUMER AFFAIRS (ITEM PRICING) BILL—Clause 3.

After section 13A of the Principal Act there shall be inserted the following Division:

‘DIVISION 2AA—ITEM PRICING
[Proposed sections 13AB and 13AC not printed]

13AD. This Division applies to every grocery store unless it is—

- (a) a small store; or
- (b) prescribed, or of a class or description of grocery stores which are prescribed, to be exempt from the operation of this Division.

13AE. A supplier shall not exhibit or expose for sale in a self-service form at a grocery store to which this Division applies an item of goods which does not have its price marked on it unless the price of the item is conspicuously displayed—

- (a) in such a way as to identify the price with the goods concerned; and
- (b) in the prescribed manner—

on or adjacent to the shelf, stand or other fitting in or on which the goods are exhibited or exposed for sale.

Penalty: \$5000.

13AF. (1) A supplier who exhibits or exposes an item of goods for sale by a self service form at a store to which this Division applies, shall not sell the item at a price greater than the lowest price of any price which is marked on the item or which is displayed in such a way as to identify it with the item.

Penalty: \$5000.

(2) It is a good defence to a charge under sub-section (1) that the supplier took every reasonable precaution to ensure that he complied with sub-section (1).

13AG. The Governor in Council may make regulations with respect to any matter or thing which is authorized or required to be prescribed or which is necessary to be prescribed for carrying out the provisions of this Division.’

—(Mr Spyker)

Amendment proposed—That proposed sections 13AD to 13AF be omitted with the view of inserting in place thereof the following:

“13AD. (1) A person who operates a grocery store which on the commencement of operation of this section does not have an electronic scanner checkout system shall not install such a system in that store unless—

- (a) at least one month before the installation he notifies the public in the prescribed manner of the proposed installation;
- (b) after the system is installed he takes action to provide information to customers on how the system operates and provides information concerning the system in response to any reasonable request; and
- (c) he takes action to ensure that his employees are able to answer reasonable questions concerning the system, and instructs them to answer such questions.

Penalty: \$1000.

(2) The information referred to in sub-section (1) (b) shall be provided by means of leaflets, pamphlets or brochures expressed in simple English and any other language appropriate to the location of the store, and shall contain the name and location in the store of a person who consumers may consult if they wish to query any aspect of the system.

13AE. (1) A shelf label shall—

- (a) describe—

- (i) in characters no less than ten millimetres in height, the price; and

- (ii) in characters no less than five millimetres in height, the brand or type and where applicable the size or measurement—
of each of the items to which it refers;
- (b) be legible;
- (c) where the items to which it refers are on a shelf, be centrally aligned immediately above or below the items;
- (d) where the items to which it refers are in a well or coffin freezer cabinet, be aligned immediately behind those items;
- (e) where the items to which it refers are exhibited in a manner other than one described in paragraph (c) or (d), be adjacent to those items;
- (f) use abbreviations only where they are necessary to provide the information required by this section;
- (g) be firmly fixed so that it is not easily moved from its place;
- (h) use only standard abbreviations of units of measurement; and
- (i) display the description required in paragraph (a) more prominently than it displays any other information.
- (2) A shelf label which refers to an item of goods exhibited or exposed for sale on a shelf shall be placed—
- (a) where the majority of shelf labels in the store are placed above the items to which they refer—above it; and
- (b) where the majority of shelf labels in the store are placed below the items to which they refer—below it.
- (3) A computer-printed shelf label which has a price printed in space characters or symbols or which has a printed background and shows the price against it in white does not comply with this section.
- 13AF. (1) A person who operates a grocery store shall not sell an item through an electronic scanner checkout system unless—
- (a) the system complies with section 13AG;
- (b) the system has a register display which complies with section 13AH;
- (c) before the customer leaves the checkout point, he is given a receipt on which the item is recorded;
- (d) the receipt complies with section 13AI.
- (2) It is a defence to a prosecution of a person for an offence under sub-section (1) if the person proves that he took every reasonable measure to ensure that he complied with that sub-section.
- 13AG. An electronic scanner checkout system complies with that section if—
- (a) when the Australian Product Number symbol on the item sold is read, the system emits a sound that is audible to a customer located at the normal observation position at the checkout point; and
- (b) the checkout point is constructed in such a way as to allow the customer to observe the entire scan and recognition process when the customer is in the position provided at the checkout point.
- 13AH. A register display shall—
- (a) be located where it can be easily read by the customer from the place provided at the checkout point and where its legibility is not reduced by glare from sunlight or artificial illumination;
- (b) display characters which are not smaller than 10 millimetres in height;
- (c) display—
- (i) a description of the item sold through the checkout; and

(ii) the price of the item; and

(d) have a field size of at least twelve characters to describe the item sold.

13AI. A receipt complies with this section if, in respect of each item sold through the checkout system to the customer it—

(a) describes the item in compliance with section 13AJ;

(b) displays the price of the item;

(c) complies, for items sold by mass and weighed on interfaced scales attached to a register, with the requirements of the National Standards Commission; and

(d) displays characters which are at least 2.5 millimetres high.

13AJ. A description of an item on a receipt shall—

(a) describe the item by the name most commonly used by consumers;

(b) where the field size of space on the receipt for an item allows additional information to be included, give preference to the unit of size or measurement, whichever is appropriate;

(c) use only standard abbreviations of units of measurement;

(d) use only those abbreviations of product names which describe the product so that it can be identified by the customer; and

(e) have a field size at least eleven characters in length.

13AK. (1) Subject to section 13AL and 13AM a person who operates a grocery store with an electronic scanner checkout system shall not increase the price of an item on the item price file unless—

(a) the increase is made outside trading hours;

(b) the person in the store whose responsibility it is to effect price changes verifies and records that shelf labels or item price marks showing the new price have been put in place in accordance with this Division;

(c) the name of the person referred to in paragraph (b) is recorded; and

(d) the time and date of the price change is recorded.

Penalty: \$500.

(2) It is a defence to a prosecution of a person for an offence under sub-section (1) if the person proves that he took every reasonable precaution to ensure that he complied with that sub-section.

13AL. Where the price recorded for an item on the item price file of a grocery store is a lower amount than that intended by the person who operates the grocery store, the person may—

(a) remove the item from sale; or

(b) after—

(i) making a public announcement identifying the item and its intended price, which announcement is reasonably audible in all parts of the store where customers may be;

(ii) designating at least one person to ensure that the intended price is marked on the item and designating at least one person to ensure that the intended price is displayed on the shelf label and allowing time for those person to carry out those tasks—

sell the item at the intended price and raise the price in the item price file inside trading hours but otherwise in accordance with section 13AK.

13AM. A person who operates a grocery store which trades for twenty-four hours a day with an electronic scanner checkout system may increase the price of an item on the item price file if—

(a) the time at which the price increase is to be effected is publicized to customers within the store at least two hours in advance of the price increase;

(b) the price increase is effected in accordance with section 13AK (1) (b).

13AN. (1) A person who operates a grocery store with an electronic scanner checkout system shall not charge a customer more for an item than the price marked on the item or shown on a shelf label, register display or receipt which refers to the item.

Penalty: \$1000.

(2) It is a defence to a prosecution of a person for an offence under sub-section (1) that the person complied with the provisions of this Division when the price of the item was last changed and took all reasonable precautions to ensure that the price marked or shown and the price charged were the same.

13AO. (1) A person who operates a grocery store with an electronic scanner checkout system shall ensure that a record of price changes is kept for each day and retained for a minimum of six months and that any record required to be made by section 13AK or 13AM is retained for six months and shall make such records available to the Director at his request.

(2) The daily record kept pursuant to sub-section (1) shall include—

- (a) a record of the price changes effected on the day;
- (b) the date and times of the changes; and
- (c) a record of any change to the system which could affect the reliability of the record.

13AP. A person who operates a grocery store with an electronic scanner checkout system shall appoint a person or persons to be responsible for customer complaints in connection with the system and shall ensure that the appointee is available whenever the store is open for business.”.

—(Mr Richardson)

[The Chairman decided to have this amendment tested on the question—That the expression:

“13AD. This Division applies to every grocery store unless it is—”

be omitted so as not preclude a proposed amendment by another Honourable Member.]

Question—That the expression proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 43

Miss Callister	Mrs Hill	Mrs Ray	Mr Simmonds
Mr Cathic	Mr Hill	Mr Remington	Mr Spyker
Dr Coghill	Mr Hockley	Mr Roper	Mr Stirling
Mr Crabb	Mr Ihlein	Mr Rowe	Mrs Toner
Mr Culpin	Mr Kennedy	Mr Seitz	Mr Trezise
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Miller	Mr Sheehan	
Mr Gray	Mr Newton	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Harrowfield	Mr Norris	Mr Shell	Mr Micallef
Mr Hassett	Mr Pope	Mr Sidiropoulos	Dr Vaughan

NOES, 29

Mr Austin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Brown	Mr Jasper	Mr Reynolds	Mr Williams
Mr Burgin	Mr Jona	Mr Richardson	
Mr Delzoppo	Mr Kennett	Mr Ross-Edwards	
Mr Ebery	Mr Leigh	Mr Saltmarsh	
Mr Evans	Mr Lieberman	Mr Steggall	
(<i>Ballarat North</i>)	Mr McGrath	Mr Tanner	<i>Tellers</i>
Mr Evans	Mr McNamara	Mr Templeton	Mr Kempton
(<i>Gippsland East</i>)	Mr Maclellan	Mr Wallace	Mr McKellar

And so it was resolved in the affirmative.

No. 15—FISHERIES (ABALONE LICENCES) BILL—Clause 5, *as amended*.

After section 13 of the Principal Act there shall be inserted the following sections:

‘13A. (1) In this section—

“consolidated abalone licence” means an abalone licence issued by transfer upon application under sub-section (2);

“current abalone licence” means an abalone licence which is in force at the commencement of the *Fisheries (Abalone Licences) Act 1983*;

“holder” means the holder of an abalone licence;

“new abalone licence” means an abalone licence which is issued under section 13B after the commencement of the *Fisheries (Abalone Licences) Act 1983*.

(2) Any two holders of a current abalone licence **endorsed for the same locality** and a person seeking the transfer from them of their licences may make application in the prescribed form to the Director for approval to the transfer by the issue of a consolidated abalone licence **endorsed for the same locality** to that person.

(3) The holder of a consolidated abalone licence and a person seeking the transfer of that licence may make application in the prescribed form to the Director for approval to the transfer of that licence.

(4) The holder of a new abalone licence and a person seeking the transfer of that licence may make application in the prescribed form to the Director for approval to the transfer of that licence.

(5) **A person seeking the transfer to that person of a current abalone licence, a consolidated abalone licence or a new abalone licence or making application for a new abalone licence shall submit to a medical examination approved by the Director for the purpose of determining the physical fitness of that person to dive for abalone.**

(6) **The Director shall not consider an application under this section unless there has been compliance with sub-section (5).**

(7) In considering whether to grant or refuse an application under this section the Director shall have regard to—

- (a) the welfare of the abalone fishery and in particular the level of fishing activity in the abalone fishery;
- (b) the welfare of the persons engaged in the industry;
- (c) the recommendations of the Commercial Fisheries Licensing Panel; and
- (d) the recommendations of the Fisheries Management Committee.

(8) The Director shall not issue a consolidated abalone licence unless there is paid to the Director an impost of \$5000 in respect of each licence to be transferred.

(9) The Director shall not transfer a consolidated abalone licence or a new abalone licence unless there is paid to the Director an impost of \$10 000 in respect of the licence to be transferred.

[Proposed sections 13A (10)–(15) and section 13B not printed.]

—(Mr Cathie)

Amendment proposed—That the expression “\$5000” in proposed sub-section (8) be omitted with the view of inserting in place thereof the expression “\$500”.

—(Mr Austin)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Mr Cain	Mr Hassett	Mrs Ray	Mr Spyker
Miss Callister	Mrs Hill	Mr Remington	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Rowe	Mr Trezise
Mr Culpin	Mr Jolly	Mr Seitz	Dr Vaughan
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McDonald	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr Micallef	(Ballarat South)	
Mr Gavin	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr Kennedy
Mr Harrowfield	Mr Pope	Mr Simmonds	Mr Norris

NOES, 26

Mr Austin	Mr Evans	Mr McKellar	Mr Whiting
Mr Brown	(Gippsland East)	Mr McNamara	Mr Williams
Mr Burgin	Mr Jasper	Mr Ramsay	
Mr Delzoppo	Mr Jona	Mr Reynolds	
Mr Dickinson	Mr Kempton	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr Leigh	Mr Ross-Edwards	Mr Steggall
Mr Evans	Mr Lieberman	Mr Saltmarsh	Mr Tanner
(Ballarat North)	Mr McGrath	Mr Wallace	

And so it was resolved in the affirmative.

No. 16—Clause 5.

Further amendment proposed—That the expression “\$10 000” in proposed sub-section (9) be omitted with the view of inserting in place thereof the expression “\$1000”.

—(Mr Austin)

Question—That the expression proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 40

Mr Cain	Mr Hassett	Mrs Ray	Mr Spyker
Miss Callister	Mrs Hill	Mr Remington	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Seitz	Mr Walsh
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Micallef	(Ballarat South)	
Mr Gavin	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Gray	Mr Newton	Mr Sidiropoulos	Mr Kennedy
Mr Harrowfield	Mr Pope	Mr Simmonds	Mr Norris

NOES, 25

Mr Austin	Mr Evans	Mr McKellar	Mr Williams
Mr Brown	(Gippsland East)	Mr McNamara	
Mr Burgin	Mr Jasper	Mr Reynolds	
Mr Delzoppo	Mr Jona	Mr Richardson	
Mr Dickinson	Mr Kempton	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr Leigh	Mr Saltmarsh	Mr Steggall
Mr Evans	Mr Lieberman	Mr Wallace	Mr Tanner
(Ballarat North)	Mr McGrath	Mr Whiting	

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 32

Wednesday, 4 April 1984

No. 1—WATER (CENTRAL MANAGEMENT RESTRUCTURING) BILL—Clause 7.

After Part I. of the Principal Act there shall be inserted the following Part:

***PART IA—DEPARTMENT OF WATER RESOURCES**

3A. The objective of the Department of Water Resources is to provide advice to the Minister on all matters relevant to the activities or functions of the Department and, on behalf of the Minister, to implement or arrange for the implementation of policies and programmes designed to ensure—

- (a) that the water resources of the State are managed in ways which are most beneficial to the people of Victoria;
- (b) that water services are provided to local communities to the extent and to standards appropriate to the needs of those communities;
- (c) that water services and associated management, economic and financial practices and policies are provided and administered efficiently, economically and in a manner fully accountable to the Government and the people of Victoria;
- (d) that there is secured in the water sector a working environment which is safe and satisfying; and
- (e) that the management of water resources and the provision of water services are undertaken in a socially and environmentally responsible manner and in consultation with the appropriate authorities.

3B. (1) The Minister may establish committees (in this section referred to as "advisory committees") consisting of such number of persons as the Minister thinks fit to advise the Minister on such matters as the Minister refers to such committees.

(2) The members of advisory committees shall not by virtue only of their office as such be subject to the provisions of the *Public Service Act 1974*.

(3) Each member of an advisory committee shall be entitled to receive such fees and allowances as are from time to time fixed by the Governor in Council.

(4) The Minister may at any time remove any member of an advisory committee from office.

(5) Subject to this Act and the regulations, advisory committees shall regulate their own proceedings.

3C. (1) Where any difference arising out of the construction of this or any other Act and touching or relating to the fulfilment or exercise of the duties, powers, functions, privileges or authorities of the Director-General or the Rural Water Commission occurs between the Director-General and the Rural Water Commission, the difference shall be referred to the Minister.

(2) The Minister is hereby authorized and empowered to entertain, inquire into and decide upon any difference referred to the Minister under sub-section (1) and for that purpose may do all such matters and things relating thereto as are necessary to enable the Minister to decide upon the difference.

(3) The decision of the Minister with regard to any difference referred to the Minister under sub-section (1) shall be final and conclusive upon the parties thereto.

3D. (1) The Minister may by instrument in writing under the hand of the Minister—

(a) delegate to any person or body all or any of the powers, duties, functions, authorities or discretions conferred or imposed on the Minister by or under this or any other Act other than this power of delegation; and

(b) vary or revoke a delegation given by the Minister under this section.

(2) The instrument of delegation shall specify—

(a) the period of time during which the delegation may be exercised; and

(b) any conditions or limitations to which the delegation is subject.

(3) A power, duty, function, authority or discretion delegated by the Minister under this section—

(a) shall be exercised or performed in accordance with the terms of the instrument of delegation; and

(b) may continue to be exercised or performed by the Minister notwithstanding the delegation of that power, duty, function, authority or discretion.

(4) Any act or thing done within the scope of a delegation whilst the delegation is in force—

(a) has the same force and effect as if it had been done by the Minister; and

(b) shall not be invalidated by reason of a later revocation or variation of the delegation.

(5) Where the exercise or performance by the Minister of a power, duty, function, authority or discretion is dependent upon the opinion, belief or state of mind of the Minister in relation to a matter and the power, duty, function, authority or discretion is delegated under this section, the delegate may, unless the contrary intention appears, exercise or perform the power, duty, function, authority or discretion upon the delegate's own opinion, belief or state of mind (as the case requires) in relation to that matter.

(6) A power, duty, function, authority or discretion of the Minister which is purported to be exercised or performed by a delegate without complying with the terms of the instrument of delegation shall not be subsequently ratified or validated by the Minister.'

—(Mr Simpson)

Amendment proposed—That the words “and, on behalf of the Minister, to implement or arrange for the implementation of policies and programmes designed” in proposed section 3A be omitted.

—(Mr Hann)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 39

Mr Cain	Mr Hassett	Mr Pope	Mr Spyker
Miss Callister	Mrs Hill	Mr Remington	Mr Stirling
Mr Cathie	Mr Hockley	Mr Roper	Mrs Toner
Dr Coghill	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Crabb	Mr Jolly	Mr Seitz	Mr Walsh
Mr Culpin	Mr Kennedy	Mrs Setches	
Mr Ernst	Mr McDonald	Mr Sheehan	
Mr Fordham	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Gavin	Mr Micallef	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr Miller	Mr Simmonds	Mr Hill
Mr Harrowfield	Mr Norris	Mr Simpson	Mr Shell

NOES, 25

Mr Austin	Mr Evans	Mr McGrath	Mr Ross-Edwards
Mr Brown	(<i>Gippsland East</i>)	Mr McKellar	Mr Steggall
Mr Burgin	Mr Hann	Mr McNamara	Mr Tanner
Mr Dickinson	Mr Jasper	Mr Maclellan	Mr Williams
Mr Ebery	Mr Jona	Mr Ramsay	<i>Tellers</i>
Mr Evans	Mr Kempton	Mr Reynolds	Mr Delzoppo
(<i>Ballarat North</i>)	Mr Lieberman	Mr Richardson	Mr Wallace

And so it was resolved in the affirmative.

No. 2—Clause 8.

(1) In Part III. of the Principal Act for the heading to Division I there shall be substituted the following heading:

“DIVISION I—THE DIRECTOR-GENERAL OF WATER RESOURCES AND THE RURAL WATER COMMISSION OF VICTORIA”

(2) For sections 16 to 26A of the Principal Act there shall be substituted the following sections and headings:

[*Proposed sections 16–19A not printed*]

20. (1) There shall be a Board of Management of the Rural Water Commission under the name Rural Water Commission Board.

(2) The Board shall give general directions as to the carrying out of the objectives and functions of the Rural Water Commission.

(3) The Board shall consist of—

- (a) a General Manager appointed under the *Public Service Act 1974*;
- (b) the Director-General of Water Resources appointed under the *Public Service Act 1974* or an officer of the Department of Water Resources nominated by the Minister;
- (c) an officer or employee of the Rural Water Commission who has been elected by officers and employees of the Rural Water Commission at an election held in accordance with the regulations; and
- (d) five others of whom—
 - (i) two shall be persons appointed by the Governor in Council who are experienced in irrigated primary production;
 - (ii) one shall be a person appointed by the Governor in Council who is experienced in water services or rural matters (other than irrigated primary production) relevant to the activities of the Rural Water Commission;
 - (iii) one shall be a person appointed by the Governor in Council who is experienced in the management of water or any other managerial, financial, economic or technical area; and

- (iv) one shall be a person appointed by the Governor in Council who is experienced in waterway management or environmental matters relevant to the activities of the Rural Water Commission.

(4) Where no person is elected to fill a vacancy for a member under sub-section (3) (c) the Governor in Council may appoint a person who has not been elected to fill that vacancy.

20A. The General Manager shall have control of the day to day administration of the affairs of the Rural Water Commission in accordance with the policies and directions given to the General Manager by the Board.

20B. A member of the Board (other than the General Manager and the member taking office under section 20 (3) (b))—

- (a) shall hold office for such period (not exceeding five years) as is specified in the instrument of appointment but shall be eligible for re-appointment;
- (b) shall be entitled to be paid—
 - (i) such remuneration as is fixed from time to time by the Governor in Council; and
 - (ii) such travelling and other allowances as are fixed from time to time by the Governor in Council; and
- (c) shall not in respect of the office of member be subject to the provisions of the *Public Service Act 1974*.

20C. The Chairman and Deputy Chairman of the Board shall be appointed by the Governor in Council from among the members (other than the General Manager and the members taking office under sections 20 (3) (b) and 20 (3) (c)).

20D. (1) Where the Chairman is unable whether by reasons of illness, suspension, absence or otherwise to perform the duties of the office of Chairman—

- (a) the Deputy Chairman shall act in the place of the Chairman during that period of inability; or
- (b) where the Deputy Chairman is unable, whether by reason of illness, suspension, absence or otherwise to act in the place of the Chairman, the Minister may appoint another person (whether a member or not) to act in the place of the Chairman.

(2) Where the Deputy Chairman or a member is unable, whether on account of illness or otherwise, to perform the duties of the office of Deputy Chairman or member (as the case requires), the Minister may appoint a person to act in the place of the Deputy Chairman or member.

(3) A person appointed under this section to act in the place of another person shall while so acting—

- (a) have all the powers and perform all the duties of the person in whose place that person is acting; and
- (b) be paid—
 - (i) such remuneration as is fixed from time to time by the Governor in Council; and
 - (ii) such travelling and other allowances as are fixed from time to time by the Governor in Council.

[Proposed sections 20E–26 not printed]

—(Mr Simpson)

Amendment proposed—That sub-paragraphs (i) and (ii) of proposed section 20 (3) (d) be omitted with the view to inserting in place thereof the following:

- “(i) two shall be representatives of irrigation farmers appointed by the Governor in Council on the nomination of the Minister after

consideration of panels of not less than three names and not more than five names submitted to the Minister by the body known as the Victorian Farmers and Graziers Association and such other bodies representing the interests of irrigation farmers as may be prescribed;

- (ii) one shall be a representative of farmers who use water supplied to them for domestic use and the watering of livestock appointed by the Governor in Council on the nomination of the Minister after consideration of panels of not less than three names and not more than five names submitted to the Minister by the body known as the Victorian Farmers and Graziers Association and such other bodies representing the interests of such farmers as are referred to in this sub-paragraph as may be prescribed;”.

—(Mr Brown)

[Sub-paragraphs (i) and (ii) of proposed section 20 (3) (d) having been omitted on the voices]

Further amendment proposed.—That sub-paragraph (i) of the amendment be omitted with the view of inserting in place thereof the following sub-paragraph:

- “(i) three shall be persons elected in accordance with the regulations by persons whose names are included on the roll of irrigators compiled under this section;”.

—(Mr Hann)

Question—That the sub-paragraph proposed to be omitted stand part of the amendment—put.

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 56

Mr Brown	Mr Hassett	Mr Pope	Mr Simmonds
Mr Burgin	Mrs Hill	Mr Ramsay	Mr Simpson
Miss Callister	Mr Hockley	Mr Remington	Mr Spyker
Mr Cathic	Mr Ihlein	Mr Reynolds	Mr Stirling
Dr Coghill	Mr Jolly	Mr Richardson	Mr Tanner
Mr Culpin	Mr Jona	Mr Roper	Mrs Toner
Mr Delzoppo	Mr Kennedy	Mr Rowe	Dr Vaughan
Mr Dickinson	Mr Leigh	Mr Saltmarsh	Mr Walsh
Mr Ebery	Mr McDonald	Mr Seitz	Mr Wilkes
Mr Ernst	Mr McKellar	Mrs Setches	Mr Williams
Mr Fogarty	Mr Maclellan	Mr Shechan	
Mr Fordham	Mr Mathews	(Ivanhoe)	
Mr Gavin	Mr Micallef	Mr Shell	Tellers
Mr Gray	Mr Miller	Mrs Sibree	Mr Hill
Mr Harrowfield	Mr Norris	Mr Sidiropoulos	Mr Kempton

NOES, 8

Mr Evans	Mr Jasper	Mr Ross-Edwards	Tellers
(Gippsland East)	Mr McGrath	Mr Steggall	Mr McNamara
Mr Hann			Mr Wallace

And so it was resolved in the affirmative.

No. 3—Clause 8.

Further amendment proposed—That the words “or environmental matters relevant to the activities of the Rural Water Commission” in proposed section 20 (3) (d) (iv) be omitted.

—(Mr Brown)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 39

Mr Cain	Mr Hassett	Mr Remington	Mr Spyker
Miss Callister	Mrs Hill	Mr Roper	Mr Stirling
Mr Cathie	Mr Hockley	Mr Rowe	Mrs Toner
Dr Coghill	Mr Jolly	Mr Seitz	Dr Vaughan
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Ernst	Mr McDonald	Mr Sheehan	
Mr Fogarty	Mr Mathews	(<i>Ivanhoe</i>)	
Mr Fordham	Mr Micallef	Mr Shell	
Mr Gavin	Mr Miller	Mr Sidiropoulos	<i>Tellers</i>
Mr Gray	Mr Norris	Mr Simmonds	Mr Hill
Mr Harrowfield	Mr Pope	Mr Simpson	Mr Ihlein

NOES, 26

Mr Austin	Mr Hann	Mr McNamara	Mr Tanner
Mr Brown	Mr Jasper	Mr Maclellan	Mr Wallace
Mr Burgin	Mr Jona	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Reynolds	
Mr Dickinson	Mr Lieberman	Mr Richardson	<i>Tellers</i>
Mr Ebery	Mr McGrath	Mr Ross-Edwards	Mr Leigh
Mr Evans	Mr McKellar	Mr Saltmarsh	Mr Steggall
(<i>Gippsland East</i>)			

And so it was resolved in the affirmative.

No. 4—Clause 8.

Further amendment proposed—That after the word “shall” in proposed section 20c there be inserted the words “after consultation by the Minister with the members”.

—(*Mr Brown*)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 55

Mr Brown	Mr Hassett	Mr Norris	Mr Simmonds
Mr Burgin	Mrs Hill	Mr Pope	Mr Simpson
Miss Callister	Mr Hill	Mr Ramsay	Mr Spyker
Mr Cathie	Mr Hockley	Mr Remington	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Reynolds	Mr Tanner
Mr Culpin	Mr Jolly	Mr Richardson	Mrs Toner
Mr Delzoppo	Mr Kempton	Mr Roper	Dr Vaughan
Mr Dickinson	Mr Kennedy	Mr Rowe	Mr Walsh
Mr Ebery	Mr Lieberman	Mr Saltmarsh	Mr Williams
Mr Ernst	Mr McDonald	Mr Seitz	
Mr Fogarty	Mr McKellar	Mrs Setches	
Mr Fordham	Mr Maclellan	Mr Sheehan	
Mr Gavin	Mr Mathews	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gray	Mr Micallef	Mrs Sibree	Mr Leigh
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	Mr Shell

NOES, 7

Mr Evans	Mr Hann	Mr Ross-Edwards	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McGrath	Mr Wallace	Mr McNamara
			Mr Steggall

And so it was resolved in the affirmative.

No. 5—Clause 8.

Further amendment proposed—That the words “appointed by the Governor in Council” in proposed section 20C be omitted with the view of inserting in place thereof the words “elected by the Board”.

—(Mr Hann)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 53

Mr Brown	Mr Hassett	Mr Norris	Mr Sidiropoulos
Mr Burgin	Mrs Hill	Mr Pope	Mr Simmonds
Miss Callister	Mr Hockley	Mr Ramsay	Mr Simpson
Mr Cathie	Mr Ihlein	Mr Remington	Mr Spyker
Dr Coghill	Mr Jolly	Mr Reynolds	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Richardson	Mr Tanner
Mr Delzoppo	Mr Leigh	Mr Roper	Mrs Toner
Mr Dickinson	Mr Lieberman	Mr Rowe	Dr Vaughan
Mr Ebery	Mr McDonald	Mr Saltmarsh	Mr Walsh
Mr Ernst	Mr McKellar	Mr Seitz	Mr Williams
Mr Fogarty	Mr Maclellan	Mrs Setches	
Mr Fordham	Mr Mathews	Mr Sheehan	<i>Tellers</i>
Mr Gavin	Mr Micallef	(<i>Ivanhoe</i>)	Mr Gray
Mr Harrowfield	Mr Miller	Mr Shell	Mr Kempton

NOES, 8

Mr Evans	Mr Jasper	Mr Ross-Edwards	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McGrath	Mr Wallace	Mr McNamara
Mr Hann			Mr Steggall

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 33

Tuesday, 17 April 1984

NO. 1—WATER (CENTRAL MANAGEMENT RESTRUCTURING) BILL—Clause 8.

(1) In Part III of the Principal Act for the heading to Division 1 there shall be substituted the following heading:

“DIVISION 1—THE DIRECTOR-GENERAL OF WATER RESOURCES AND THE RURAL WATER
 COMMISSION OF VICTORIA”

(2) For sections 16 to 26A of the Principal Act there shall be substituted the following sections and headings:

[Proposed sections 16–20D not printed]

20E. (1) Subject to this Act, the Governor in Council may specify terms and conditions of appointment of a member.

(2) The Governor in Council may at any time remove or suspend a member from office.

(3) The Governor in Council may at any time remove or suspend the Chairman from the office of Chairman.

(4) A member may resign from the office of member by writing signed by the member and delivered to the Governor in Council.

(5) The office of a member shall become vacant—

(a) if the member becomes bankrupt or the property of the member becomes in any manner subject to control under the law relating to bankruptcy;

(b) if the member is convicted of an indictable offence or of an offence which, if committed in Victoria, would be an indictable offence;

(c) if the member becomes incapable of performing the duties of the office of member;

(d) if the member is absent from three consecutive meetings of the Board without leave granted by the Board;

(e) if the member is removed from or resigns the office of member;

(f) if the member becomes disqualified from being or continuing to be a member by virtue of sub-section (6); or

(g) if the member dies.

(6) A person holding any office or place of profit under or in the gift of the Rural Water Commission or concerned or participating in any manner whether directly or indirectly in any contract with the Rural Water Commission or in any work to be done under the authority of the Rural Water Commission or in the profit of any such contract or work shall not be capable of being or continuing to be a member of the Board.

(7) Notwithstanding sub-section (6), a person shall not be disqualified from being or continuing to be a member of the Board by reason only of—

- (a) receiving or being entitled to receive any salary, allowance, right, privilege or remuneration pursuant to this Act as Chairman, Deputy Chairman or member of the Board;
- (b) being beneficially interested in a newspaper or in a radio or television station which publishes or broadcasts advertisements on behalf of the Rural Water Commission;
- (c) being a member of a company consisting of more than twenty persons which has entered into or enters into any contract with the Rural Water Commission or which has done or does any work under the authority of the Rural Water Commission;
- (d) being supplied with and paying for any service provided by the Rural Water Commission in the same manner as any member of the public not being a member of the Board; or
- (e) being an officer or employee of the Rural Water Commission and holding office as a member of the Board under section 20 (3) (c).

(8) In this section “member” does not include the General Manager or the member taking office under section 20 (3) (b).

20F. A member of the Board shall not make improper use of information acquired by virtue of the position of member to gain directly or indirectly a pecuniary advantage for the member or for any other person or to cause detriment to the Rural Water Commission.

Penalty: For a first offence—20 penalty units.

For a second or subsequent offence—Imprisonment for three months.

21. (1) At any meeting of the Board the Chairman (or, in the absence of the Chairman, the Deputy Chairman, or, in the absence of both the Chairman and Deputy Chairman, such member as the members present appoint) shall preside.

(2) Four of the members for the time being shall constitute a quorum at a meeting of the Board.

(3) A question arising at a meeting of the Board shall be determined by a majority of votes of the members present and voting on that question and, in the event of an equality of votes, the person presiding at the meeting shall have a second or casting vote.

(4) An act or decision of the Board shall not be invalid by reason only of—

- (a) a defect or irregularity in or in connexion with the appointment of a member;
- (b) a vacancy in the membership of the Board including a vacancy arising because of the failure to appoint an original member; or
- (c) in the case of person appointed to act as a member, on the ground that the occasion for that person so acting had not arisen or had ceased.

(5) Subject to this Act and the regulations, the Board may regulate its own proceedings.

[Proposed sections 21A and 22 not printed]

22A. (1) The Board may establish committees (in this section referred to as “advisory committees”) consisting of such number of persons as the Board thinks fit to advise the Board on such matters as the Board refers to such committees.

(2) The members of advisory committees shall not by virtue only of their office as such be subject to the provisions of the *Public Service Act 1974*.

(3) Each member of an advisory committee shall be entitled to receive such fees and allowances as are from time to time fixed by the Governor in Council.

(4) The Board may at any time remove any member of an advisory committee from office.

(5) Subject to this Act and the regulations, advisory committees shall regulate their own proceedings.

23. (1) The Governor in Council may make regulations for or with respect to—

- (a) the disclosure by members of the Board of direct or indirect pecuniary interests in contracts or proposed contracts with the Rural Water Commission or in any other matters in which the Rural Water Commission is concerned;
- (b) prescribing the manner in which, and the times at which, pecuniary interests shall be disclosed;
- (c) prescribing the procedure at meetings of the Board at which a contract, proposed contract or other matter in which a member has a pecuniary interest is being considered or discussed;
- (d) permitting or prohibiting members of the Board from moving or seconding a motion or voting on any question relating to a contract, proposed contract or other matter in which they have a pecuniary interest;
- (e) prescribing the particulars to be included in the minutes of a meeting of the Board where a member of the Board has disclosed a pecuniary interest;
- (f) prescribing circumstances in which a member of the Board is to be, or is not to be, treated as having a direct or indirect pecuniary interest in a contract, proposed contract or other matter;
- (g) permitting the Minister to remove any disability from taking part in any consideration or discussion of, or voting on any question imposed by the regulations in any case in which the number of members of the Board so disabled at any one time would be so great a proportion of the whole as to impede the transaction of business; and
- (h) prescribing the time within which an information may be laid for an offence under the regulations and empowering Magistrates' Courts to deal with such informations notwithstanding that the title to any land is being questioned in good faith.

(2) Notwithstanding the provisions of section 61B (2) (g), regulations made under sub-section (1) may for any contravention of or failure to comply with the regulations impose for a first offence a penalty not exceeding 20 penalty units and for a second or subsequent offence a penalty not exceeding three months imprisonment.

24. (1) Subject to the *Public Service Act* 1974, there may be appointed such officers and employees as are necessary for the proper functioning of the Rural Water Commission.

(2) The Rural Water Commission may employ any officer, employee or person by whom, or who is of a class to which, the provisions of the *Public Service Act* 1974 do not apply by virtue of a declaration made under section 4 (1) (k) of that Act.

(3) A person employed under sub-section (2) shall be entitled to such salary or wages, and be employed on such conditions of employment, as are from time to time determined by the Public Service Board constituted under the *Public Service Act* 1974.

25. No matter or thing done and no contract entered into by the Rural Water Commission and no matter or thing done by any officer or employee of the Rural Water Commission or by any other person whomsoever acting under the direction of the Board shall, if the matter or thing was done or the contract was entered into

in good faith for the purpose of executing this Act, subject the members of the Board or any such officer, employee or other person personally to any action, liability, claim or demand whatsoever.

26. (1) Notwithstanding anything in this or any other Act, the Minister may at any time give a direction to the Rural Water Commission concerning the policies it is to give effect to.

(2) The Rural Water Commission shall give effect to any direction given to it by the Minister as soon as possible and shall report to the Minister on the action taken by it to give effect to the direction.

(3) Where the Rural Water Commission has been given a direction by the Minister it—

- (a) may publish that direction in the *Government Gazette*; and
- (b) shall publish that direction in its annual report.

(4) Failure to publish that direction under sub-section (3) shall not affect the validity of the direction.

—(Mr Simpson)

Amendment proposed—That the expression “(2) The” in proposed section 20E (2) be omitted with the view of inserting in place thereof the expression “(2) Subject to sub-section (3), the”.

—(Mr Hann)

Question—That the expression proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Miss Callister	Mrs Hill	Mr Pope	Mr Sidiropoulos
Mr Cathie	Mr Ihlein	Mrs Ray	Mr Simpson
Dr Coghill	Mr Jolly	Mr Remington	Mr Spyer
Mr Culpin	Mr Kennedy	Mr Roper	Mr Stirling
Mr Ernst	Mr Kirkwood	Mr Rowe	Mrs Toner
Mr Fogarty	Mr McCutcheon	Mr Seitz	Mr Trezise
Mr Fordham	Mr McDonald	Mr Sheehan	Dr Vaughan
Mr Gavin	Mr Mathews	(<i>Ivanhoe</i>)	Mr Walsh
Mr Gray	Mr Micallef	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Miller	(<i>Ballarat South</i>)	Mr Hockley
Mr Hassett	Mr Newton	Mr Shell	Mr Norris

NOES, 27

Mr Austin	Mr Hann	Mr McNamara	Mr Wallace
Mr Brown	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Jona	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Leigh	Mr Ross-Edwards	
Mr Dickinson	Mr Lieberman	Mr Saltmarsh	<i>Tellers</i>
Mr Ebery	Mr McGrath	Mrs Sibree	Mr Kempton
Mr Evans	Mr McKellar	Mr Tanner	Mr Steggall
(<i>Gippsland East</i>)		Mr Templeton	

And so it was resolved in the affirmative.

No. 2—Clause 8.

Further amendment proposed—That after the word “being” in proposed section 21 (2) there be inserted the expression “(of whom at least one is a member taking office under section 20 (3) (d) (i))”.

—(Mr Hann)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 25

Mr Austin	Mr Evans	Mr McKellar	Mr Templeton
Mr Brown	(<i>Gippsland East</i>)	Mr McNamara	Mr Wallace
Mr Burgin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Jasper	Mr Reynolds	Mr Williams
Mr Dickinson	Mr Jona	Mr Ross-Edwards	<i>Tellers</i>
Mr Ebery	Mr Leigh	Mrs Sibree	Mr Kempton
	Mr McGrath	Mr Tanner	Mr Steggall

NOES, 40

Miss Callister	Mr Hill	Mr Pope	Mr Sidiropoulos
Mr Cathie	Mr Ihlein	Mrs Ray	Mr Simpson
Dr Coghill	Mr Jolly	Mr Remington	Mr Spyker
Mr Culpin	Mr Kennedy	Mr Roper	Mr Stirling
Mr Ernst	Mr Kirkwood	Mr Rowe	Mr Trezise
Mr Fogarty	Mr McCutcheon	Mr Seitz	Dr Vaughan
Mr Fordham	Mr McDonald	Mr Sheehan	Mr Walsh
Mr Gavin	Mr Mathews	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gray	Mr Micallef	Mr Sheehan	Mr Hockley
Mr Harrowfield	Mr Miller	(<i>Ballarat South</i>)	Mr Norris
Mr Hassett	Mr Newton	Mr Shell	

And so it was passed in the negative.

No. 3—Clause 8.

Further amendment proposed—That after proposed section 22A there be inserted the following section:

‘22B. (1) In this section “irrigators”, in relation to an irrigation district, means persons—

- (a) who are the occupiers or owners of lands in that district; and
- (b) who are entitled to be included on the roll of irrigators compiled under section 20.

(2) The Board shall in each irrigation district convene an annual general meeting of irrigators and if at any such meeting a resolution is passed calling upon the Board to do so, the Board shall provide for the election in accordance with the regulations of a Board for that district (in this section referred to as a “Local Advisory Board”) consisting of such number of persons as the Board thinks fit to advise the Board on irrigation management and development.

(3) The members of a Local Advisory Board shall not by virtue only of their office as such be subject to the provisions of the *Public Service Act 1974*.

(4) Subject to this Act and the regulations, a Local Advisory Board shall regulate its own proceedings.’

—(*Mr Hann*)

Question—That the section proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 26

Mr Austin	Mr Hann	Mr McKellar	Mr Templeton
Mr Brown	Mr Jasper	Mr Ramsay	Mr Wallace
Mr Burgin	Mr Jona	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Ross-Edwards	
Mr Dickinson	Mr Leigh	Mr Saltmarsh	<i>Tellers</i>
Mr Ebery	Mr Lieberman	Mrs Sibree	Mr McNamara
Mr Evans	Mr McGrath	Mr Steggall	Mr Tanner
(<i>Ballarat North</i>)			

NOES, 40

Miss Callister	Mrs Hill	Mr Newton	Mr Spyker
Mr Cathie	Mr Hockley	Mr Norris	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Pope	Mrs Toner
Mr Culpin	Mr Jolly	Mrs Ray	Mr Trezise
Mr Ernst	Mr Kennedy	Mr Remington	Dr Vaughan
Mr Fogarty	Mr Kirkwood	Mr Roper	Mr Walsh
Mr Fordham	Mr McCutcheon	Mr Rowe	
Mr Gavin	Mr McDonald	Mr Seitz	<i>Tellers</i>
Mr Gray	Mr Mathews	Mr Sheehan	Mr Sheehan
Mr Harrowfield	Mr Micallef	(<i>Ivanhoe</i>)	(<i>Ballarat South</i>)
Mr Hassett	Mr Miller	Mr Simpson	Mr Shell

And so it passed in the negative.

No. 4—Clause 8.

Further amendment proposed—That proposed section 26 (4) be omitted.

—(*Mr Hann*)

Question—That the sub-section proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 40

Miss Callister	Mrs Hill	Mr Newton	Mr Spyker
Mr Cathie	Mr Hockley	Mr Norris	Mr Stirling
Dr Coghill	Mr Ihlein	Mr Pope	Mrs Toner
Mr Culpin	Mr Jolly	Mrs Ray	Mr Trezise
Mr Ernst	Mr Kennedy	Mr Remington	Dr Vaughan
Mr Fogarty	Mr Kirkwood	Mr Roper	Mr Walsh
Mr Fordham	Mr McCutcheon	Mr Rowe	
Mr Gavin	Mr McDonald	Mr Seitz	<i>Tellers</i>
Mr Gray	Mr Mathews	Mr Sheehan	Mr Sheehan
Mr Harrowfield	Mr Micallef	(<i>Ivanhoe</i>)	(<i>Ballarat South</i>)
Mr Hassett	Mr Miller	Mr Simpson	Mr Shell

NOES, 25

Mr Austin	Mr Hann	Mr Ramsay	Mr Templeton
Mr Brown	Mr Jasper	Mr Reynolds	Mr Wallace
Mr Burgin	Mr Jona	Mr Richardson	
Mr Delzoppo	Mr Kempton	Mr Ross-Edwards	
Mr Dickinson	Mr Leigh	Mr Saltmarsh	<i>Tellers</i>
Mr Ebery	Mr McGrath	Mrs Sibree	Mr McNamara
Mr Evans (<i>Ballarat North</i>)	Mr McKellar	Mr Stegall	Mr Williams

And so it was resolved in the affirmative.

No. 5—Clause 11.

For section 44 of the Principal Act there shall be substituted the following sections:

[*Proposed sections 43A to 43E not printed*]

43F. (1) The Rural Water Commission shall as soon as practicable after the end of each financial year and not later than the following 30 September submit to the Minister an annual report containing—

- (a) a report of its operations during the financial year; and
- (b) financial statements for the financial year.

(2) The report of operations referred to in sub-section (1) (a) shall—

- (a) be prepared in such form and contain such information as is determined by the Minister; and
- (b) contain such further information as is required by the Treasurer.

- (3) The financial statements referred to in sub-section (1) (b) shall—
- (a) contain such information as is determined by the Treasurer;
 - (b) be prepared in such manner and form as is approved by the Treasurer;
 - (c) present fairly the results of the financial transactions of the Rural Water Commission during the financial year to which they relate and the financial position of the Rural Water Commission as at the end of that year;
 - (d) be signed by the principal accounting officer (by whatever name called) of the Rural Water Commission and by the Chairman and General Manager who shall—
 - (i) certify that in their opinion the financial statements present fairly the results of the financial transactions of the Rural Water Commission during the financial year to which they relate and that they sufficiently explain the financial position of the Rural Water Commission as at the end of that year; and
 - (ii) state whether at the date of signing the financial statements they were aware of any circumstances that would render any particulars included in the statements misleading or inaccurate; and
 - (e) be audited as required by section 43H.

(4) The Minister may in writing direct the Rural Water Commission to include in an annual report such information additional to that contained in the report of operations and the financial statements as the Minister considers it necessary or appropriate to have included in the public interest.

(5) The Minister shall cause any annual report submitted under this section to be laid before the Legislative Council and the Legislative Assembly before the expiration of the fourteenth sitting day of the Council or the Assembly (as the case requires) after the report has been received by the Minister.

(6) If the Rural Water Commission fails to submit to the Minister the annual report for a financial year within three months after the end of that financial year the Minister shall report that failure and the reasons therefor to each House of Parliament.

[Proposed sections 43G to 44 not printed]

—(Mr Simpson)

Amendment proposed—That the word “Minister” in proposed section 43F(2) be omitted with the view of inserting in place thereof the word “Board”.

—(Mr Brown)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 38

Miss Callister
Mr Cathie
Dr Coghill
Mr Culpin
Mr Ernst
Mr Fogarty
Mr Gray
Mr Harrowfield
Mr Hassett
Mrs Hill
Mr Hockley

Mr Ihlein
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr Micallef
Mr Miller
Mr Newton
Mr Norris
Mr Pope

Mrs Ray
Mr Remington
Mr Roper
Mr Seitz
Mr Sheehan
(Ivanhoe)
Mr Sheehan
(Ballarat South)
Mr Shell
Mr Simpson
Mr Spyker

Mr Stirling
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh

Tellers
Mr Gavin
Mr Rowe

NOES, 25

Mr Austin
Mr Brown
Mr Delzoppo
Mr Dickinson
Mr Ebery
Mr Evans
(Ballarat North)

Mr Hann
Mr Jasper
Mr Jona
Mr Kempton
Mr Kennett
Mr Leigh
Mr Lieberman

Mr McGrath
Mr McKellar
Mr McNamara
Mr Ramsay
Mr Reynolds
Mr Ross-Edwards
Mr Saltmarsh

Mr Steggall
Mr Templeton
Mr Whiting

Tellers
Mr Wallace
Mr Williams

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 34

Wednesday, 2 May 1984

NO. 1—MOTOR CAR (AMENDMENT) BILL—Clause 7.

Section 80D (1) of the Principal Act is amended as follows:

- (a) For the words “the question as to the percentage of alcohol” there shall be substituted the words “the question as to the presence or the percentage of alcohol”; and
- (b) in paragraph (c) after the expression “section 80B” there shall be inserted the expression “section 81AA”.

—(Mr Crabb)

Amendment proposed—That the word “In” be inserted before the expression “Section 80D”.

—(Mr McGrath)

Question—That the word proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 9

Mr Evans
(*Gippsland East*)
Mr Hann

Mr Jasper
Mr McGrath
Mr Ross-Edwards

Mr Steggall
Mr Whiting

Tellers
Mr McNamara
Mr Wallace

NOES, 61

Mr Austin
Mr Brown
Mr Burgin
Miss Callister
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Delzoppo
Mr Dickinson
Mr Ebery
Mr Ernst
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Gray

Mr Harrowfield
Mr Hassett
Mrs Hill
Mr Hill
Mr Hockley
Mr Ihlein
Mr Jolly
Mr Jona
Mr Kennedy
Mr Kirkwood
Mr Leigh
Mr Lieberman
Mr McCutcheon
Mr McDonald
Mr McKellar
Mr Maclellan

Mr Mathews
Mr Micallef
Mr Miller
Mr Newton
Mr Norris
Mr Pope
Mr Ramsay
Mrs Ray
Mr Remington
Mr Roper
Mr Rowe
Mr Saltmarsh
Mr Sheehan
(*Ivanhoe*)
Mr Sheehan
(*Ballarat South*)

Mr Shell
Mrs Sibree
Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mr Templeton
Mrs Toner
Dr Vaughan
Mr Walsh
Mr Wilkes
Mr Williams
Tellers
Mr Seitz
Mr Tanner

And so it passed in the negative.

Thursday, 3 May 1984

NO. 2—WRONGS (ANIMALS STRAYING ON HIGHWAYS) BILL—Clause 4.

In section 1 of the Principal Act at the end of the table of Parts there shall be inserted the following expression:

“Part VIII.—Animals Straying on to a Highway s. 33.”.

—(Mr Cain)

Amendment proposed—That the expression “s. 33” be omitted with the view of inserting in place thereof the expression “ss. 33–37”.

—(Mr Steggall)

Question—That the expression proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 51

Mr Austin
Mr Brown
Mr Burgin
Mr Cain
Miss Callister
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Delzoppo
Mr Ebery
Mr Ernst
Mr Fogarty
Mr Fordham

Mr Gray
Mr Hassett
Mrs Hill
Mr Hill
Mr Hockley
Mr Jolly
Mr Jona
Mr Kennedy
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr McKellar
Mr Micallef
Mr Miller

Mr Newton
Mr Pope
Mrs Ray
Mr Remington
Mr Richardson
Mr Roper
Mr Rowe
Mr Sheehan
(*Ivanhoe*)
Mr Sheehan
(*Ballarat South*)
Mrs Sibree
Mr Sidiropoulos
Mr Simpson

Mr Spyker
Mr Stirling
Mr Templeton
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh
Mr Wilkes
Mr Williams

Tellers
Mr Harrowfield
Mr Ihlein

NOES, 7

Mr Evans
(*Gippsland East*)

Mr Hann
Mr McNamara

Mr Ross-Edwards
Mr Steggall

Tellers
Mr McGrath
Mr Wallace

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA

DIVISIONS IN COMMITTEE OF THE WHOLE

No. 35

Wednesday, 5 September 1984

No. 1—LIQUOR CONTROL (BOOTH LICENCES) BILL (NO. 2)—New Clause AA.

Section 27 of the Principal Act as amended by Section 4 of this Act shall continue in force until 15 October 1984 and no longer, and after that date section 27 of the Principal Act shall have effect as if section 4 had not been enacted.

—(Mr Ross-Edwards)

Question—That new clause AA be now read a second time and added to the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 7

Mr Evans
(Gippsland East)

Mr Hann
Mr Ross-Edwards

Mr Wallace
Mr Whiting

Tellers
Mr Jasper
Mr Steggall

NOES, 63

Mr Austin
Mr Brown
Mr Burgin
Miss Callister
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Delzoppo
Mr Dickinson
Mr Ebery
Mr Ernst
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Gray
Mr Harrowfield

Mr Hassett
Mrs Hill
Mr Hill
Mr Hockley
Mr Ihlein
Mr Jona
Mr Kempton
Mr Kennett
Mr Kirkwood
Mr Lieberman
Mr McCutcheon
Mr McDonald
Mr Maclellan
Mr Mathews
Mr Micallef
Mr Miller
Mr Norris

Mr Pope
Mr Ramsay
Mrs Ray
Mr Remington
Mr Reynolds
Mr Richardson
Mr Roper
Mr Rowe
Mr Seitz
Mrs Setches
Mr Sheehan
(*Ivanhoe*)
Mr Sheehan
(*Ballarat South*)
Mr Shell
Mrs Sibree
Mr Sidiropoulos

Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mr Tanner
Mr Templeton
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh
Mr Wilkes
Mr Williams

Tellers
Mr Kennedy
Mr Leigh

And so it passed in the negative.

No. 2—YOUTH, SPORT AND RECREATION (STATE SPORTS COUNCIL) BILL—Clause 5.

For section 11 of the Principal Act there shall be substituted the following section:

Constitution of State Sports Council.

“11. (1) For the purposes of this Act there is established a body to be known as the State Sports Council.

(2) The State Sports Council shall consist of twelve members appointed by the Governor in Council, of whom—

(a) six shall be persons having a special interest in the administration or promotion of sporting activities nominated by the Minister;

(b) four shall be persons nominated by the Sports Federation of Victoria Inc.; and

(c) two shall be persons nominated jointly by all incorporated regional sports assemblies which are recognized by the Minister.

(3) Where any body or person referred to in sub-section (2) (b) or (c) fails to make a nomination within one month after being requested in writing by the Minister to do so, the Governor in Council may appoint any person considered suitable and any person so appointed shall be deemed to have been nominated pursuant to sub-section (2) (b) or (c) as the case may be.

(4) The Governor in Council shall appoint one of the members nominated under paragraph (a) of sub-section (2) to be Chairman of the State Sports Council.

(5) Notwithstanding section 18 (5), the State Sports Council may appoint such committees of its members as it thinks fit.”

—(Mr Trezise)

Amendment proposed—That after the word “six” in proposed sub-paragraph 11 (2) (a) there be inserted the expression “, two of whom shall reside more than 80 kilometres from the General Post Office, Melbourne,”.

—(Mr McGrath)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 28

Mr Austin	Mr Hann	Mr McNamara	Mr Wallace
Mr Brown	Mr Jasper	Mr Maclellan	Mr Whiting
Mr Burgin	Mr Jona	Mr Ramsay	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Reynolds	
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	
Mr Ebery	Mr Leigh	Mr Saltmarsh	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mrs Sibree	Mr Steggall
(Gippsland East)	Mr McGrath	Mr Templeton	Mr Tanner

NOES, 37

Miss Callister	Mrs Hill	Mr Norris	Mrs Toner
Mr Cathie	Mr Hill	Mr Pope	Mr Trezise
Dr Coghill	Mr Hockley	Mrs Ray	Dr Vaughan
Mr Crabb	Mr Ihlein	Mr Rowe	Mr Walsh
Mr Culpin	Mr Kennedy	Mrs Setches	Mr Wilkes
Mr Ernst	Mr Kirkwood	Mr Shell	
Mr Fogarty	Mr McCutcheon	Mr Sidiropoulos	<i>Tellers</i>
Mr Fordham	Mr McDonald	Mr Simpson	Mr Gray
Mr Gavin	Mr Mathews	Mr Spyker	Mr Sheehan
Mr Harrowfield	Mr Micallef	Mr Stirling	(Ballarat South)

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA

DIVISIONS IN COMMITTEE OF THE WHOLE

No. 36

Tuesday, 11 September 1984

NO. 1—DAIRY INDUSTRY BILL—Clause 3.

- (1) In this Act unless inconsistent with the context or subject-matter—
 “Animal” means any cow, dog, pig, horse, donkey, goat, sheep or poultry.
 “Authority” means the Victorian Dairy Industry Authority.

[Various interpretations not printed]

- (2) Where a word or phrase is given a particular meaning in this Act, other parts of speech and grammatical forms of that word or phrase have, unless the contrary intention appears, corresponding meanings.

—(Mr Wilkes)

Amendment proposed—That after the interpretation of “Authority” there be inserted the following interpretation:

“Certified raw milk” means raw milk which is certified in the prescribed manner.

—(Mr Hann)

Question—That the expression proposed to be inserted be so inserted—put.
 Committee divided.

(Chairman—Mr Wilton)

AYES, 26

Mr Austin	Mr Hann	Mr Ross-Edwards	<i>Tellers</i>
Mr Brown	Mr Jasper	Mrs Sibree	Mr Dickinson
Mr Burgin	Mr Kempton	Mr Steggall	Mr McNamara
Mr Delzoppo	Mr Leigh	Mr Tanner	
Mr Ebery	Mr Lieberman	Mr Templeton	
Mr Evans	Mr McGrath	Mr Wallace	
(Ballarat North)	Mr Maclellan	Mr Whiting	
Mr Evans	Mr Reynolds	Mr Williams	
(Gippsland East)	Mr Richardson		

NOES, 41

Miss Callister	Mr Hill	Mrs Ray	Mr Simpson
Mr Cathie	Mr Hockley	Mr Remington	Mr Spyker
Mr Crabb	Mr Ihlein	Mr Roper	Mr Stirling
Mr Culpin	Mr Kirkwood	Mr Seitz	Mrs Toner
Mr Fogarty	Mr McDonald	Mrs Setches	Mr Trezise
Mr Fordham	Mr Mathews	Mr Sheehan	Dr Vaughan
Mr Gavin	Mr Micallef	(Ivanhoe)	Mr Walsh
Mr Gray	Mr Miller	Mr Sheehan	Mr Wilkes
Mr Harrowfield	Mr Newton	(Ballarat South)	<i>Tellers</i>
Mr Hassett	Mr Norris	Mr Shell	Mr Kennedy
Mrs Hill	Mr Pope	Mr Sidiropoulos	Mr McCutcheon

And so it passed in the negative.

No. 2—Clause 7.

(1) Subject to this Act, the Authority has the power to do all things necessary or convenient to be done for or in connection with the performance of its functions and to enable it to achieve its objectives.

(2) Without limiting or derogating from the generality of sub-section (1) the powers of the Authority include power to—

- (a) call tenders for works and services and enter into agreements with dairy farmers or any other persons or bodies as the Authority determines;
- (b) purchase, take delivery of, hold, sell or dispose of milk and dairy produce and purchase, hold, sell or dispose of any chattel or other thing necessary or convenient for that purpose;
- (c) retain funds in reserve to augment future payments to dairy farmers for milk purchased; and
- (d) retain funds in reserve for such future requirements as may be required for the purposes of this Act.

(3) The Authority may—

- (a) with the approval of the Governor in Council, manufacture dairy produce; and
- (b) with the approval of the Minister, purchase or lease or join with any other person or body (whether corporate or unincorporate) in purchasing or leasing any land, buildings, equipment, plant and facilities that the Authority considers necessary for processing or distributing dairy produce or promoting the use of dairy produce.

—(Mr Wilkes)

Amendment proposed—That sub-clause (3) be omitted.

—(Mr Hann)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 54

Mr Austin	Mr Harrowfield	Mr Micallef	Mr Simpson
Mr Brown	Mr Hassett	Mr Miller	Mr Spyker
Mr Burgin	Mrs Hill	Mr Newton	Mr Stirling
Miss Callister	Mr Hill	Mr Pope	Mr Tanner
Mr Cathie	Mr Hockley	Mrs Ray	Mr Templeton
Mr Crabb	Mr Ihlein	Mr Remington	Mrs Toner
Mr Culpin	Mr Jolly	Mr Reynolds	Mr Trezise
Mr Delzoppo	Mr Kempton	Mr Richardson	Dr Vaughan
Mr Dickinson	Mr Kennedy	Mr Seitz	Mr Walsh
Mr Ebery	Mr Kirkwood	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr Lieberman	Mr Sheehan	Mr Williams
Mr Fordham	Mr McCutcheon	(Ivanhoe)	Tellers
Mr Gavin	Mr McDonald	Mrs Sibree	Mr Leigh
Mr Gray	Mr Maclellan	Mr Sidiropoulos	Mr Norris

NOES, 8

Mr Evans	Mr Jasper	Mr Whiting	Tellers
(Gippsland East)	Mr McGrath		Mr Steggall
Mr Hann	Mr McNamara		Mr Wallace

And so it was resolved in the affirmative.

No. 3—Clause 9.

(1) The Authority shall consist of 10 members appointed by the Governor in Council on the nomination of the Minister of whom—

- (a) 3 shall be persons who are representative of persons who are dairy farmers;
- (b) 3 shall be persons who are representative of persons who conduct any business which is engaged in the manufacture, processing, transport, distribution or retailing of dairy produce;
- (c) 1 shall be a person who is representative of persons who are members of trade unions consisting of persons employed in the Victorian dairy industry; and
- (d) 3 shall be persons who the Minister considers appropriate to be members of the Authority having regard to the objectives, functions and powers of the Authority.

(2) The Minister shall nominate the members to be appointed pursuant to sub-sections (1) (a), (1) (b) and (1) (c) after the Minister has considered panels of names of persons which panels—

- (a) are submitted to the Minister at the invitation of the Minister from any body or organization which the Minister considers to be representative of the persons referred to in sub-section (1) (a), (1) (b) or (1) (c) as the case may be; and
- (b) contain not less than the number of names specified by the Minister in each particular case.

(3) A submission made pursuant to sub-section (2) shall be made in writing so as to reach the Minister on or before the date determined by the Minister as the last date for that submission.

(4) The failure of a body or organization to submit a panel of names of persons in accordance with this section shall not preclude the Minister from making a nomination pursuant to sub-section (1).

—(Mr Wilkes)

Amendment proposed—That paragraph (b) of sub-clause (1) be omitted with the view of inserting in place thereof the following paragraphs:

- “() 1 shall be a person who is representative of persons who conduct any business which is engaged in the manufacture or processing of dairy produce;
- () 1 shall be a person who is representative of persons who conduct any business which is engaged in the transport of dairy produce;
- () 1 shall be a person who is representative of persons who are distributors of market milk;”.

—(Mr Austin)

[The question that the words and expression proposed to be omitted stand part of the clause was negatived]

Further amendment proposed—That the paragraphs in the proposed amendment be omitted with the view of inserting in place thereof the following:

- “(b) 3 shall be persons of which—
 - (i) 1 shall be representative of persons who conduct any business which is engaged in the manufacture and transport of dairy produce; and
 - (ii) 2 shall be representative of persons who conduct any business which is engaged in market milk processing or distribution and 1 person shall reside outside the 80 kilometre radius of the General

Post Office on the corner of Elizabeth and Bourke Streets in Melbourne;”.

—(Mr Hann)

Question—That the paragraphs proposed to be omitted stand part of the amendment—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 52

Mr Austin	Mr Hassett	Mr Newton	Mr Spyker
Mr Brown	Mrs Hill	Mr Norris	Mr Stirling
Mr Burgin	Mr Hill	Mr Pope	Mr Tanner
Miss Callister	Mr Hockley	Mr Ramsay	Mr Templeton
Mr Cathie	Mr Ihlein	Mrs Ray	Mrs Toner
Mr Culpin	Mr Jolly	Mr Reynolds	Dr Vaughan
Mr Delzoppo	Mr Jona	Mr Rowe	Mr Walsh
Mr Dickinson	Mr Kempton	Mr Saltmarsh	Mr Wilkes
Mr Ebery	Mr Kennedy	Mr Seitz	
Mr Fogarty	Mr Kirkwood	Mrs Setches	
Mr Fordham	Mr Leigh	Mr Shell	
Mr Gavin	Mr McCutcheon	Mrs Sibree	<i>Tellers</i>
Mr Gray	Mr Maclellan	Mr Sidiropoulos	Mr McDonald
Mr Harrowfield	Mr Micallef	Mr Simpson	Mr Williams

NOES, 9

Mr Evans	Mr Jasper	Mr Wallace	<i>Tellers</i>
(Gippsland East)	Mr McGrath	Mr Whiting	Mr McNamara
Mr Hann	Mr Ross-Edwards		Mr Steggall

And so it was resolved in the affirmative.

No. 4—Clause 9.

Further amendment proposed—That the expression “from any body or organization which the Minister considers to be representative of the persons referred to in sub-section (1) (a), (1) (b) or (1) (c) as the case may be; and” in sub-clause (2) (a) be omitted with the view of inserting in place thereof the following:

“in the case of sub-section (1) (a) from the United Dairy Farmers of Victoria and in the case of sub-section (1) (b), (1) (c), (1) (d) or (1) (e) from any body or organization which the Minister considers to be representative of the persons referred to in those sub-sections; and”.

—(Mr Hann)

[The Chairman decided to have this amendment tested on the question—That the expression “from any body or organization which the Minister considers to be representative of the persons referred to in sub-sections (1) (a), (1) (b)” stand part so as not to preclude a proposed amendment by another Honourable Member]

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 37

Miss Callister	Mr Hill	Mr Pope	Mr Toner
Mr Cathie	Mr Hockley	Mr Remington	Mr Trezise
Mr Culpin	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Fogarty	Mr Kennedy	Mr Seitz	Mr Walsh
Mr Fordham	Mr Kirkwood	Mrs Setches	Mr Wilkes
Mr Gavin	Mr McCutcheon	Mr Shell	
Mr Gray	Mr McDonald	Mr Sidiropoulos	
Mr Harrowfield	Mr Miller	Mr Simpson	
Mr Hassett	Mr Newton	Mr Spyker	<i>Tellers</i>
Mrs Hill	Mr Norris	Mr Stirling	Mr Micallef
			Mrs Ray

NOES, 27

Mr Austin	Mr Evans	Mr Maclellan	Mr Templeton
Mr Brown	(Gippsland East)	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Hann	Mr Reynolds	Mr Williams
Mr Delzoppo	Mr Jasper	Mr Ross-Edwards	
Mr Dickinson	Mr Jona	Mr Saltmarsh	
Mr Ebery	Mr Leigh	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Steggall	Mr Kempton
(Ballarat North)	Mr McNamara	Mr Tanner	Mr Wallace

And so it was resolved in the affirmative.

No. 5—Clause 13.

(1) The Governor in Council shall appoint—

(a) one member to be the Chairman; and

(b) another member to be the Deputy Chairman.

(2) A member appointed to be the Chairman or Deputy Chairman shall whilst that person is a member hold office as Chairman or Deputy Chairman for such term not exceeding three years as the Governor in Council determines and shall be eligible for re-appointment.

—(Mr Wilkes)

Amendment proposed—That after the word “member” in sub-clause (1) (a) there be inserted the words “being a full-time member”.

—(Mr Austin)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 26

Mr Austin	Mr Hann	Mr Richardson	<i>Tellers</i>
Mr Brown	Mr Jasper	Mr Ross-Edwards	Mr Burgin
Mr Delzoppo	Mr Kempton	Mr Saltmarsh	Mr Tanner
Mr Dickinson	Mr Leigh	Mr Steggall	
Mr Ebery	Mr McGrath	Mr Templeton	
Mr Evans	Mr McNamara	Mr Wallace	
(Ballarat North)	Mr Maclellan	Mr Whiting	
Mr Evans	Mr Ramsay	Mr Williams	
(Gippsland East)	Mr Reynolds		

NOES, 37

Miss Callister	Mr Ihlein	Mrs Ray	Mrs Toner
Mr Cathie	Mr Kennedy	Mr Remington	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Rowe	Dr Vaughan
Mr Fordham	Mr McCutcheon	Mr Seitz	Mr Walsh
Mr Gavin	Mr McDonald	Mrs Setches	Mr Wilkes
Mr Gray	Mr Micallef	Mr Shell	
Mr Harrowfield	Mr Miller	Mr Sidiropoulos	
Mrs Hill	Mr Newton	Mr Simpson	<i>Tellers</i>
Mr Hill	Mr Norris	Mr Spyker	Mr Culpin
Mr Hockley	Mr Pope	Mr Stirling	Mr Hassett

And so it passed in the negative.

No. 6—Clause 20.

(1) The Minister shall within 60 days of the end of each financial year submit to the Authority a statement showing the expenses incurred by the Department in the provision and administration of quality assurance services under this Act during that financial year and specifying the amount of that expenditure which the Authority is required to contribute towards the recoupment of that expenditure.

(2) The Authority shall pay into the Consolidated Fund the contribution specified in the statement under sub-section (1) not later than 30 September in each year or where the Minister so determines by instalments of such amounts and at such intervals during the next financial year as may be fixed by the Minister.

—(Mr Wilkes)

Question—That clause 20 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 36

Miss Callister	Mr Ihlein	Mrs Ray	Mrs Toner
Mr Cathie	Mr Kennedy	Mr Remington	Dr Vaughan
Mr Culpin	Mr Kirkwood	Mr Rowe	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mr Seitz	Mr Wilkes
Mr Fordham	Mr McDonald	Mrs Setches	
Mr Harrowfield	Mr Micalef	Mr Shell	
Mr Hassett	Mr Miller	Mr Sidiropoulos	
Mrs Hill	Mr Newton	Mr Simpson	<i>Tellers</i>
Mr Hill	Mr Norris	Mr Spyker	Mr Gavin
Mr Hockley	Mr Pope	Mr Stirling	Mr Gray

NOES, 28

Mr Austin	Mr Evans	Mr McNamara	Mr Templeton
Mr Brown	(<i>Gippsland East</i>)	Mr Maclellan	Mr Wallace
Mr Burgin	Mr Hann	Mr Richardson	Mr Whiting
Mr Delzoppo	Mr Jona	Mr Ross-Edwards	Mr Williams
Mr Dickinson	Mr Kempton	Mr Saltmarsh	
Mr Ebery	Mr Leigh	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Steggall	Mr Jasper
(<i>Ballarat North</i>)	Mr McGrath	Mr Tanner	Mr Reynolds

And so it was resolved in the affirmative.

No. 7—Clause 75.

(1) The Director-General may—

- (a) refuse to issue;
- (b) refuse to renew;
- (c) refuse to transfer;
- (d) cancel; or
- (e) suspend—

a dairy farm licence on any of the grounds specified in sub-section (2) and shall in any such case notify the applicant or licensee in writing of the ground for doing so.

(2) The grounds are as follows:

- (a) The licensee has ceased to carry on business as a dairy farm;
- (b) The applicant or the licensee as the case may be does not meet or comply with any requirement of this Act that is applicable;
- (c) The applicant or the licensee as the case may be has been convicted of an offence against this Act;
- (d) The applicant is not in the opinion of the Director-General a fit and proper person to hold a dairy farm licence;
- (e) Any other ground prescribed for the purposes of this section.

(3) The Director-General may by notice in writing suspend a dairy farm licence for a period not exceeding 14 days if in the course of any year being the period of 12 months ending on 30 June the milk or cream supplied by the licensee—

- (a) has on at least three occasions failed to comply with any of the standards for milk or cream prescribed for the purposes of section 85; or
- (b) has on any subsequent occasion in that year after the dairy farm licence has been suspended under paragraph (a) failed to comply with any of the standards for milk or cream prescribed for the purposes of section 85.
- (4) The Director-General may by notice in writing cancel a dairy farm licence on any of the following grounds:
- (a) The licensee has had a dairy farm licence suspended on three or more occasions at any time pursuant to sub-section (3);
- (b) The licensee has applied to have the licence cancelled on the ground that the dairy farm has been sold or that the licensee has ceased to carry on business as a dairy farm.
- (5) A decision of the Director-General to cancel a dairy farm licence on the ground specified in sub-section (4) (a) shall not take effect—
- (a) until the expiry of 28 days from the day on which the licensee is notified of the decision; or
- (b) where an appeal against the decision is made under section 76 unless and until the appeal has been determined in favour of the Director-General.

—(Mr Wilkes)

Amendment proposed—That after sub-clause (2) there be inserted the followed sub-clause:

“() The Director-General shall refuse to issue a licence in respect of a dairy farm proposed to be established after the commencement of this section if after having consulted with the United Dairy Farmers of Victoria the Director-General considers that the issue of the licence would be detrimental to the economic welfare of the dairy industry and of the persons engaged in the dairy industry.”.

—(Mr Hann)

Question—That the sub-clause proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 9

Mr Evans
(Gippsland East)
Mr Hann

Mr Jasper
Mr McNamara
Mr Ross-Edwards

Mr Wallace
Mr Whiting

Tellers
Mr McGrath
Mr Steggall

NOES, 55

Mr Austin
Mr Brown
Mr Burgin
Miss Callister
Mr Cathie
Mr Culpin
Mr Dickinson
Mr Ebery
Mr Ernst
Mr Fogarty
Mr Fordham
Mr Gavin
Mr Gray
Mr Harrowfield
Mr Hassett

Mrs Hill
Mr Hill
Mr Hockley
Mr Ihlein
Mr Jona
Mr Kempton
Mr Kennedy
Mr Kirkwood
Mr Leigh
Mr Lieberman
Mr McCutcheon
Mr McDonald
Mr Maclellan
Mr Micallef
Mr Miller

Mr Norris
Mrs Ray
Mr Remington
Mr Reynolds
Mr Rowe
Mr Saltmarsh
Mr Seitz
Mrs Setches
Mr Sheehan
(Ivanhoe)
Mr Shell
Mrs Sibree
Mr Sidiropoulos
Mr Simmonds
Mr Simpson

Mr Spyker
Mr Stirling
Mr Tanner
Mr Templeton
Mrs Toner
Dr Vaughan
Mr Walsh
Mr Wilkes
Mr Williams

Tellers
Mr Delzoppo
Mr Pope

And so it passed in the negative.

Thursday, 13 September 1984

NO. 8—ADOPTION BILL (No. 2)—Clause 4.

- (1) In this Act, unless inconsistent with the context or subject-matter—
“Aborigine” means a person who—
- (a) is descended from an Aborigine or Torres Strait Islander;
 - (b) identifies as an Aborigine or Torres Strait Islander; and
 - (c) is accepted as an Aborigine or Torres Strait Islander by an Aboriginal or Torres Strait Island community.

[Various interpretations not printed]

(2) For the purposes of this Act, where a period of time is expressed to begin on, or to be reckoned from, a particular day, that day shall not be included in the period.

(3) Where an office that is established by any Act is referred to in this Act and the holder of that office has power to assign or delegate to another person all or any of his powers and functions under that Act—

- (a) the powers and functions of the holder of that office that may be so assigned or delegated shall be deemed to include the powers and functions of that office under this Act, and any of those powers and functions under this Act may be assigned or delegated in the manner provided by that Act; and
- (b) in relation to a power or function so assigned or delegated a reference in this Act to the holder of that office shall be read as including a reference to the assignee or delegate, as the case may be.

(4) In this Act, a reference to the principal officer of an approved agency includes a reference to the deputy principal officer (if any) or a person who is authorized in writing by the principal officer to exercise or perform the powers and functions of the principal officer under this Act.

—(Mrs Toner)

Amendment proposed—That the interpretation of “Aborigine” in sub-clause (1) be omitted.

—(Mr Steggall)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 58

Mr Austin	Mr Hassett	Mr Norris	Mrs Sibree
Mr Burgin	Mrs Hill	Mr Pope	Mr Sidiropoulos
Miss Callister	Mr Hill	Mr Ramsay	Mr Simpson
Mr Cathie	Mr Hockley	Mrs Ray	Mr Spyker
Dr Coghill	Mr Ihlein	Mr Remington	Mr Stirling
Mr Crabb	Mr Jona	Mr Reynolds	Mr Tanner
Mr Culpin	Mr Kennedy	Mr Richardson	Mr Templeton
Mr Delzoppo	Mr Kennett	Mr Roper	Mrs Toner
Mr Dickinson	Mr Leigh	Mr Rowe	Mr Trezise
Mr Ebery	Mr Lieberman	Mr Saltmarsh	Dr Vaughan
Mr Ernst	Mr McCutcheon	Mr Seitz	Mr Walsh
Mr Fogarty	Mr McDonald	Mrs Setches	Mr Williams
Mr Fordham	Mr Maclellan	Mr Sheehan	<i>Tellers</i>
Mr Gavin	Mr Mathews	(Ballarat South)	Mr Kempton
Mr Harrowfield	Mr Miller	Mr Shell	Mr Micallef

NOES, 9

Mr Evans
(Gippsland East)
Mr Hann

Mr McGrath
Mr McNamara
Mr Ross-Edwards

Mr Steggall
Mr Whiting

Tellers
Mr Jasper
Mr Wallace

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 37

Wednesday, 19 September 1984

NO. 1—ADOPTION BILL (NO. 2)—Clause 11.

- (1) An adoption order may be made in favour of a man and a woman—
- (a) who are married to each other and have been so married for not less than two years;
 - (b) whose relationship is recognized as a traditional marriage by an Aboriginal community or an Aboriginal group to which they belong and has been so recognized for not less than two years; or
 - (c) who are living together as husband and wife on a *bona fide* domestic basis although not married to each other and who have been so living together for not less than two years—

before the date on which the order is made.

(2) The Court shall not make an adoption order in favour of a person who is, or persons either of whom is, the mother of the child or a man who, under section 33 (3), is an appropriate person to give consent to the adoption of the child.

(3) Subject to this section, where the Court is satisfied that circumstances exist in relation to the child which make it desirable so to do, the Court may make an adoption order in favour of one person.

- (4) The Court shall not make an adoption order in favour of one person—
- (a) if that person is married and is not living separately and apart from his or her spouse; or
 - (b) if that person is married and is living with his or her spouse, except with the consent of that spouse.

(5) The spouse of a parent or of an adoptive parent of a child may make an application to the Court under this Act for an order for the adoption of the child by that spouse.

(6) Where an application is made under sub-section (5) by the spouse of a parent or of an adoptive parent of a child, the Court, if it is satisfied that, in the particular circumstances of the case, the welfare and interests of the child would be better served if an order were made for the adoption of the child than if an order were made under the *Children (Guardianship and Custody) Act 1984* in relation to the child, may make an order for the adoption of the child solely by that spouse and, where an order is so made, the spouse shall be deemed to be a parent of the child jointly with that parent or adoptive parent as if the spouse and that parent or adoptive parent had been married to each other at the time the child was born but notwithstanding anything in section 53—

- (a) the child is not to be treated in law as if the child were not the child of that parent or adoptive parent;
- (b) that parent or adoptive parent is not to be treated in law as if the parent or adoptive parent were not a parent of that child;

- (c) the relationship between the child and that parent or adoptive parent is not terminated;
- (d) if that parent or adoptive parent had been the guardian of the child, the order does not terminate the guardianship; and
- (e) if the child were the adopted child of that adoptive parent, the order does not terminate that adoption.

—(Mrs Toner)

Amendment proposed—That after proposed sub-clause (4) there be inserted the following sub-clause:

“(5) Subject to this section, where the Court is satisfied that circumstances exist in relation to a child which make it desirable so to do, the Court may make an adoption order in favour of a man and woman who are living together as husband and wife on a *bona fide* domestic basis although not married to each other and who have been so living together for not less than two years.”.

—(Mrs Toner)

Further amendment proposed—That after the word “that” in the proposed sub-clause there be inserted the word “special”.

—(Mr Saltmarsh)

Question—That the word proposed to be inserted in the proposed amendment by so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 51

Mr Austin	Mr Harrowfield	Mr Norris	Mr Simmonds
Mr Brown	Mr Hassett	Mrs Ray	Mr Spyker
Mr Burgin	Mrs Hill	Mr Remington	Mr Stirling
Miss Callister	Mr Hockley	Mr Reynolds	Mr Templeton
Mr Cathie	Mr Kempton	Mr Rowe	Mrs Toner
Dr Coghill	Mr Kennedy	Mr Saltmarsh	Dr Vaughan
Mr Crabb	Mr Kirkwood	Mr Seitz	Mr Walsh
Mr Culpin	Mr Leigh	Mrs Setches	Mr Wilkes
Mr Delzoppo	Mr McCutcheon	Mr Sheehan	Mr Williams
Mr Ebery	Mr McDonald	(Ivanhoe)	
Mr Ernst	Mr Maclellan	Mr Sheehan	
Mr Fogarty	Mr Micallef	(Ballarat South)	Tellers
Mr Fordham	Mr Miller	Mr Shell	Mr Gray
Mr Gavin	Mr Newton	Mr Sidiropoulos	Mr Richardson

NOES, 9

Mr Evans	Mr McGrath	Mr Ross-Edwards	Tellers
(Gippsland East)	Mr McNamara	Mr Steggall	Mr Jasper
Mr Hann		Mr Whiting	Mr Wallace

And so it was resolved in the affirmative.

No. 2—Clause 11 (*Amendment proposed by Mrs Toner*).

Question—That sub-clause (5), as amended, proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 51

Mr Austin	Mr Hassett	Mr Norris	Mr Simmonds
Mr Brown	Mrs Hill	Mrs Ray	Mr Spyker
Mr Burgin	Mr Hockley	Mr Remington	Mr Stirling
Miss Callister	Mr Kempton	Mr Reynolds	Mr Templeton
Dr Coghill	Mr Kennedy	Mr Rowe	Mrs Toner
Mr Crabb	Mr Kennett	Mr Saltmarsh	Dr Vaughan
Mr Culpin	Mr Kirkwood	Mr Seitz	Mr Walsh
Mr Delzoppo	Mr Leigh	Mrs Setches	Mr Wilkes
Mr Ebery	Mr McCutcheon	Mr Sheehan	Mr Williams
Mr Ernst	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Fogarty	Mr Maclellan	Mr Sheehan	<i>Tellers</i>
Mr Fordham	Mr Micallef	(<i>Ballarat South</i>)	Mr Gray
Mr Gavin	Mr Miller	Mr Shell	Mr Richardson
Mr Harrowfield	Mr Newton	Mr Sidiropoulos	

NOES, 9

Mr Evans	Mr McGrath	Mr Ross-Edwards	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McNamara	Mr Steggall	Mr Jasper
Mr Hann		Mr Whiting	Mr Wallace

And so it was resolved in the affirmative.

No. 3. Clause 11, *as amended*—

(1) An adoption order may be made in favour of a man and a woman—

(a) who are married to each other and have been so married for not less than two years; or

(b) whose relationship is recognized as a traditional marriage by an Aboriginal community or an Aboriginal group to which they belong and has been so recognized for not less than two years;

* * * * *
before the date on which the order is made.

(2) The Court shall not make an adoption order in favour of a person who is, or persons either of whom is, the mother of the child or a man who, under section 33 (3), is an appropriate person to give consent to the adoption of the child.

(3) Subject to this section, where the Court is satisfied that special circumstances exist in relation to the child which make it desirable so to do, the Court may make an adoption order in favour of one person.

(4) The Court shall not make an adoption order in favour of one person—

(a) if that person is married and is not living separately and apart from his or her spouse; or

(b) if that person is married and is living with his or her spouse, except with the consent of that spouse.

(5) Subject to this section, where the Court is satisfied that special circumstances exist in relation to a child which make it desirable so to do, the Court may make an adoption order in favour of a man and woman who are living together as husband and wife on a *bona fide* domestic basis although not married to each other and who have been so living together for not less than two years.

(6) The spouse of a parent or of an adoptive parent of a child may make an application to the Court under this Act for an order for the adoption of the child by that spouse.

(7) Where an application is made under sub-section (6) by the spouse of a parent or of an adoptive parent of a child, the Court, if it is satisfied that, in the particular

* Denotes amendment by omission.

Bold type denotes insertion or substitution by amendment.

circumstances of the case, the welfare and interests of the child would be better served if an order were made for the adoption of the child than if an order were made under the *Children (Guardianship and Custody) Act 1984* in relation to the child, may make an order for the adoption of the child solely by that spouse and, where an order is so made, the spouse shall be deemed to be a parent of the child jointly with that parent or adoptive parent as if the spouse and that parent or adoptive parent had been married to each other at the time the child was born but notwithstanding anything in section 53—

- (a) the child is not to be treated in law as if the child were not the child of that parent or adoptive parent;
- (b) that parent or adoptive parent is not to be treated in law as if the parent or adoptive parent were not a parent of that child;
- (c) the relationship between the child and that parent or adoptive parent is not terminated;
- (d) if that parent or adoptive parent had been the guardian of the child, the order does not terminate the guardianship; and
- (e) if the child were the adopted child of that adoptive parent, the order does not terminate that adoption.

—(Mrs Toner)

Question—That clause 11, as amended, stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 47

Mr Austin	Mr Harrowfield	Mr Pope	Mr Stirling
Mr Burgin	Mr Hassett	Mrs Ray	Mrs Toner
Miss Callister	Mrs Hill	Mr Remington	Mr Trezise
Dr Coghill	Mr Hockley	Mr Richardson	Dr Vaughan
Mr Crabb	Mr Jolly	Mr Rowe	Mr Walsh
Mr Culpin	Mr Kennedy	Mr Saltmarsh	Mr Williams
Mr Delzoppo	Mr Kirkwood	Mr Seitz	
Mr Ebery	Mr McCutcheon	Mrs Setches	
Mr Ernst	Mr McDonald	Mr Shell	<i>Tellers</i>
Mr Fogarty	Mr Micallef	Mrs Sibree	Mr Sheehan
Mr Fordham	Mr Miller	Mr Sidiropoulos	(Ballarat South)
Mr Gavin	Mr Newton	Mr Simmonds	Mr Sheehan
Mr Gray	Mr Norris	Mr Spyker	(Ivanhoe)

NOES, 6

Mr Evans	Mr Hann	Mr Whiting	<i>Tellers</i>
(Gippsland East)	Mr Steggall		Mr Jasper
			Mr Wallace

And so it was resolved in the affirmative.

No. 4—Clause 21.

(1) Any welfare organization carrying on, or desiring to carry on, the activity of conducting negotiations or making arrangements with a view to the adoption of children may apply in writing to the Director-General for approval as an approved agency.

(2) An application under this section shall contain such information relating to the organization as is prescribed and shall nominate a person to be the principal officer and may nominate a person to be the deputy principal officer of the organization for the purposes of this Act.

(3) Where the Director-General receives an application under this section, the Director-General shall publish notice of the application in the *Government Gazette*.

(4) For the purposes of this section “welfare organization” means an organization, corporate or unincorporate, formed or carried on primarily or principally for religious, charitable, benevolent, philanthropic or welfare purposes, but does not include an organization formed or carried on for the purpose of trading or securing a pecuniary profit to its members.

—(Mrs Toner)

Amendment proposed—That the expression “Director-General” in sub-clause (1) be omitted with the view of inserting in place thereof the word “Minister”.

—(Mr Saltmarsh)

Question—That the expression proposed to be omitted stand past of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Mr Cain	Mr Hassett	Mrs Ray	Mr Spyker
Miss Callister	Mrs Hill	Mr Remington	Mr Stirling
Mr Cathie	Mr Jolly	Mr Roper	Mrs Toner
Dr Coghill	Mr Kennedy	Mr Rowe	Dr Vaughan
Mr Crabb	Mr Kirkwood	Mr Seitz	Mr Walsh
Mr Culpin	Mr McCutcheon	Mrs Setches	
Mr Ernst	Mr McDonald	Mr Sheehan	
Mr Fogarty	Mr Micallef	(<i>Ivanhoe</i>)	
Mr Fordham	Mr Miller	Mr Sheehan	
Mr Gavin	Mr Newton	(<i>Ballarat South</i>)	<i>Tellers</i>
Mr Gray	Mr Norris	Mr Shell	Mr Hockley
Mr Harrowfield	Mr Pope	Mr Simmonds	Mr Sidiropoulos

NOES, 27

Mr Brown	Mr Jasper	Mr Reynolds	Mr Whiting
Mr Burgin	Mr Jona	Mr Richardson	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Ross-Edwards	
Mr Dickinson	Mr Leigh	Mr Saltmarsh	
Mr Ebery	Mr Lieberman	Mrs Sibree	
Mr Evans	Mr McNamara	Mr Steggall	<i>Tellers</i>
(<i>Ballarat North</i>)	Mr Maclellan	Mr Templeton	Mr McGrath
Mr Hann	Mr Ramsay	Mr Wallace	Mr Tanner

And so it was resolved in the affirmative.

No. 5—Clause 93.

An adopted person who has attained the age of eighteen years may make application to a relevant authority for information about the adopted person that is contained in records relating to the adoption of the person that are in the possession or under control of the relevant authority or, where the application is made to the Director-General, that are in the possession of the Director-General, an agency, another body or another person whether or not a natural parent or a relative of an adopted person may be identified from that information.

—(Mrs Toner)

Amendment proposed—That before the word “An” there shall be inserted the expression “(1)”.

—(Mr Steggall)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 9

Mr Evans (Gippsland East)	Mr Jasper	Mr Ross-Edwards	<i>Tellers</i>
Mr Hann	Mr McNamara	Mr Steggall	Mr McGrath
		Mr Whiting	Mr Wallace

NOES, 50

Mr Austin	Mr Gavin	Mr Norris	Mrs Sibree
Mr Brown	Mr Harrowfield	Mr Pope	Mr Sidiropoulos
Mr Burgin	Mrs Hill	Mrs Ray	Mr Spyker
Miss Callister	Mr Hockley	Mr Remington	Mr Stirling
Mr Cathie	Mr Jolly	Mr Reynolds	Mr Tanner
Dr Coghill	Mr Kempton	Mr Roper	Mr Templeton
Mr Culpin	Mr Kirkwood	Mr Rowe	Mrs Toner
Mr Delzoppo	Mr Leigh	Mr Saltmarsh	Mr Trezise
Mr Dickinson	Mr McCutcheon	Mr Seitz	Dr Vaughan
Mr Ebery	Mr McDonald	Mrs Setches	Mr Walsh
Mr Ernst	Mr Micallef	Mr Sheehan	<i>Tellers</i>
Mr Fogarty	Mr Miller	(<i>Ivanhoe</i>)	Mr Kennedy
Mr Fordham	Mr Newton	Mr Shell	Mr Williams

And so it passed in the negative.

No. 6—Clause 93.

Further amendment proposed—That the words “whether or not a natural parent or a relative of an adopted person may be identified from that information” be omitted.

—(*Mr Steggall*)

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

Committee divided.

(Chairman—Mr Wilton)

AYES, 37

Mr Cain	Mr Hockley	Mr Remington	Mr Stirling
Miss Callister	Mr Ihlein	Mr Rowe	Mrs Toner
Mr Cathie	Mr Kennedy	Mr Seitz	Mr Trezise
Dr Coghill	Mr Kirkwood	Mrs Setches	Dr Vaughan
Mr Culpin	Mr McCutcheon	Mr Sheehan	Mr Walsh
Mr Ernst	Mr McDonald	(<i>Ivanhoe</i>)	Mr Wilkes
Mr Fogarty	Mr Miller	Mr Shell	<i>Tellers</i>
Mr Fordham	Mr Newton	Mr Sidiropoulos	Mr Gavin
Mr Hassett	Mr Norris	Mr Simmonds	Mr Harrowfield
Mrs Hill	Mrs Ray	Mr Spyker	

NOES, 22

Mr Brown	Mr Hann	Mr Ross-Edwards	Mr Wallace
Mr Burgin	Mr Jasper	Mr Saltmarsh	Mr Whiting
Mr Delzoppo	Mr Leigh	Mrs Sibree	Mr Williams
Mr Ebery	Mr McGrath	Mr Steggall	<i>Tellers</i>
Mr Evans (Gippsland East)	Mr Maclellan	Mr Tanner	Mr Dickinson
	Mr Reynolds	Mr Templeton	Mr McNamara

And so it was resolved in the affirmative.

No. 7—New Clause B.

“B. (1) A person other than an adopted person or an adoptive parent of an adopted person who knowingly makes contact with a natural parent of an adopted person in a manner that is inconsistent with the provisions of this Act shall be guilty of an offence.

(2) A person other than a natural parent of an adopted child who knowingly makes contact with the adopted child or with the adoptive parents of the adopted

child in a manner that is inconsistent with the provisions of this Act shall be guilty of an offence.”.

—(*Mr Saltmarsh*)

Question—That new clause B be added to the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 22

Mr Austin	Mr Evans	Mr Reynolds	Mr Templeton
Mr Brown	(<i>Gippsland East</i>)	Mr Ross-Edwards	Mr Whiting
Mr Burgin	Mr Hann	Mr Saltmarsh	Mr Williams
Mr Delzoppo	Mr Jasper	Mrs Sibree	<i>Tellers</i>
Mr Dickinson	Mr Lieberman	Mr Steggall	Mr Leigh
Mr Ebery	Mr Maclellan	Mr Tanner	Mr Wallace

NOES, 39

Mr Cain	Mrs Hill	Mr Remington	Mr Stirling
Miss Callister	Mr Hockley	Mr Roper	Mrs Toner
Mr Cathie	Mr Ihlein	Mr Rowe	Mr Trezise
Dr Coghill	Mr Jolly	Mrs Setches	Mr Walsh
Mr Crabb	Mr Kennedy	Mr Sheehan	Mr Wilkes
Mr Culpin	Mr Kirkwood	(<i>Ivanhoe</i>)	
Mr Ernst	Mr McCutcheon	Mr Shell	
Mr Fogarty	Mr McDonald	Mr Sidiropoulos	
Mr Fordham	Mr Miller	Mr Simmonds	<i>Tellers</i>
Mr Harrowfield	Mr Newton	Mr Simpson	Mrs Ray
Mr Hassett	Mr Norris	Mr Spyker	Mr Seitz

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 38

Tuesday, 9 October 1984

HEALTH (GENERAL AMENDMENT) BILL—Clause 19.

After section 179 (9) of the Principal Act there shall be inserted the following sub-sections:

“(10) The Commission may in its discretion or upon application by the proprietor of a private hospital determine the number of beds at a private hospital and may alter or vary such a number.

(11) Subject to the *Administrative Law Act 1978* a decision of the Commission under sub-section (10) or a decision of the Commission to refuse an application for registration or transfer of the registration to another person or to other premises or the renewal of registration shall be conclusive.”.

—(Mr Roper)

Amendment proposed—That the words “in its discretion or” in proposed sub-section (10) be omitted.

—(Mr Lieberman)

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

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Miss Callister	Mr Hockley	Mrs Ray	Mr Sidiropoulos
Mr Cathie	Mr Ihlein	Mr Remington	Mr Simmonds
Dr Coghill	Mr Jolly	Mr Roper	Mr Simpson
Mr Crabb	Mr Kennedy	Mr Rowe	Mr Spyker
Mr Culpin	Mr Kirkwood	Mr Seitz	Mr Stirling
Mr Ernst	Mr McCutcheon	Mrs Setches	Mrs Toner
Mr Fogarty	Mr McDonald	Mr Sheehan	Dr Vaughan
Mr Fordham	Mr Micallef	(Ivanhoe)	Mr Walsh
Mr Gavin	Mr Miller	Mr Sheehan	Tellers
Mr Gray	Mr Newton	(Ballarat South)	Mr Harrowfield
Mr Hassett	Mr Norris	Mr Shell	Mr Pope

NOES, 22

Mr Austin	Mr Jasper	Mr Reynolds	
Mr Brown	Mr Jona	Mr Ross-Edwards	
Mr Burgin	Mr Kennett	Mr Saltmarsh	
Mr Delzoppo	Mr Leigh	Mr Templeton	
Mr Ebery	Mr Lieberman	Mr Wallace	Tellers
Mr Evans	Mr McNamara	Mr Whiting	Mr Kempton
(Gippsland East)	Mr Maclellan	Mr Williams	Mr McGrath

And so it was resolved in the affirmative.

By Authority F D Atkinson Government Printer Melbourne

LEGISLATIVE ASSEMBLY OF VICTORIA

DIVISIONS IN COMMITTEE OF THE WHOLE

No. 39

Tuesday, 23 October 1984

No. 1—MOTOR CAR (INSURANCE SURCHARGE) BILL—Clause 5.

Notwithstanding section 4, the Principal Act continues to apply in relation to a contract of insurance under this Division entered into before 1 January 1985 as if this Act had not been enacted.

—(Mr Crabb)

Question—That the Chairman do report progress and ask for leave to sit again—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 25

Mr Austin	Mr Hann	Mr Reynolds	Mr Williams
Mr Burgin	Mr Jasper	Mr Richardson	
Mr Delzoppo	Mr Jona	Mr Ross-Edwards	
Mr Ebery	Mr Kempton	Mr Saltmarsh	
Mr Evans	Mr Leigh	Mr Steggall	
(Ballarat North)	Mr McGrath	Mr Templeton	<i>Tellers</i>
Mr Evans	Mr Maclellan	Mr Wallace	Mr McNamara
(Gippsland East)	Mr Ramsay	Mr Whiting	Mr Tanner

NOES, 42

Miss Callister	Mr Ihlein	Mrs Ray	Mr Simpson
Mr Cathie	Mr Jolly	Mr Remington	Mr Spyker
Dr Coghill	Mr Kennedy	Mr Roper	Mr Stirling
Mr Crabb	Mr Kirkwood	Mr Rowe	Mrs Toner
Mr Culpin	Mr McCutcheon	Mr Seitz	Mr Trezise
Mr Ernst	Mr McDonald	Mrs Setches	Mr Walsh
Mr Fogarty	Mr Mathews	Mr Sheehan	
Mr Fordham	Mr Micallef	(Ivanhoe)	
Mr Gavin	Mr Miller	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Newton	(Ballarat South)	Mr Hill
Mr Harrowfield	Mr Norris	Mr Shell	Mr Hockley
Mr Hassett	Mr Pope	Mr Simmonds	

And so it passed in the negative.

Thursday, 25 October 1984

No. 2.—INDUSTRIAL RELATIONS (AMENDMENT) BILL (No. 2)—Clause 4.

In section 34 (2) of the Principal Act the words “to determine any matter relating to the preferential employment or dismissal of persons as being or as not being members of any organization association or body or” shall be repealed.

—(Mr Crabb)

Question—That clause 4 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 37

Miss Callister	Mrs Hill	Mr Miller	Mr Sheehan
Mr Cathie	Mr Hockley	Mr Newton	(Ballarat South)
Dr Coghill	Mr Ihlein	Mr Norris	Mr Simpson
Mr Crabb	Mr Jolly	Mrs Ray	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Remington	Mr Trezise
Mr Fogarty	Mr Kirkwood	Mr Rowe	Dr Vaughan
Mr Fordham	Mr McCutcheon	Mr Seitz	Mr Walsh
Mr Gavin	Mr McDonald	Mrs Setches	Tellers
Mr Gray	Mr Mathews	Mr Sheehan	Mr Ernst
Mr Harrowfield	Mr Micallef	(Ivanhoe)	Mr Shell

NOES, 24

Mr Austin	Mr Leigh	Mr Richardson	Mr Whiting
Mr Burgin	Mr Lieberman	Mr Ross-Edwards	Mr Williams
Mr Delzoppo	Mr McGrath	Mrs Sibre	
Mr Dickinson	Mr McNamara	Mr Steggall	
Mr Evans	Mr Maclellan	Mr Tanner	Tellers
(Gippsland East)	Mr Ramsay	Mr Templeton	Mr Ebery
Mr Hann	Mr Reynolds	Mr Wallace	Mr Jasper

And so it was resolved in the affirmative.

No. 3—LIQUOR CONTROL (AMENDMENT) BILL (NO. 2)—Clause 1.

This Act may be cited as the *Liquor Control (Amendment) Act 1984*.

—(Mr Cathie)

Question—That the Chairman do report progress and ask for leave to sit again—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 19

Mr Austin	Mr Hann	Mr Ramsay	Mr Whiting
Mr Burgin	Mr Jasper	Mr Saltmarsh	Mr Williams
Mr Delzoppo	Mr Kennett	Mr Tanner	Tellers
Mr Dickinson	Mr Lieberman	Mr Templeton	Mr Leigh
Mr Ebery	Mr Maclellan	Mr Wallace	Mr Steggall

NOES, 34

Miss Callister	Mr Hill	Mrs Ray	Mr Stirling
Mr Cathie	Mr Hockley	Mr Seitz	Mrs Toner
Mr Culpin	Mr Ihlein	Mrs Setches	Mr Walsh
Mr Ernst	Mr Jolly	Mr Sheehan	Mr Wilkes
Mr Fogarty	Mr Kennedy	(Ivanhoe)	
Mr Fordham	Mr Kirkwood	Mr Sheehan	
Mr Gavin	Mr Micallef	(Ballarat South)	
Mr Gray	Mr Miller	Mr Shell	Tellers
Mr Harrowfield	Mr Newton	Mr Simmonds	Mr McDonald
Mr Hassett	Mr Norris	Mr Spyker	Mr Remington

And so it passed in the negative.

No. 4—Clause 4.

For sub-sections (3) and (4) of section 10 of the Principal Act there shall be substituted the following sub-sections:

“(3) The Commission may—

- (a) hear and determine any application or matter under this Act; and
- (b) investigate any matter relevant to the operation of this Act whether generally or in particular circumstances, including without limiting the generality of the foregoing its own practices or the conduct and practices of the holder of any licence or permit under this Act.

(4) For the purposes of sub-section (3), the Commission—

- (a) may proceed expeditiously and informally and in such manner as it thinks fit;
- (b) shall be free either to act without regard to or to observe legal rules relating to evidence or procedure; and
- (c) shall observe the rules of natural justice.”.

—(Mr Cathie)

Amendment proposed—That the word “and” after proposed new sub-section (4) (b) be omitted.

—(Mr Tanner)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 35

Mr Cain	Mr Hassett	Mr Miller	Mr Stirling
Miss Callister	Mr Hill	Mr Newton	Mrs Toner
Mr Cathie	Mr Hockley	Mrs Ray	Mr Walsh
Mr Culpin	Mr Ihlein	Mr Remington	Mr Wilkes
Mr Ernst	Mr Jolly	Mr Seitz	
Mr Fogarty	Mr Kennedy	Mrs Setches	
Mr Fordham	Mr Kirkwood	Mr Sheehan	
Mr Gavin	Mr McCutcheon	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gray	Mr McDonald	Mr Shell	Mr Norris
Mr Harrowfield	Mr Micallef	Mr Spyker	Mr Sheehan
			(<i>Ballarat South</i>)

NOES, 18

Mr Austin	Mr Hann	Mr Tanner	
Mr Burgin	Mr Jasper	Mr Templeton	
Mr Delzoppo	Mr Kennett	Mr Wallace	
Mr Ebery	Mr Leigh	Mr Whiting	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Williams	Mr Dickinson
(<i>Gippsland East</i>)	Mr Steggall		Mr McNamara

And so it was resolved in the affirmative.

No. 5—Clause 4.

Question—That clause 4 stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 36

Mr Cain	Mr Hill	Mr Norris	Mr Simmonds
Miss Callister	Mr Hockley	Mrs Ray	Mr Spyker
Mr Cathie	Mr Jolly	Mr Remington	Mr Stirling
Mr Culpin	Mr Kennedy	Mr Seitz	Mrs Toner
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Walsh
Mr Fogarty	Mr McCutcheon	Mr Sheehan	Mr Wilkes
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Gray	Mr Micallef	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr Miller	(<i>Ballarat South</i>)	Mr Gavin
Mr Hassett	Mr Newton	Mr Shell	Mr Ihlein

NOES, 22

Mr Austin	Mr Hann	Mr McNamara	Mr Templeton
Mr Burgin	Mr Jasper	Mr Maclellan	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Ramsay	Mr Williams
Mr Dickinson	Mr Leigh	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr Lieberman	Mr Steggall	Mr Ebery
(<i>Gippsland East</i>)	Mr McGrath	Mr Tanner	Mr Wallace

And so it was resolved in the affirmative.

No. 6—Clause 5.

For sub-section (2) of section 20 of the Principal Act there shall be substituted the following sub-section:

“(2) The Commission may subject to the general direction and control of the Minister direct the secretary chief supervisor supervisors licensing fund assessors and other officers and employees in relation to the discharge of their several duties.”.

—(Mr Cathie)

Question—That clause 5 stand part of the Bill—put.
Committee divided.

(Chairman —Mr Wilton)

AYES, 46

Mr Austin	Mr Hassett	Mr Miller	Mr Tanner
Miss Callister	Mr Hill	Mr Newton	Mr Templeton
Mr Cathie	Mr Hockley	Mr Norris	Mrs Toner
Mr Culpin	Mr Ihlein	Mr Ramsay	Mr Walsh
Mr Delzoppo	Mr Jolly	Mrs Ray	Mr Wilkes
Mr Dickinson	Mr Kennedy	Mr Remington	Mr Williams
Mr Ebery	Mr Kennett	Mr Seitz	
Mr Ernst	Mr Kirkwood	Mrs Setches	
Mr Fogarty	Mr Leigh	Mr Sheehan	
Mr Fordham	Mr Lieberman	(Ballarat South)	Tellers
Mr Gavin	Mr McCutcheon	Mr Shell	Mr Burgin
Mr Gray	Mr McDonald	Mr Spyker	Mr Sheehan
Mr Harrowfield	Mr Micallef	Mr Stirling	(Ivanhoe)

NOES, 8

Mr Evans	Mr McNamara	Mr Whiting	Tellers
(Gippsland East)	Mr Steggall		Mr Jasper
Mr Hann	Mr Wallace		Mr McGrath

And so it was resolved in the affirmative.

No. 7—Clause 7, *as amended*.

(1) In section 26 of the Principal Act—

(a) in sub-section (1)—

(i) in paragraph (d) the words “or substantial refreshment” shall be repealed;

(ii) in paragraph (e) for the word “ten” (where secondly occurring) there shall be substituted the words “half-past eleven”;

(iii) in paragraph (e) for the word “consumption” there shall be substituted the word “consumption”; and

(iv) for paragraph (h) and the word “and” (where occurring immediately before that paragraph) there shall be substituted the following:

“(h) where a permit under sub-section (2) is in force for the purposes of this paragraph, subject to and in accordance with the permit, between the hours of twelve noon and eight in the evening on a Sunday; and

(i) where a permit under sub-section (2) is in force for the purposes of this paragraph, subject to and in accordance with the permit, for consumption on the licensed premises between the hours of ten in the evening and twelve midnight on any day except Sunday or Good Friday;”;

Note—Bold type denotes insertion or substitution by amendment.

- (b) In sub-section (2)—
- (i) after the words “as it thinks fit and” there shall be inserted the expression “(except in the case of a permit of the kind referred to in sub-section (1) (i))”; and
 - (ii) for the expression “(g) and (h)” there shall be substituted the expression “(g), (h) and (i)”; and
- (c) sub-section (3A) shall be repealed.
- (2) In section 97 of the Principal Act—
- (a) in sub-section (1)—
 - (i) in paragraph (a) after the words “ordinary trading hours” there shall be inserted the expression “or, where a permit is in force for the purposes of section 26 (1) (h) or (i), during the hours during which liquor may be sold or disposed of pursuant to that permit”; and
 - (ii) in paragraph (e) after the words “ordinary trading hours” there shall be inserted the words “or between the hours of ten in the evening and twelve midnight on any day except Sunday or Good Friday or between the hours of twelve noon and eight in the evening on a Sunday”; and
 - (b) after sub-section (3) there shall be inserted the following sub-sections:

“(3A) Where a permit is in force for the purposes of section 26 (1) (h), a reference in sub-section (3) to ten o’clock shall for the purposes of sub-section (3) be deemed and taken to be a reference to eight o’clock in the evening on a Sunday.

(3B) Where a permit is in force for the purposes of section 26 (1) (i), a reference in sub-section (3) to ten o’clock shall for the purposes of sub-section (3) (a) and (b) be deemed and taken to be a reference to twelve midnight on any day other than a Sunday or Good Friday.”
- (3) In section 99 (1) (b) of the Principal Act after the words “ordinary trading hours” there shall be inserted the expression “and, where a permit is in force for the purposes of section 26 (1) (h) or (i), during the hours during which liquor may be sold or disposed of pursuant to that permit”.
- (4) A permit in force under section 26 (1) (d) of the Principal Act immediately before the commencement of sub-section (1) of this section shall be as valid and effectual after that commencement as before and shall notwithstanding anything to the contrary in the Principal Act remain in force until and including 31 January 1985.
- (5) Notwithstanding anything to the contrary in the Principal Act, on and from the commencement of sub-section (1) of this section, a permit in force under section 26 (1) (d) of the Principal Act immediately before that commencement shall authorize the holder of the licence to which the permit relates to sell and dispose of liquor—
- (a) for consumption on the premises specified in that licence between the hours of ten in the evening and twelve midnight on any day except Sunday or Good Friday; and
 - (b) for consumption with a *bona fide* meal on such part or parts of those premises as is or are specified in the permit between the hours of ten in the evening and one in the following morning on any day except Sunday or Good Friday but including the hour of twelve midnight to one in the morning on Sunday.
- (6) Where the holder of a permit, to which sub-section (5) applies, applies for a permit under section 26 (1) (i) of the Principal Act as amended by sub-section (1) of

this section to be in force on and from 1 February 1985, that application shall notwithstanding anything to the contrary in the Principal Act be deemed and taken to be an application for the renewal of such a permit.

(7) A permit in force under section 26 (1) (h) of the Principal Act immediately before the commencement of sub-section (1) of this section shall be as valid and effectual after that commencement as before and shall subject to the Principal Act remain in force for the period for which it was granted.

—(Mr Cathie)

Question—That clause 7, as amended, stand part of the Bill—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 44

Mr Burgin	Mr Hassett	Mr Newton	Mrs Sibree
Miss Callister	Mr Hill	Mr Norris	Mr Simmonds
Mr Cathie	Mr Hockley	Mr Ramsay	Mr Spyker
Mr Culpin	Mr Ihlein	Mrs Ray	Mr Stirling
Mr Delzoppo	Mr Kennedy	Mr Remington	Mr Tanner
Mr Dickinson	Mr Kirkwood	Mr Seitz	Mr Templeton
Mr Ernst	Mr Leigh	Mrs Setches	Mrs Toner
Mr Fogarty	Mr Lieberman	Mr Sheehan	Mr Walsh
Mr Fordham	Mr McCutcheon	(Ivanhoe)	
Mr Gavin	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Gray	Mr Mathews	(Ballarat South)	Mr Micallef
Mr Harrowfield	Mr Miller	Mr Shell	Mr Williams

NOES, 9

Mr Evans	Mr Jasper	Mr Wallace	<i>Tellers</i>
(Gippsland East)	Mr McGrath	Mr Whiting	Mr McNamara
Mr Hann	Mr Ross-Edwards		Mr Steggall

And so it was resolved in the affirmative.

No. 8—Clauses 8 to 38 inclusive.

(Clauses 8 to 38 inclusive not printed)

In accordance with Standing Order No. 105 and on the expiry of time adopted by resolution of the House for the Committee stage of the Bill—

Question—That clauses 8–38, Government amendments, and new clauses stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 35

Mr Cain	Mr Hassett	Mr Newton	Mr Spyker
Miss Callister	Mr Hill	Mr Norris	Mr Stirling
Mr Cathie	Mr Hockley	Mrs Ray	Mrs Toner
Mr Culpin	Mr Ihlein	Mr Remington	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Seitz	
Mr Fogarty	Mr Kirkwood	Mrs Setches	
Mr Fordham	Mr McCutcheon	Mr Sheehan	<i>Tellers</i>
Mr Gavin	Mr McDonald	(Ballarat South)	Mr Micallef
Mr Gray	Mr Mathews	Mr Shell	Mr Sheehan
Mr Harrowfield	Mr Miller	Mr Simmonds	(Ivanhoe)

Note—Bold type denotes insertion or substitution by amendment.

NOES, 24

Mr Austin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Burgin	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Reynolds	
Mr Dickinson	Mr Leigh	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Tanner	Mr Steggall
(<i>Gippsland East</i>)	Mr McNamara	Mr Templeton	Mr Williams

And so it was resolved in the affirmative.

No. 9—Question—That the Chairman report to the House that the Committee has gone through the Bill and agreed to the same with amendments—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 35

Mr Cain	Mr Hassett	Mr Newton	Mr Spyker
Miss Callister	Mr Hill	Mr Norris	Mr Stirling
Mr Cathie	Mr Hockley	Mrs Ray	Mrs Toner
Mr Culpin	Mr Ihlein	Mr Remington	Mr Walsh
Mr Ernst	Mr Kennedy	Mr Seitz	
Mr Fogarty	Mr Kirkwood	Mrs Setches	<i>Tellers</i>
Mr Fordham	Mr McCutcheon	Mr Sheehan	Mr Micallef
Mr Gavin	Mr McDonald	(<i>Ballarat South</i>)	Mr Sheehan
Mr Gray	Mr Mathews	Mr Shell	(<i>Ivanhoe</i>)
Mr Harrowfield	Mr Miller	Mr Simmonds	

NOES, 24

Mr Austin	Mr Hann	Mr Maclellan	Mr Wallace
Mr Burgin	Mr Jasper	Mr Ramsay	Mr Whiting
Mr Delzoppo	Mr Kennett	Mr Reynolds	
Mr Dickinson	Mr Leigh	Mr Ross-Edwards	
Mr Ebery	Mr Lieberman	Mrs Sibree	<i>Tellers</i>
Mr Evans	Mr McGrath	Mr Tanner	Mr Steggall
(<i>Gippsland East</i>)	Mr McNamara	Mr Templeton	Mr Williams

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 40

Wednesday, 31 October 1984

No. 1—MEDICAL PRACTITIONERS (FURTHER AMENDMENT) BILL—Clause 7.

For sub-section (1) of section 27A there shall be substituted the following sub-section:

“(1) Where a person—

(a) applies for registration under section 20; or

(b) is or has been qualified to practise medicine or surgery in a country other than a country referred to in section 19, and the Health Commission advises the Board that it is satisfied that there is a special need for the provision to a particular ethnic community of medical services of a nature which that person would provide—

the Board may issue a certificate of registration subject to such limitations and restrictions upon the practice of medicine or surgery by that person and to such other conditions as the Board in a particular case specifies in the certificate.”

—(Mr Roper)

Question—That clause 7 stand part of the Bill—put.

Committee divided.

(Temporary Chairman—Mr Kirkwood)

AYES, 52

Mr Austin	Mr Harrowfield	Mr Norris	Mrs Sibree
Mr Brown	Mr Hassett	Mr Pope	Mr Simpson
Mr Burgin	Mrs Hill	Mr Remington	Mr Spyker
Miss Callister	Mr Hill	Mr Reynolds	Mr Stirling
Mr Cathie	Mr Hockley	Mr Richardson	Mr Tanner
Dr Coghill	Mr Ihlein	Mr Roper	Mr Templeton
Mr Culpin	Mr Jolly	Mr Rowe	Mrs Toner
Mr Delzoppo	Mr Jona	Mr Seitz	Dr Vaughan
Mr Dickinson	Mr Kennedy	Mrs Setches	Mr Walsh
Mr Ebery	Mr Leigh	Mr Sheehan	Mr Williams
Mr Ernst	Mr McCutcheon	(<i>Ivanhoe</i>)	
Mr Fogarty	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Fordham	Mr Miller	(<i>Ballarat South</i>)	Mr Kempton
Mr Gray	Mr Newton	Mr Shell	Mr Micallef

NOES, 9

Mr Evans	Mr Jasper	Mr Wallace	<i>Tellers</i>
(<i>Gippsland East</i>)	Mr McNamara	Mr Whiting	Mr McGrath
Mr Hann	Mr Ross-Edwards		Mr Steggall

And so it was resolved in the affirmative.

Friday, 2 November 1984

No. 2—INFERTILITY (MEDICAL PROCEDURES) BILL—Clause 3.

In this Act unless the contrary intention appears—

“**Approved counsellor**” means approved counsellor within the meaning of section 9 (4).

“**Approved hospital**” means a scheduled hospital or a private hospital that is for the time being approved under section 7 as a place at which one or more relevant procedures or the procedure of artificial insemination may be carried out.

“**Committee**” in relation to a scheduled hospital means the committee of management or board of directors or governing body of the scheduled hospital.

“**Designated officer**” in relation to a hospital means—

- (a) a person for the time being appointed under section 8 to be a designated officer for that hospital; or
- (b) where at any time, in relation to a hospital, there is no such person, the medical superintendent or, if there is no medical superintendent, the principal executive officer of the hospital or, while the medical superintendent or principal executive officer, as the case may be, is absent from or not on duty at the hospital, a person acting in the place of the medical superintendent or principal executive officer.

“**Fertilization procedure**” means—

- (a) a relevant procedure; or
- (b) any other procedure (other than the procedure of artificial insemination) for implanting in the body of a woman—
 - (i) an ovum produced by that woman or by another woman, whether or not it is fertilized outside the body of the first-mentioned woman; or
 - (ii) an embryo derived from an ovum produced by that woman or by another woman whether or not it is fertilized outside the body of the first-mentioned woman.

“**Prescribed**” means prescribed by this Act or the regulations.

“**Private hospital**” means a hospital registered under Division 3 of Part X. of the *Health Act* 1958 and classed by the Health Commission as a hospital.

“**Proprietor**” in relation to a private hospital includes the owner, the occupier or any person having the management or control of the private hospital.

“**Relevant procedure**” means a procedure to which section 10, 11, 12 or 13 applies.

“**Scheduled hospital**” has the same meaning as in the *Hospitals and Charities Act* 1958.

—(Mr Roper)

Amendment proposed—That the expression “(1)” be inserted at the beginning of the clause.

—(Mr Roper)

Question—That the expression proposed to be inserted be so inserted—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Mr Cain	Mr Harrowfield	Mr Newton	Mr Spyker
Miss Callister	Mr Hassett	Mr Pope	Mr Stirling
Mr Cathie	Mrs Hill	Mr Remington	Mrs Toner
Dr Coghill	Mr Hockley	Mr Roper	Mr Trezise
Mr Crabb	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Culpin	Mr Jolly	Mr Seitz	Mr Walsh
Mr Ernst	Mr Kirkwood	Mrs Setches	Mr Wilkes
Mr Fogarty	Mr McCutcheon	Mr Sheehan	
Mr Fordham	Mr McDonald	(<i>Ivanhoe</i>)	<i>Tellers</i>
Mr Gavin	Mr Micallef	Mr Shell	Mr Norris
Mr Gray	Mr Miller	Mr Simpson	Mrs Ray

NOES, 18

Mr Burgin	Mr Jona	Mr Maclellan	Mr Williams
Mr Delzoppo	Mr Kempton	Mr Richardson	
Mr Dickinson	Mr Kennett	Mr Ross-Edwards	<i>Tellers</i>
Mr Hann	Mr Leigh	Mr Templeton	Mr McNamara
Mr Jasper	Mr Lieberman	Mr Whiting	Mr Tanner

And so it was resolved in the affirmative.

No. 3—Clause 3—Further amendment proposed—That the expression “11, 12 or 13” in the interpretation of “**Relevant procedure**” be omitted.

—(Mr McNamara)

Question—That the expression proposed to be omitted stand part of the clause—put.

There not being two tellers for the “Noes”, the Chairman of Committees declared that the question was resolved in the affirmative, with Mr McNamara dissenting.

No. 4—Clause 6.

- (1) A person shall not carry out a prohibited procedure.
- (2) In sub-section (1), “**prohibited procedure**” means—
 - (a) cloning; or
 - (b) a procedure under which the gametes of a man or a women are fertilized by the gametes of an animal.

Penalty: 100 penalty units or imprisonment for four years.

(3) A person shall not carry out an experimental procedure other than an experimental procedure approved by the Standing Review and Advisory Committee.

(4) In sub-section (3), “**experimental procedure**” means a procedure that involves carrying out research on an embryo of a kind that would cause damage to the embryo, would make the embryo unfit for implantation or would reduce the prospects of a pregnancy resulting from the implantation of the embryo.

Penalty: 100 penalty units or imprisonment for four years.

(5) Where ova are removed from the body of a woman, a person shall not cause or permit those ova to be fertilized outside the body of the woman except for the purposes of the implantation of embryos derived from those ova in the womb of that woman or another woman in a relevant procedure in accordance with this Act.

Penalty: 100 penalty units or imprisonment for four years.

(6) A person shall not carry out a procedure that involves freezing an embryo.

Penalty: 100 penalty units or imprisonment for four years.

(7) Sub-section (6) does not apply to a procedure carried out in an approved hospital that involves freezing an embryo if that procedure is carried out for the purposes of enabling the embryo to be implanted in the womb of a woman at a later date.

(8) Nothing in this Act prevents or inhibits the carrying out in an approved hospital of research on, and the development of techniques for, freezing or otherwise storing ova removed from the body of a woman.

—(Mr Roper)

Amendment proposed—That the words “other than an experimental procedure approved by the Standing Review and Advisory Committee” in sub-clause (3) be omitted.

—(Mr Whiting)

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

Committee divided.

(Chairman—Mr Wilton)

AYES, 41

Mr Burgin	Mr Hockley	Mr Newton	Mrs Sibree
Miss Callister	Mr Ihlein	Mr Norris	Mr Simpson
Dr Coghill	Mr Jolly	Mr Pope	Mr Stirling
Mr Ernst	Mr Jona	Mrs Ray	Mrs Toner
Mr Fogarty	Mr Kirkwood	Mr Remington	Dr Vaughan
Mr Fordham	Mr Leigh	Mr Roper	Mr Wilkes
Mr Gavin	Mr Lieberman	Mr Rowe	Mr Williams
Mr Gray	Mr McCutcheon	Mr Seitz	
Mr Harrowfield	Mr McDonald	Mr Sheehan	<i>Tellers</i>
Mr Hassett	Mr Micallef	(<i>Ivanhoe</i>)	Mr Hill
Mrs Hill	Mr Miller	Mr Shell	Mr Kempton

NOES, 4

Mr Hann	<i>Tellers</i>
Mr Whiting	Mr Jasper
	Mr McNamara

And so it was resolved in the affirmative.

No. 5—Clause 6.

Further amendment proposed—That the words “an embryo of a kind that would cause damage to the embryo, would make the embryo unfit for implantation or would reduce the prospects of a pregnancy resulting from the implantation of the embryo” in sub-clause (4) be omitted with the view of inserting in place thereof the words “embryos but does not include a procedure carried out solely for the purpose of examination of an embryo in connexion with a relevant procedure, being an examination that is in the interests of the woman in relation to whom the relevant procedure is to be carried out, her husband or a child born as a result of the carrying out of the procedure”.

—(Mr Whiting)

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

Committee divided.

(Chairman—Mr Wilton)

AYES, 39

Mr Burgin	Mr Hockley	Mr Newton	Mrs Toner
Miss Callister	Mr Ihlein	Mr Norris	Dr Vaughan
Dr Coghill	Mr Jolly	Mr Pope	Mr Walsh
Mr Ernst	Mr Jona	Mr Remington	Mr Wilkes
Mr Fogarty	Mr Kirkwood	Mr Roper	Mr Williams
Mr Fordham	Mr Leigh	Mr Rowe	
Mr Gavin	Mr Lieberman	Mr Seitz	
Mr Gray	Mr McCutcheon	Mr Sheehan	<i>Tellers</i>
Mr Harrowfield	Mr McDonald	(<i>Ivanhoe</i>)	Mr Hill
Mr Hassett	Mr Micallef	Mr Shell	Mr Kempton
Mrs Hill	Mr Miller	Mr Simpson	

NOES, 4

Mr Hann	<i>Tellers</i>
Mr Whiting	Mr Jasper
	Mr McNamara

And so it was resolved in the affirmative.

No. 6—Clause 6.

Further amendment proposed—That the expression “, a person shall not cause or permit those ova to be fertilized outside the body of the woman except for the purposes of the implantation of embryos derived from those ova in the womb of that woman or another woman in a relevant procedure in accordance with this Act” in sub-clause (5) be omitted with the view of inserting in place thereof the words “for the purposes of a relevant procedure, a person shall not cause or permit a number of those ova to be fertilized outside the body of that woman that is greater than the number of ova that are to be implanted in the womb of that woman or another woman in that relevant procedure.”

—(*Mr Whiting*)

Question—That the expression proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 37

Mr Burgin	Mr Hockley	Mr Miller	Mr Simpson
Miss Callister	Mr Ihlein	Mr Newton	Mr Stirling
Dr Coghill	Mr Jolly	Mr Norris	Mr Templeton
Mr Ernst	Mr Jona	Mr Remington	Mrs Toner
Mr Fogarty	Mr Kempton	Mr Roper	Dr Vaughan
Mr Fordham	Mr Kirkwood	Mr Rowe	
Mr Gavin	Mr Leigh	Mr Saltmarsh	<i>Tellers</i>
Mr Hassett	Mr Lieberman	Mr Seitz	Mr Sheehan
Mrs Hill	Mr McCutcheon	Mrs Setches	(<i>Ivanhoe</i>)
Mr Hill	Mr McDonald	Mr Shell	Mr Williams

NOES, 4

Mr Hann	<i>Tellers</i>
Mr Whiting	Mr Jasper
	Mr McNamara

And so it was resolved in the affirmative.

No. 7—Clause 6.

Further amendment proposed—That the word “date” in sub-clause (7) be omitted with the view of inserting in place thereof the expression “time where, for medical reasons, the woman cannot receive the implantation immediately”.

—(*Mr Whiting*)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 39

Mr Burgin	Mrs Hill	Mr Miller	Mr Templeton
Mr Cain	Mr Hill	Mr Newton	Mrs Toner
Miss Callister	Mr Hockley	Mr Norris	Dr Vaughan
Dr Coghill	Mr Ihlein	Mr Pope	Mr Walsh
Mr Ernst	Mr Jona	Mr Remington	
Mr Fogarty	Mr Kempton	Mr Roper	
Mr Fordham	Mr Kirkwood	Mr Rowe	
Mr Gavin	Mr Leigh	Mr Seitz	<i>Tellers</i>
Mr Gray	Mr Lieberman	Mrs Setches	Mr Sheehan
Mr Harrowfield	Mr McCutcheon	Mr Shell	(<i>Ivanhoe</i>)
Mr Hassett	Mr McDonald	Mr Stirling	Mr Williams

NOES, 4

Mr Hann	<i>Tellers</i>
Mr Whiting	Mr Jasper
	Mr McNamara

And so it was resolved in the affirmative.

No. 8—EDUCATION (AMENDMENT) BILL (No. 2)—Clause 11.

(1) In section 42 of the Principal Act, for sub-section (1) there shall be substituted the following sub-sections:

Registration of schools and approval for opening of schools.

“(1) Every school shall be registered in the register of schools as a primary school, secondary school or special school, or as a school which is a combination of all or any two of such schools.

(1A) For the purposes of registering a school as a secondary school, the Board shall determine the year levels for which the school shall be registered.

(1B) The proprietor or head teacher of every school shall at least six months before the opening of the school make application in the prescribed form for approval to open the school.

(1C) No school shall be opened if the Board has refused approval for its opening.

(1D) If the Board has refused to grant approval for the opening of a school, the proprietor or head teacher of the school may apply in writing to the Minister who may grant or refuse to grant approval for the opening of the school, and where the Minister grants that approval the school may be opened.”

(2) In sub-section (3) of section 42 of the Principal Act—

(a) in paragraph (a), the word “or” between sub-paragraphs (i) and (ii) shall be repealed;

(b) in paragraph (a), after sub-paragraph (ii) there shall be inserted the following expression and sub-paragraph:

“or

(iii) the premises at which the school is to be conducted do not comply with the provisions of the *Health Act* 1958 or any regulations under that Act or that the premises are otherwise unsatisfactory as regards drainage, light or ventilation or sanitary or other conveniences or the safety of pupils.”; and

(c) in paragraph (b), for the words “special subject” there shall be substituted the words “single subject or in relation to any bilingual education programme approved by the Board”.

—(Mr Fordham)

Question—That clause 11 stand part of the Bill—put.

Committee divided.

(Chairman—Mr Wilton)

AYES, 47

Mr Burgin	Mr Hockley	Mr Norris	Mr Simpson
Miss Callister	Mr Ihlein	Mr Pope	Mr Stirling
Dr Coghill	Mr Jolly	Mr Remington	Mr Templeton
Mr Culpin	Mr Jona	Mr Richardson	Mrs Toner
Mr Ernst	Mr Kempton	Mr Rowe	Dr Vaughan
Mr Fogarty	Mr Kirkwood	Mr Saltmarsh	Mr Walsh
Mr Fordham	Mr Leigh	Mr Seitz	Mr Williams
Mr Gavin	Mr Lieberman	Mrs Setches	
Mr Gray	Mr McCutcheon	Mr Sheehan	
Mr Harrowfield	Mr McDonald	(<i>Ivanhoe</i>)	
Mr Hassett	Mr Maclellan	Mr Shell	<i>Tellers</i>
Mrs Hill	Mr Miller	Mrs Sibree	Mr Micallef
Mr Hill	Mr Newton	Mr Simmonds	Mr Tanner

NOES, 4

Mr Hann	<i>Tellers</i>
Mr McNamara	Mr Jasper
	Mr Whiting

And so it was resolved in the affirmative.

No. 9—Clause 19.

In section 11 of the *Education (Amendment) Act 1983*—

(a) for sub-sections (2), (3) and (4) there shall be substituted the following sub-sections:

‘(2) After section 42 (3) of the Principal Act there shall be inserted the following sub-sections:

“(4) The Board shall not register a secondary school unless the average enrolment for the year levels for which the school is to be registered is ten or more.

(5) Notwithstanding the provisions of section 35, where a primary school in a rural area or a special school has an enrolment of more than ten but less than twenty persons of not less than six nor more than eighteen years of age the Board may register that school under this Part.

(6) Where a school has been registered pursuant to sub-section (5), the provisions of this Part shall apply to and in relation to that school in all respects as if that school were a school within the meaning of section 35.”

(3) In section 43 (1) of the Principal Act, for the expression “(1) The” there shall be substituted the expression “(1) Subject to sub-section (1A), the”.

(4) After section 43 (1) of the Principal Act there shall be inserted the following sub-section:

“(1A) The Board shall not cancel the registration of any school by reason only that—

(a) where the school is a primary school in a rural area or a special school the enrolment is less than the minimum prescribed by section 42 (5);

(b) in any other school the enrolment is less than the minimum prescribed by section 35; or

(c) where the school is a secondary school the average enrolment for the year levels for which the school is registered is less than the minimum prescribed by section 42 (4)—

where the Board is satisfied that the low enrolment is the result of special circumstances of a temporary nature.”;’;

(b) sub-sections (5) to (13) shall be repealed;

(c) for sub-section (14) there shall be substituted the following sub-section:

“(14) On and from the commencement of this section, all schools registered under Part III. of the Principal Act immediately before that commencement shall continue subject to the Principal Act as amended by this section to be registered.”;

(d) sub-section (17) shall be repealed;

(e) for sub-section (18) there shall be substituted the following sub-section:

“(18) Where any school was immediately before the commencement of the *Education (Amendment) Act 1984* registered under Part III. of the Principal Act as a technical school, section 42 (4) of the Principal Act as amended by this Act shall not apply to that school.”;

and

(f) sub-section (19) shall be repealed.

—(Mr Fordham)

Amendment proposed—That the word “ten” in proposed new sub-section (2) in paragraph (a) be omitted with the view of inserting in place thereof the word “five”.

—(Mr Hann)

Question—That the word proposed to be omitted stand part of the clause—put.
Committee divided.

(Chairman—Mr Wilton)

AYES, 38

Mr Cain	Mr Harrowfield	Mr Miller	Mr Shell
Miss Callister	Mr Hassett	Mr Newton	Mr Simmonds
Dr Coghill	Mrs Hill	Mr Norris	Mr Simpson
Mr Crabb	Mr Hill	Mr Pope	Mr Stirling
Mr Culpin	Mr Hockley	Mr Roper	Mrs Toner
Mr Ernst	Mr Ihlein	Mr Rowe	Dr Vaughan
Mr Fogarty	Mr Jolly	Mr Seitz	Mr Walsh
Mr Fordham	Mr Kirkwood	Mrs Setches	<i>Tellers</i>
Mr Gavin	Mr McDonald	Mr Sheehan	Mr McCutcheon
Mr Gray	Mr Micallef	(<i>Ivanhoe</i>)	Mr Remington

NOES, 17

Mr Burgin	Mr Kempton	Mr Saltmarsh	
Mr Dickinson	Mr Lieberman	Mr Tanner	
Mr Hann	Mr Maclellan	Mr Templeton	<i>Tellers</i>
Mr Jasper	Mr Richardson	Mr Whiting	Mr Leigh
Mr Jona	Mr Ross-Edwards	Mr Williams	Mr McNamara

And so it was resolved in the affirmative.

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTINGOF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA*To choose*

- (1) Three Members to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences
 - (2) Two Members to be recommended for appointment to the Council of the Deakin University
 - (3) Two Members to be recommended for appointment to the Council of the La Trobe University
 - (4) Two Members to be recommended for appointment to the Council of the Monash University
- and
- (5) Two Members to be recommended for appointment to the Council of the Victorian Institute of Secondary Education

30 June 1982

Held in accordance with the provisions of section 7 of the Victorian Institute of Marine Sciences Act 1974 (No. 8607), section 7 of the Deakin University Act 1974 (No. 8610), section 15 of the La Trobe University Act 1964 (No. 7189), section 7 of the Monash University Act 1958 (No. 6184) and section 5 of the Victorian Institute of Secondary Education Act 1976 (No. 8904)

MELBOURNE
F. D. ATKINSON, GOVERNMENT PRINTER
1982

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 30 June 1982

The Members of the Legislative Council and the Members of the Legislative Assembly having, pursuant to resolutions of the two Houses, assembled in the Legislative Assembly Chamber—

1 ELECTION OF PRESIDENT—The Premier, the Honourable John Cain, M.P., moved—
That the Honourable C. T. Edmunds, M.P., Speaker of the Legislative Assembly, be appointed President of this Joint Sitting; which motion, being seconded by the Leader of the Opposition, the Honourable L. H. S. Thompson, C.M.G., M.P., was resolved in the affirmative.

The Honourable C. T. Edmunds, 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 of the *Victorian Institute of Marine Sciences Act 1974*, section 7 of the *Deakin University Act 1974*, section 15 of the *La Trobe University Act 1964*, section 7 of the *Monash University Act 1958* and section 5 of the *Victorian Institute of Secondary Education Act 1976* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the Sitting. Accordingly, the Honourable John Cain, 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 Members/a Member to be recommended for appointment to the.....
(as the case may be) and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.

3 If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.

4 If more than the required number of Members is proposed and seconded in respect of the vacancies, the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.

- 5 In the ballot for the vacancies on each governing body, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked his ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
- 6 The President shall appoint three Members to be scrutineers, who, with the Clerks shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In the case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots shall determine which of such Members shall be duly chosen to be recommended for appointment.
- 7 No informal vote shall be taken into account.
- 8 The President shall be entitled to a vote.
- 9 As soon as a ballot has been concluded the President shall declare:
 "That.....have/has been
 chosen to be recommended for appointment to.....
(as the case may be)."
- 10 The President shall advise the Minister of Education of the Members chosen to be recommended for appointment to the respective governing bodies.
- 11 The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliament of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable L. H. S. Thompson, C.M.G., M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE VICTORIAN INSTITUTE OF MARINE SCIENCES—The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honourable Members with regard to three Members to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences.

The Honourable John Cain, M.P. proposed Bruce James Evans, Esquire, M.P., The Honourable William Vasey Houghton, M.L.C., and Gordon Francis Stirling, Esquire, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by the Honourable L. H. S. Thompson, C.M.G., M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that Bruce James Evans, Esquire, M.P., The Honourable William Vasey Houghton, M.L.C., and Gordon Francis Stirling, Esquire, M.P., had been chosen to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences.

- 4 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE DEAKIN UNIVERSITY—The President announced that he was now prepared to receive proposals from Honourable Members with regard to two Members to be recommended for appointment to the Council of the Deakin University.

The Honourable John Cain, M.P. proposed the Honourable Clive Bubb, M.L.C., and the Honourable David Ernest Henshaw, M.B.E., M.L.C., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by the Honourable L. H. S. Thompson, C.M.G., M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honourable Clive Bubb, M.L.C., and the Honourable David Ernest Henshaw, M.B.E., M.L.C., had been chosen to be recommended for appointment to the Council of the Deakin University.

- 5 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE LA TROBE UNIVERSITY—The President announced that he was now prepared to receive proposals from Honourable Members with regard to two Members to be recommended for appointment to the Council of the La Trobe University.

The Honourable John Cain, M.P. proposed Carl William Dunn Kirkwood, Esquire, M.P., and Donald Neville Saltmarsh, Esquire, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by the Honourable L. H. S. Thompson, C.M.G., M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that Carl William Dunn Kirkwood, Esquire, M.P., and Donald Neville Saltmarsh, Esquire, M.P., had been chosen to be recommended for appointment to the Council of the La Trobe University.

- 6 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE MONASH UNIVERSITY—The President announced that he was now prepared to receive proposals from Honourable Members with regard to two Members to be recommended for appointment to the Council of the Monash University.

The Honourable John Cain, M.P. proposed the Honourable William Robert Baxter, M.L.C., and Dr Gerard Marshall Vaughan, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by the Honourable L. H. S. Thompson, C.M.G., M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honourable William Robert Baxter, M.L.C., and Dr Gerard Marshall Vaughan, M.P., had been chosen to be recommended for appointment to the Council of the Monash University.

- 7 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE VICTORIAN INSTITUTE OF SECONDARY EDUCATION—The President announced that he was now prepared to receive proposals from Honourable Members with regard to two Members to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

The Honourable John Cain, M.P. proposed the Honourable Joan Elizabeth Kirner, M.L.C., and John Ingles Richardson, Esquire, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by the Honourable L. H. S. Thompson, C.M.G., M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honourable Joan Elizabeth Kirner, M.L.C., and John Ingles Richardson, Esquire, M.P., had been chosen to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

- 8 VOTE OF THANKS TO THE PRESIDENT—The Honourable John Cain, M.P., moved a vote of thanks to the President, which motion was seconded by the Honourable L. H. S. Thompson, C.M.G., M.P., and carried unanimously.

The President, having returned thanks, declared the Joint Sitting closed.

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

J. H. CAMPBELL
Clerk of the Legislative Assembly

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

To choose

Three Members to be recommended for appointment to the
Council of the La Trobe University

23 March 1983

*Held in accordance with the provisions of section 7 of the La Trobe University Act 1964
(No. 7189)*

MELBOURNE
F. D. ATKINSON, GOVERNMENT PRINTER
1982-83

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 23 March 1983

The Members of the Legislative Council and the Members of the Legislative Assembly having, pursuant to resolutions of the two Houses, assembled in the Legislative Assembly Chamber—

- 1 ELECTION OF PRESIDENT—The Premier, the Honourable John Cain, M.P., moved—That the Honourable Frederick Sheppard Grimwade, M.L.C., President of the Legislative Council, be appointed President of this Joint Sitting; which motion, being seconded by the Leader of the Opposition, the Honourable J. G. Kennett, M.P., was resolved in the affirmative.

The Honourable F. S. Grimwade, 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 of the *La Trobe University Act 1964* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the Sitting. Accordingly, the Honourable John Cain, 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 Members/a Member to be recommended for appointment to the.....
(as the case may be) and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
- 3 If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.

- 4 If more than the required number of Members is proposed and seconded in respect of the vacancies, the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.
- 5 In the ballot for the vacancies on each governing body, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked 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/has been chosen to be recommended for appointment to
 (as the case may be)."
- 10 The President shall advise the responsible Minister(s) of the Members chosen to be recommended for appointment to the respective governing bodies.
- 11 The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable J. G. Kennett, M.P., seconded the motion

Question—put and resolved in the affirmative.

- 3 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE LA TROBE UNIVERSITY—The President announced that the rules having been adopted he was now prepared to receive proposals from Honourable Members with regard to three Members to be recommended for appointment to the Council of the La Trobe University.

The Honourable John Cain, M.P. proposed Carl Kirkwood, Esquire, M.P., Donald Neville Saltmarsh, Esquire, M.P., and Milton Stanley Whiting, Esquire, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that Carl Kirkwood, Esquire, M.P., Donald Neville Saltmarsh, Esquire, M.P., and Milton Stanley Whiting, Esquire, M.P. had been chosen to be recommended for appointment to the Council of the La Trobe University.

- 4 The President declared the Joint Sitting closed.

A. R. B. McDONNELL
Clerk of the Legislative Council
 J. H. CAMPBELL
Clerk of the Legislative Assembly

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

To choose a Member to be recommended for appointment to the
Council of the Victorian Institute of Secondary Education

25 May 1983

*Held in accordance with the provisions of section 5 of the Victorian Institute of
Secondary Education Act 1976 (No. 8904)*

F. D. ATKINSON, GOVERNMENT PRINTER
MELBOURNE
1983

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 25 May 1983

The Members of the Legislative Council and the Members of the Legislative Assembly having, pursuant to resolutions of the two Houses, assembled in the Legislative Assembly Chamber—

- 1 ELECTION OF PRESIDENT—The Deputy Premier, the Honourable R. C. Fordham, M.P., moved—That the Honourable C. T. Edmunds, M.P., Speaker of the Legislative Assembly, be appointed President of this Joint Sitting; which motion, being seconded by J. I. Richardson, Esquire, M.P., was resolved in the affirmative.

The Honourable C. T. Edmunds, 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 5 of the the *Victorian Institute of Secondary Education Act 1976* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the Sitting. Accordingly, the 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 Members/a Member to be recommended for appointment to the..... (as the case may be) and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
- 3 If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.
- 4 If more than the required number of Members is proposed and seconded in respect of the vacancies, the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.
- 5 In the ballot for the vacancies on each governing body, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for

appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked his ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.

6 The President shall appoint three Members to be scrutineers, who, with the Clerks shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In the case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots shall determine which of such Members shall be duly chosen to be recommended for appointment.

7 No informal vote shall be taken into account.

8 The President shall be entitled to a vote.

9 As soon as a ballot has been concluded the President shall declare:

“That.....have/has been
chosen to be recommended for appointment to.....
.....(as the case may be).”

10 The President shall advise the Minister of Education of the Members chosen to be recommended for appointment to the respective governing bodies.

11 The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

J. I. Richardson, Esquire, M.P. seconded the motion.

Question—put and resolved in the affirmative.

3 MEMBER PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE VICTORIAN INSTITUTE OF SECONDARY EDUCATION—The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

The Honourable R. C. Fordham, M.P., proposed the Honourable Walter Jona, M.P., for recommendation for appointment to the Council, and stated that he was willing to be recommended, if chosen, which proposal was seconded by J. I. Richardson, Esquire, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honourable Walter Jona, M.P., had been chosen to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

4 The President declared the Joint Sitting closed.

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

J. H. CAMPBELL
Clerk of the Legislative Assembly

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

To choose

Three Members to be recommended for appointment to the
Council of the Monash University

24 November 1983

*Held in accordance with the provisions of section 7 of the
Monash University Act 1958 (No. 6184)*

MELBOURNE
F D ATKINSON GOVERNMENT PRINTER
1984

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Thursday, 24 November 1983

The Members of the Legislative Council and the Members of the Legislative Assembly having, pursuant to resolutions of the two Houses, assembled in the Legislative Assembly Chamber—

1 ELECTION OF PRESIDENT—The Premier, the Honourable John Cain, M.P., moved—
That the Honourable F. S. Grimwade, M.L.C., President of the Legislative Council, be appointed President of this Joint Sitting; which motion, being seconded by the Leader of the Opposition, the Honourable J. G. Kennett M.P., was resolved in the affirmative.

The Honourable F. S. Grimwade, 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 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 John Cain, 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 Members/a member to be recommended for appointment to the.....
(as the case may be) and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
- 3 If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.
- 4 If more than the required number of Members is proposed and seconded in respect of the vacancies, the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.
- 5 In the ballot for the vacancies on each governing body, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the

Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked his ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.

6 The President shall appoint three Members to be scrutineers, who, with the Clerks shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In the case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots shall determine which of such Members shall be duly chosen to be recommended for appointment.

7 No informal vote shall be taken into account.

8 The President shall be entitled to a vote.

9 As soon as a ballot has been concluded the President shall declare:

“That.....have/has been
chosen to be recommended for appointment to.....
.....(as the case may be)”

10 The President shall advise the Minister(s) of the Members chosen to be recommended for appointment to the respective governing bodies.

11 The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable J. G. Kennett, M.P., seconded the motion.

Question—put and resolved in the affirmative.

3 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE MONASH UNIVERSITY—The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honourable Members with regard to three Members to be recommended for appointment to the Council of the Monash University.

The Honourable John Cain, M.P. proposed the Honourable William Robert Baxter, M.L.C., the Honourable James Vincent Chester Guest M.L.C., and Dr Gerard Marshall Vaughan, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honourable William Robert Baxter, M.L.C., the Honourable James Vincent Chester Guest, M.L.C., and Dr Gerard Marshall Vaughan, M.P., had been chosen to be recommended for appointment to the Council of the Monash University.

4 The President declared the Joint Sitting closed.

R. K. EVANS
Clerk of the Legislative Council

J. H. CAMPBELL
Clerk of the Legislative Assembly

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

To choose

- (1) A Member to be recommended for appointment to the Council of the Deakin University
- (2) A Member to be recommended for appointment to the Council of the Monash University
- and
- (3) Three Members to be recommended for appointment to the Council of the Victorian Institute of Secondary Education

1 November 1984

Held in accordance with the provisions of section 7 of the Deakin University Act 1974 (No. 8610), section 7 of the Monash University Act 1958 (No. 6184) and section 5 of the Victorian Institute of Secondary Education Act 1976 (No. 8904)

MELBOURNE
F. D. ATKINSON, GOVERNMENT PRINTER
1984

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Thursday, 1 November 1984

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 Deputy Premier, the Honourable R. C. Fordham, M.P., moved—That the Honourable C. T. Edmunds, M.P., Speaker of the Legislative Assembly, be appointed President of this Joint Sitting; which motion, being seconded by the Leader of the Opposition, the Honourable J. G. Kennett, M.P., was resolved in the affirmative.

The Honourable C. T. Edmunds, 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 of the *Deakin University Act 1974*, section 7 of the *Monash University Act 1958* and section 5 of the *Victorian Institute of Secondary Education Act 1976* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the 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 Members/a Member to be recommended for appointment to the.....
(as the case may be) and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
 - 3 If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.
 - 4 If more than the required number of Members is proposed and seconded in respect of the vacancies, the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.
 - 5 In the ballot for the vacancies on each governing body, the President shall announce the names of the Members proposed and shall cause each Member

present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked his ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.

6 The President shall appoint three Members to be scrutineers, who, with the Clerks shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In the case of doubt arising through two or more Members having an equality of votes the scrutineers, by drawing lots, shall determine which of such Members shall be duly chosen to be recommended for appointment.

7 No informal vote shall be taken into account.

8 The President shall be entitled to a vote.

9 As soon as a ballot has been concluded the President shall declare:

“That have/has been
chosen to be recommended for appointment to
..... (as the case may be).”

10 The President shall advise the Minister of Education of the Members chosen to be recommended for appointment to the respective governing bodies.

11 The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable J. G. Kennett, M.P., seconded the motion.

Question—put and resolved in the affirmative.

3 **COUNCIL OF THE DEAKIN UNIVERSITY**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the Deakin University.

The Honourable R. C. Fordham, M.P. proposed Harley Rivers Dickinson, Esquire, M.P. for recommendation for appointment to the Council, and stated that he was willing to be recommended, if chosen; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Harley Rivers Dickinson, Esquire, M.P. had been chosen to be recommended for appointment to the Council of the Deakin University.

4 **COUNCIL OF THE MONASH UNIVERSITY**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the Monash University.

The Honourable R. C. Fordham, M.P. proposed Edward James Hann, Esquire, M.P. for recommendation for appointment to the Council, and stated that he was willing to be recommended, if chosen; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Edward James Hann, Esquire, M.P. had been chosen to be recommended for appointment to the Council of the Monash University.

5 COUNCIL OF THE VICTORIAN INSTITUTE OF SECONDARY EDUCATION—The President announced that he was now prepared to receive proposals from Honourable Members with regard to three Members to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

The Honourable R. C. Fordham, M.P. proposed the Honourables Bernard Phillip Dunn, M.L.C., Walter Jona, M.P., and Joan Elizabeth Kirner, M.L.C. for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen; which proposal was seconded by the Honourable J. G. Kennett, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourables Bernard Phillip Dunn, M.L.C., Walter Jona, M.P., and Joan Elizabeth Kirner, M.L.C., had been chosen to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

The President declared the Joint Sitting closed.

R. K. EVANS

Clerk of the Legislative Council

J. H. CAMPBELL

Clerk of the Legislative Assembly

