

CLOSER SETTLEMENT AND PUBLIC RESERVES FUND (AMENDMENT) BILL

FIRST READING

Bill received from the Legislative Assembly and, on motions by the Hon. J. B. M. Fuller, read a first time and ordered to be printed.

HOUSING INDEMNITIES (AMENDMENT) BILL

FIRST READING

Bill received from the Legislative Assembly and, on motions by the Hon. F. M. Hewitt, read a first time and ordered to be printed.

NEWCASTLE GAS COMPANY LIMITED BILL

FIRST READING

Bill received from the Legislative Assembly and, on motions by the Hon. J. B. M. Fuller, read a first time and ordered to be printed.

PLANT DISEASES (AMENDMENT) BILL

FIRST READING

Bill received from the Legislative Assembly and, on motions by the Hon. J. B. M. Fuller, read a first time and ordered to be printed.

PORT KEMBLA (FURTHER DEVELOPMENT) BILL

FIRST READING

Bill received from the Legislative Assembly and, on motions by the Hon. J. B. M. Fuller, read a first time and ordered to be printed.

PUBLIC TRUSTS AND OTHER ACTS (AMENDMENT) BILL

FIRST READING

Bill received from the Legislative Assembly and, on motions by the Hon. J. B. M. Fuller, read a first time and ordered to be printed.

SECOND-HAND DEALERS AND COLLECTORS (AMENDMENT) BILL

FIRST READING

Bill received from the Legislative Assembly and, on motions by the Hon. F. M. Hewitt, read a first time and ordered to be printed.

TRUSTEES OF SHOW-GROUNDS ENABLING (AMENDMENT) BILL

FIRST READING

Bill received from the Legislative Assembly and, on motions by the Hon. J. B. M. Fuller, read a first time and ordered to be printed.

SPECIAL ADJOURNMENT

Motion (by the Hon. J. B. M. Fuller) agreed to:

That this House, at its rising today, do adjourn until Tuesday, 14th September, 1971.

House adjourned, on motion by the Hon. J. B. M. Fuller, at 5.55 p.m.

Legislative Assembly

Thursday, 26 August, 1971

Petition (Kanangra-Boyd National Park)—Questions without Notice—Sewerage: The Prince Henry Hospital (Urgency)—Housing Indemnities (Amendment) Bill (third reading)—Port Kembla (Further Development) Bill (third reading)—Second-hand Dealers and Collectors (Amendment) Bill (third reading)—Closer Settlement and Public Reserves Fund (Amendment) Bill (third reading)—Public Trusts and Other Acts (Amendment) Bill (third reading)—Trustees of Showgrounds Enabling (Amendment) Bill (third reading)—Special Adjournment—Coal Industry (Amendment) Bill (second reading)—Commercial Agents and Private Inquiry Agents (Amendment) Bill (second reading)—Plant Diseases (Amendment) Bill (third reading)—National Parks and Wildlife (Amendment) Bill (second reading)—Pay-roll Tax Bill (second reading)—Dentists (Amendment) Bill (second reading)—Adjournment (Drug Problem in Wollongong).

Mr SPEAKER (THE HON. SIR KEVIN ELLIS) took the chair at 11 a.m.

Mr SPEAKER offered the Prayer.

PETITION

KANANGRA-BOYD NATIONAL PARK

Mr COLEMAN presented a petition from certain supporters of The Colong Committee, praying that Special Lease 444 for the mining of limestone in the Colong Caves reserve be revoked and that the proposal to plant pines on the Boyd Plateau be rejected, so that these areas may be added forthwith to the Kanangra-Boyd National Park.

Petition received on motion by Mr Coleman.

QUESTIONS WITHOUT NOTICE

RURAL UNEMPLOYMENT

Mr HILLS: I ask the Premier and Treasurer whether, in answer to questions put to him by the honourable member for Castle-reagh and the honourable member for Dubbo, he intimated that the Commonwealth Government had informed him that it was not prepared to give funds for employment-giving works to mitigate the effects of the recession that is occurring in the rural industries of this State. Is it a fact that the Commonwealth Government has been severely criticized for its decision to make the maximum wool subsidy 36 cents, and not the 40 cents originally proposed?

Is it a fact also, that some four months ago a debate was initiated in this House by the Opposition suggesting that an all-party select committee of this Parliament be appointed to deal with the very serious problems facing the rural community and suggesting also that co-operation be given on all sides of the House in an attempt to overcome these problems.

Will the Premier give consideration to the offer by the Opposition to deal with this question on an all-party or non-party basis to overcome these difficulties? Is the Premier willing to discuss the question with the Opposition in an attempt to have a complete investigation into the problems that face the rural community for the purpose of bringing down answers to them?

Mr ASKIN: It is true that on behalf of my Government I made representations seeking from the Commonwealth Govern-

ment assistance to relieve unemployment in rural areas in our State. The Commonwealth Government, in replying, gave me some particulars which, frankly, surprised me. The Commonwealth said that the rural unemployment rate is certainly high in Queensland, probably higher in Victoria, and is at least as high in South Australia. However, that information is no consolation to us in New South Wales: we are concerned with what is happening to our own rural people. The Commonwealth Government takes an overall view, and considers the situation in not just one State but in all States.

The Commonwealth Government went on to say that it was dealing with the matter by way of taxation concession and assistance to the wool industry, to which the Leader of the Opposition refers. It is a fact that the wool price is to be subsidized to 36 cents a lb and that there is a strong body of opinion in rural circles that it should be at least 40 cents. On the other hand, it is also true to say that there are a lot of people, including those in other places referred to by an honourable member yesterday when asking a question about another matter, who object to a subsidy at all. Inevitably there will be varying opinions on the matter, but the New South Wales Government supports the idea of an adequate subsidy to the wool industry. I suppose it is easy to say that: we do not have to find the money.

Mr EINFELD: As citizens we do.

Mr ASKIN: That is right; the money has to come out of the public purse. This is a matter with which I have had a little personal experience. I believe that the wool industry is vital to our economy and we have to help it with a worthwhile subsidy during this difficult economic period. I am not experienced enough to say exactly what the subsidized price should be, but others have decided that it should be 36 cents a lb, and that is what we must accept. Other ways and means of helping the unemployed in rural areas are being sought.

The Leader of the Opposition referred to a request made for the appointment of a select committee some time ago. This

House has just spent three weeks debating what is known as the motion for the adoption of the Address in Reply. That debate provided adequate opportunity for honourable members to discuss a matter such as this. In fact, some honourable members did so. Two points have to be kept in mind for the immediate future before I can give a final decision on the request of the Leader of the Opposition. First, I have expressed my dissatisfaction to the Commonwealth Government over its reply to my representations, and I have asked the Prime Minister personally to reconsider the Government's attitude of not granting specific assistance to the States to relieve unemployment in rural areas. I think the position is sufficiently serious to warrant special attention by the Commonwealth. The sort of money that is required in order to give meaningful and worthwhile assistance in this can come only from Commonwealth sources: no State could deal with the matter unaided.

The second point we have to keep in mind is that the honourable member for Castlereagh has on the business paper notice of a motion he intends to move calling for certain action in regard to the rural industries, including action to deal with unemployment in country areas. I think the House should hear what he and other members have to say on that matter. When I receive a reply from the Commonwealth Government to my request for reconsideration of its decision, and when we have heard the debate on the all-embracing motion to which I have referred, I shall be in a better position to give a final answer to the question asked by the Leader of the Opposition.

PETROL TANKERS

Mr MUTTON: I ask the Minister for Transport a question without notice. Is it a fact that petrol tankers frequently stand on the road shoulders outside service stations for the purpose of refuelling underground petrol tanks? Is it a fact also that there have been in recent times at least two serious accidents involving petrol tankers and that the practice of standing tankers on the side of the road to discharge petrol

into underground tanks could be endangering life and property, particularly considering the possibility of other vehicles' running into them? Is it also a fact that no provision is made in the traffic regulations to prohibit this practice? If these are facts, will the Minister look into the possibility of introducing a regulation making it unlawful for petrol tankers to stand on a public street while discharging fuel at service stations, having regard to the availability of off-street space?

Mr MORRIS: It is true that there have been several nasty accidents involving petrol tankers in recent times, the last of which occurred on the Pacific Highway at Hornsby. Many people saw the devastation that was caused on that occasion. Fortunately, however, no death occurred as a result of these accidents. Generally, local authorities require petrol pumps to be located away from the kerbside; only a few are left in that position. In those cases it may be necessary for tankers to stand on the side of the road when they are refuelling the service station. The honourable member has raised a point that is worthy of consideration. There is merit in what he has put forward and I shall be happy to discuss the matter with the Commissioner of Motor Transport and the Commissioner of Police.

LEAGUE OF RIGHTS AND COUNTRY PARTY

Mr JACKSON: I ask the Premier and Treasurer a question concerning the infiltration into the Country Party partner in the coalition Government in this State of the extreme rightwing fascist group known as the League of Rights. Is he aware that the Queensland Premier has expressed the view that the league and the Country Party have many similar ideals and objectives?

Mr JACKETT: On a point of order. The matter being raised by the honourable member is purely argumentative.

Mr SPEAKER: Order! I would like to hear a little more of the question.

Mr JACKSON: I shall start again. My question concerns the infiltration into the Country Party partner in the coalition Government in this State by the extreme right-wing fascist group known as the League of Rights. Is the Premier and Treasurer aware that the Queensland Premier has expressed the view that the league and the Country Party have many similar ideals and objectives? Have members of the Liberal Party described the infiltration of the Country Party by this league as a matter of national concern and a most dangerous situation? In view of the fact that the Country Party forms part of the coalition government in this State, will the Premier inform the House whether he has raised this matter with the Deputy Premier and Minister for Education and Minister for Science, who is the leader of the Country Party, and whether he has taken any action to stop this growing influence, by an outside, anti-Semitic organization, on this Government?

Mr ASKIN: The honourable member knows more about this organization than I do. I have heard about it, and that is about all. What it does and what it stands for, frankly I do not know and I do not care.

[Interruption]

Mr SPEAKER: Order!

Mr ASKIN: I understand the anxiety of the Opposition to cause some embarrassment to the coalition. In this State there exists the most satisfactory arrangement and understanding between the coalition parties. It is better than anywhere else in Australia. The Opposition realizes that while these harmonious relations exist it has no chance of winning government, and that is what it does not like. As to the particular body concerned, I know very little of it, only what I have read in the press. As far as I can see, it is a body that does not amount to very much. As to its infiltrating either of the major parties in this State, the Liberal Party or the Country Party, the Opposition is probably suffering from an inferiority complex in that somebody infiltrated its ranks the other night when it managed to muster only eight votes.

WHEAT QUOTAS

Mr TAYLOR: I ask the Minister for Agriculture whether he is aware that wheat quotas have had a serious affect on share farmers in the wheat industry. Did he announce earlier this year that provisional quotas would be issued to approved share farmers? Did he announce also that these provisional quotas would apply only up to 5,000 bushels? Were the share farmers disappointed at this reduction in their quota? Is the Minister having a second look at the situation of share farmers' quotas with a view to trying to increase them in the 1972-1973 season?

Mr CRAWFORD: It is true that wheat quotas had a disastrous effect on share farmers especially where some landowners put share farmers off their property on the introduction of this system. It is true also that New South Wales is the only State in Australia that is determined to look after share farmers. The Government has given share farmers provisional quotas that will be confirmed when the share farmer intimates to the Grain Elevators Board that he has made a satisfactory arrangement to grow this year's crop. I point out to members of the Opposition who tend to treat this matter rather jocularly, that the Labor Party has not put forward one suggestion to overcome the share farmer's difficulties. There are 24,020 quota holders in New South Wales. Of those 278 are share farmers to whom quotas have been issued. Only 740 share farmers returned statutory declarations to the board and 405 of those share farmers were considered eligible for a quota. When we got returns showing persons interested in other quotas the board rejected 78 of those applications from share farmers who had an interest in a quota greater than 5,000 bushels. To this date 49 share farmers have failed to supply the information required by the Grain Elevators Board.

Quotas are reviewed at the end of each year. Share farmers' quotas will be reviewed at the end of the year, with quotas allocated to other wheat farmers who have alleged that their quotas are unsatisfactory and insufficient for them to make a living by

growing wheat. There are thousands of small growers in New South Wales and 62 per cent of quota holders have quotas of 5,000 bushels or less. I do not think it can be said that share farmers have been treated with gross unfairness. Nevertheless, many farmers who were in rather a large way are now in trouble. At least they have been given a start. The Government will review the quota of every quota holder. If New South Wales can get a basic quota of about 130,000,000 bushels it might be possible to increase the quota of the smaller farmer and to assist all those who have complained for a variety of legitimate reasons that their quotas are insufficient.

In the first year of the quota system New South Wales had a basic quota allocation of 123,000,000 bushels. That base has increased to 126,500,000 bushels, following consideration of individual cases by the review committee or by the Grain Elevators Board. To enable us to assist farmers by increasing their quotas next year New South Wales will need a base allocation of 130,000,000 bushels. I am well aware of the position regarding share farmers. I have their case well documented. I know exactly what they would like to happen. Unfortunately we cannot please them entirely, just as we cannot please the ordinary wheat farmers. The matter will be reviewed sympathetically.

GRAVING DOCK FOR NEWCASTLE

Mr WADE: I direct a question without notice to the Minister for Public Works. Can the Minister advise this House what progress has been made in negotiations with the Commonwealth Government regarding financial assistance for the construction of a graving dock at Newcastle? In view of the perilous condition of the floating dock at Newcastle and the importance of ship repair work to the dockyard, will the Minister give an undertaking that work will be commenced on this project and negotiations about Commonwealth financial assistance concluded later?

Mr HUGHES: The honourable member for Newcastle has asked an important question. Again only last week the Premier

wrote on behalf of the Government to the Prime Minister, requesting an early reply to our request for the Commonwealth to make a substantial capital contribution to the cost of the graving dock at the State Dockyard. We have decided to go ahead with the planning of this dock; indeed, it is going ahead at the present time. We have done this so that when the Commonwealth makes a decision to provide funds—as we hope it will—there will be no delay in the construction of the dock. Therefore, by the time the funds are approved we shall have the plans and design ready for tender. I hope that the money situation will be resolved, but planning has been put in hand so that there will be no delay in construction. I appreciate that the new dock is absolutely essential, for the present floating dock is in a bad condition and has a limited lifting capacity. Those are the reasons why this action has been taken.

TRAFFIC LANES

Mr MEAD: I ask the Minister for Transport whether, before the advent of marked lanes on highways, the traffic regulations required that vehicles be driven as near as practicable to the left-hand side of the road. Was it an offence to overtake on the near side? Since the introduction of lane marking have many motor vehicle drivers been under the impression that they can overtake on the blind side, and is this dangerous practice increasing? In these circumstances, should consideration be given to making slower vehicles travel in the left-hand lanes, instead of blocking the middle lanes and forcing other drivers to change lanes and to overtake on the blind side?

Mr MORRIS: Some problems arose with the advent of a number of four-lane highways or dual carriageways with marked lanes. The Motor Traffic Act allows a motorist to use either lane. There are some difficulties, and I have looked into these matters. I remember that the honourable member for Gloucester raised this question some time ago, in relation to the Newcastle Expressway. I have recently put to the department and the Minister for Local Government and Highways a suggestion that

the rule referred to by the honourable member for Hurstville might be amended at least in respect of motorways, toll roads and expressways, which no side traffic is permitted to enter. It should be possible to make the left-hand slow lane rule apply on those roads.

The problem arises on carriageways with side streets. For instance, when a motorist in the left-hand lane wishes to make a right-hand turn at traffic lights, difficulty is experienced when he attempts to cross the traffic into the lane on his right. At what stage should slow-moving traffic be permitted to veer to the right in preparation for a right-hand turn? The whole matter is under consideration and I hope it will be possible to alleviate this situation, at least on motorways, toll roads and expressways.

CLUTHA DEVELOPMENT PTY LIMITED

Mr EINFELD: I ask the Premier and Treasurer whether his attention has been invited to a statement by Sir Garfield Barwick, the Chief Justice of the High Court of Australia and president of the National Conservation Foundation, in which he said that a public inquiry should be held into the Clutha agreement. Did the Premier and Treasurer sign the Clutha agreement on 9th February, which was four days before the State election, when he was merely a caretaker Premier for a government that had finished its active term of office?

Mr ASKIN: I signed the agreement pursuant to a Cabinet decision. Indeed I signed many papers right up to the day of the election: we on this side were sure of our re-election. I agree with my colleague, the Minister for Mines, that the views of Sir Garfield Barwick on this matter must be respected. However, I think it must be pointed out—

Mr MALLAM: Why does not the Government do that?

Mr SPEAKER: Order!

Mr ASKIN: I wish the honourable member would shut up. He would not know if his pants were on fire. Thank goodness we do not have to take notice of all the nongs

about the place. He should keep quiet when I am trying to answer a question—and after all, it is a reasonable question. Sir Garfield made his statement as a dedicated conservationist, not as Chief Justice of Australia.

Mr MALLAM: It was more than a statement by a conservationist.

Mr SPEAKER: Order! I call the honourable member for Campbelltown to order.

Mr ASKIN: He did not make the statement as Chief Justice. Indeed he would be out of order in making such a statement in his official capacity. I pay due regard to Sir Garfield's knowledge as a dedicated conservationist and to the high position that he holds in the world of conservationists. However, we must disregard completely in this argument the fact that he is the Chief Justice. That has nothing at all to do with the case.

Mr MALLAM: The Premier knows that is not so.

Mr SPEAKER: Order! I call the honourable member for Campbelltown to order.

Mr ASKIN: I feel that the Minister for Mines has given a good answer to the people who are worried about the conservation aspect. Inevitably in the implementation of big development projects we have to weigh the development of our resources, the extra wealth for the community and continuous employment for people in a variety of jobs, against other aspects. A section of the Miners Federation has come out strongly in favour of the general scheme. Those men welcome it on behalf of the many miners who will benefit from continued employment. What I have said about this deal applies with equal force to many big development projects embarked upon to make resources available for the benefit of the community, to increase national wealth and to provide employment. The Miners Federation has announced its support for the project. That body acknowledges that more job opportunities will stem from it.

Mr JACKSON: Only a section of the Miners Federation.

Mr SPEAKER: Order!

Mr ASKIN: The honourable member might or might not be correct, but I am relying upon a statement made by the president of the Miners Federation, Mr Smart.

Mr JACKSON: He has retired.

Mr ASKIN: I take it that he is the man who speaks for the Miners Federation. Irrespective of whether he or the honourable member does, the fact remains that it is always a matter for concern when one has to weigh up the merits of a development project, the purpose of which is to provide extra jobs and obtain additional wealth for the community, against the possibility of some damage to the environment.

Provision has been made in the agreement to guard against pollution as much as possible. This aspect is being given further consideration by the responsible authorities to determine whether it is possible to take additional action to guard against the risk of pollution. The Minister for Mines has this matter in hand and from my knowledge of him personally and his work as a Minister of the Crown, I have no doubt that things are in very safe hands. If it is possible to introduce some extra measures to reduce still further the risk of pollution, that action will have the support of the Minister for Mines and the Government. Unless we want to return to living in caves and wearing animal skins, we shall have to continue to develop our resources so as to provide extra wealth and jobs for the people.

CONTROL OF PESTICIDES

Mr MASON: I ask the Minister for Environment Control whether there is real concern in the community about the effects of indiscriminate use of pesticides, particularly in rural areas where through absorption by crops and stock they find their way on to the table of the ordinary person. Will the Minister discuss with the State Pollution Control Commission the instigation in rural areas of some monitoring of these residues so that they can be kept under strict control and the community may be assured of protection of its foodstuffs?

Mr JACK BEALE: The answer to the honourable member's question is yes, there is a lot of concern over the matter of pesticide residues. The Government is already doing a considerable amount of work in this field. I can quote the work of a number of departments, but perhaps as the honourable member suggests, some benefits would come from a co-ordinated programme. My colleague the Minister for Agriculture has informed me that investigations of pesticide residue are being carried out in connection with the use of fungicides, herbicides and insecticides in agricultural production. The aim is to ensure that the department's recommendations on the use of pesticides do not lead to excessive residues in the final agricultural products at harvest time.

Further, through my colleagues the Minister for Lands and the Minister for Agriculture, the Department of Agriculture and the National Parks and Wildlife Service are at present investigating the effects when pesticide material is added to aerial-sown pasture seeds. Through my colleagues the Chief Secretary and the Minister for Agriculture investigations are in progress in respect of the effects on wildlife of DDT used to control insects on the Namoi Valley cotton crops. This is being done by the Department of Agriculture in association with the fisheries branch of the Chief Secretary's Department. Honourable members will see from this that a lot of work is already being done.

At the honourable member's suggestion I shall be pleased to refer this matter to the State Pollution Control Commission. However, I think it would be advisable to widen the scope beyond what he has suggested. The investigation should probably include the effects of insecticide and weedicide residues as well as pesticide residues.

FIRM WITH REGISTERED BUSINESS NAME, PLANNED FINANCIAL MANAGEMENT

Mr McCaw: On 19th August the honourable member for Northcott asked me a question without notice concerning a firm

known as Planned Financial Management. On that occasion I advised the House that inquiries were being made by the Corporate Affairs Commission into this firm. The Commissioner for Corporate Affairs has now advised me that inquiries by his officers have reached a stage at which some announcement should be made in the public interest as to what is being offered by the promoters of this organization.

Planned Financial Management is a business name which was registered on 9th October, 1970, under the provisions of the Business Names Act of 1962. The sole proprietor of the business is Mr Keith Thomas Nutter and the registered place of business is situated at 7 Metcalfe Street, Wallsend. Mr Nutter has made himself available for interview at the office of the Corporate Affairs Commission and inquiries by officers of the commission have included discussions with officers of the Commonwealth Department of Health and the Commonwealth Treasury. These organizations are concerned with the material contained in a pamphlet distributed by the company of which I understand more than one million have been circulated in the six capital cities. The interest of the Commonwealth Treasury is that the scheme being offered to members of the public may constitute a form of insurance policy and, as such, the organization should be registered in accordance with the Commonwealth laws relating to insurance companies and lodge a deposit with the Commonwealth Treasury. I am advised that it is not so registered.

The scheme outlined in the pamphlet circulated by Planned Financial Management is described as an investment-sickness plan. Stated summarily, a contributor to the scheme becomes entitled to payment of \$500 a month during any period of hospitalization. The monthly premium payable by a contributor depends upon age at enrolment and varies according to whether cover is sought in respect of an individual or husband and wife. Thus if the age at enrolment is between 16 and 39, the monthly premium in respect of an individual is \$5, and a husband and wife \$7.50; if the age at enrolment is 70 or over the corresponding figures are \$7.50 and \$12.50

monthly, respectively. By adding only \$1.75 to the husband and wife plan, protection is given to all unmarried children under the age of 19, plus all future children over the age of one month. At the end of ten years, it is said, all contributors will receive the return of their principal investment.

I am advised by the commissioner that simple arithmetical calculations made by his officers, with regard to actuarial implications, indicate that it is most unlikely that the organization will be in a position to fulfil the promises now being made in respect of benefits payable and refunds of contributions after a period of ten years. Based on statistics contained in the annual report of the Commonwealth Department of Health, concerning possible claims for one and a half days' hospitalization per annum, and allowing for the investment of income at the rate of 6 per cent per annum, it has been estimated that a capital loss of approximately \$70 would be incurred in respect of every person contributing to the scheme at the rate of \$5 a month for a period of ten years. This estimated loss does not take into account any costs of administration or any profit factor and, therefore, must be considered the minimum loss which would be incurred in respect of an individual contributor. It is conceivable that the promoter has received competent advice confirming the actuarial soundness of the scheme but if this is the case, no reference to it is included in the pamphlet.

When answering the question on 19th August I stated that I had not seen the pamphlet which had been referred to by the Hon. L. J. King, Attorney-General in the South Australian Parliament, but I sounded a note of caution to members of the public who were contemplating dealing with Planned Financial Management. As I am now advised and having regard to the possible actuarial unsoundness of the scheme, I strongly support what has been said by the Hon. L. J. King, whose warning prompted the question asked by the honourable member for Northcott. I should add that I know of nothing adverse to Mr Nutter, but the hazards involved in becoming a contributor to a scheme such as he

is promoting are transparently clear. All of the funds subscribed by contributors will be under his sole control and direction: no provision is made whereby an independent person or corporation, acting in the role of a trustee, might safeguard the interests of contributors or see to the proper application of their contribution moneys. In fairness, I should add that the pamphlet invites a prospective contributor to submit details of the investment-sickness plan "to any trusted adviser—your doctor, your lawyer, your clergyman—in fact show it to your insurance man". Any member of the public who fails to seek competent financial advice before becoming a contributor to this scheme would indeed be reckless to the point of stupidity.

SEWERAGE: THE PRINCE HENRY HOSPITAL

URGENCY

Mr HAIGH (Maroubra) [11.34]: I move:

That it is a matter of urgent necessity that this House should forthwith consider the following motion, viz.:

That this House calls on the Government to make a special allocation from Consolidated Revenue to allow The Prince Henry Hospital sewerage system to be connected to the Metropolitan Water Sewerage and Drainage Board's sewer carrier, removing the necessity to discharge raw, untreated sewage into Little Bay.

Mr CHAFFEY: On a point of order. Is it competent for this House under the Constitution Act, the 44th, 45th or 46th section, to consider a motion involving expenditure from the Consolidated Revenue Fund without a message from the Governor?

Mr SPEAKER: Order! The terms of the motion are that this House calls on the Government to make a special allocation. It does not involve the Parliament itself in making the allocation. Therefore it is in order.

Mr CHAFFEY: On a further point of order. The Constitution Act provides that it is not competent for the Legislative Assembly to consider any motion without a message from His Excellency the Governor.

Mr SPEAKER: Order! That matter is covered by my ruling.

Mr HAIGH: This matter is the most urgent public health issue brought before this Parliament in recent years. The outbreak of typhoid at the Prince Henry Hospital is endangering the entire population of the eastern suburbs because of the hospital's inadequate sewerage system. It is urgent that the Government should immediately provide funds to overcome this health hazard. Unless urgent action is taken, untreated sewage from the hospital could spread along all of the southern beaches with the consequence of a severe outbreak of typhoid. The matter is urgent because the Department of Health has already issued a warning that because of the threat posed by the untreated sewage people should not swim near Little Bay. This statement was again made yesterday and published in the newspapers in the metropolitan area. The matter is urgent because of the warning by the Director of Epidemiology of the Department of Health, Dr Fisher, that the only way the disease could spread from the hospital was by the discharge of sewage into the bay.

Mr CHAFFEY: On a point of order. I invite your attention to section 44 of the Constitution Act which provides:

No part of His Majesty's revenue in New South Wales arising from any of the sources aforesaid shall be issued, or shall be made issuable, except in pursuance of warrants under the hand of the Governor directed to the Colonial Treasurer.

I also invite your attention to section 46, which reads:

It shall not be lawful for the Legislative Assembly to originate or pass any vote, resolution, or Bill for the appropriation of any part of the said Consolidated Revenue Fund, or of any other tax or impost to any purpose which has not been first recommended by a Message of the Governor to the said Assembly during the session in which such vote, resolution, or Bill shall be passed.

I contend that what is proposed by the honourable member for Maroubra is unconstitutional and out of order.

Mr SPEAKER: Order! The matter is covered by my ruling. The motion does not have the effect of appropriating any money.

All that it does is ask the Government to take action to appropriate money. The motion appropriates no money and in no way offends the constitutional provisions to which the honourable member for Tamworth has referred.

Mr HAIGH: The matter is urgent because the Prince Henry Hospital is the hospital in New South Wales with the largest number of beds for the treatment of infectious diseases and unless action is taken, hundreds of thousands of swimmers will be exposed to the risk of all types of infection during the coming summer months. Urgent action must be taken to protect the public from this grave risk. It is urgent that the Government provide a grant for the linking of the hospital to the board's sewerage system. The estimated cost of \$250,000 cannot be met from hospital funds and the Minister for Health has intimated that he does not have these funds at his disposal. Therefore I appeal to the Premier to take the same action as he took previously and to provide money from the Consolidated Revenue Fund for this important work.

The matter is urgent because previously when the Government was aware of this threat the Premier provided \$258,000 from the Consolidated Revenue Fund to take a carrier line to the boundary of the hospital. It is urgent because all that money has been expended. The carrier line has been completed for three years and no action has been taken in respect of the second stage of the work which is necessary to protect the people of this State. If a special grant is not made it will be many years before the work is carried out and this threat to the staff and patients of the hospital and to the public living in the eastern suburbs area could continue to increase to such a magnitude as to make epidemics likely. It is most urgent that the Government protect the public from the possibility that any such epidemic could be triggered off by the depositing of raw sewage from the Prince Henry Hospital upon the beaches and foreshores of the eastern suburbs.

Discussion of the motion is urgent because on many occasions it has been stated by the Board of Health that raw sewage

deposited on beaches becomes fly infested and leads to rodent activity and, for these reasons, germs are carried to the public and affect people in the way we have been told about. It is urgent that money be provided, as was done previously, to complete all the works necessary to safeguard the health of the public in the eastern suburbs. For these and other reasons, I ask that the Government allow honourable members to debate the facts in greater detail.

Mr ASKIN (Collaroy), Premier and Treasurer [11.42]: The Minister for Health, who is dedicated to his job, has brought about many improvements during the time he has held the portfolio.

[Interruption]

Mr ASKIN: This is a serious matter and honourable members heard the mover of the motion make his speech in comparative silence. If honourable members opposite want me to give serious consideration to the matter, they should hear the Government's reply, or if they do not want to hear it I shall sit down. I was saying that the Minister, whom I regard as a dedicated Minister for Health, has already mentioned this matter to me because he is worried about it. So far the advice that we have received from officials is that it is suspected that the two cases of typhoid picked up their infection in the laboratory at Prince Henry Hospital. There is no suggestion that either of the officers concerned had recently been swimming in the bay. Nevertheless, the Government concedes that this is an important and worrying matter, and that it is fitting that it should be debated.

We do not object to a discussion on a matter of public health where it is strongly suggested that a discussion about the facts might lead to some useful result. The responsibility rests on the honourable gentleman who raised the matter to bring forward some convincing facts. Everyone will agree—and I am not making any accusations—that it would be a deplorable thing to create public anxiety on a health matter unless there were genuine grounds for doing so. I shall give my colleague the Minister for Health the opportunity of dealing with the question of the sewerage

extension. I know that he has a satisfactory answer. From our point of view that is not the worry, as action has been taken.

It may be that there are some other aspects, which may arise out of the debate, that should be dealt with. I can say only that this Government has spent and is spending more than ever before on trying to speed up the provision of facilities for dealing with sewage in the area mentioned and in other areas. The Government is trying to catch up with a situation that was in existence when it assumed office. Probably this was due to lack of funds at the time.

When an honourable member speaks of two cases of typhoid fever, or any other serious health matter, the Government must give serious consideration to having a discussion, in the sense that the mover of the motion may be able to put forward something that warrants attention. In relation to the financial position, there is a satisfactory answer, which will come out when the Minister for Health speaks in the debate. The Government is willing to have a discussion on this particular matter and looks to the honourable member for Maroubra to justify with facts, and with figures, if possible, the deferment of the normal business of the House so that we may have this discussion.

We shall grant urgency and the Minister for Health will reply on behalf of the Government. When he has replied and the mover of the motion has had his opportunity of answering, we shall have pretty nearly covered whatever facts are likely to arise out of the debate and further discussion would be superfluous. The honourable member who moved urgency is the member for the district, and the Minister for Health is the responsible Minister concerned. After the House has heard those two honourable members we shall close the debate—unless there seems to be some very good reason why we should not—and then allow the honourable member for Maroubra to reply. The Government agrees to urgency.

Motion of urgency agreed to.

Mr Askin]

SUSPENSION OF STANDING ORDERS

Suspension of so much of the standing orders as would preclude consideration of the motion forthwith, agreed to on motion by Mr Haigh.

Mr HAIGH (Maroubra) [11.45]: I move:

That this House calls on the Government to make a special allocation from Consolidated Revenue to allow The Prince Henry Hospital sewerage system to be connected to the Metropolitan Water Sewerage and Drainage Board's sewer carrier removing the necessity to discharge raw, untreated sewage into Little Bay.

The problem of providing for the hospital a more adequate sewerage system than it has dates back some years. It is necessary to ensure that sewage discharged from the hospital is either treated or directed to the treatment works of the Metropolitan Water Sewerage and Drainage Board at Malabar. On 3rd February, 1964, a letter was directed from the Board of Health to the Hospitals Commission and was considered by the board of Prince Henry Hospital. The letter showed marked concern about the method of disposing of sewage from Prince Henry Hospital. I have asked in the House many times whether the Minister would table the letter and I was always told that it was a private and confidential matter, as it had gone from one department to another. In reply to a request that I made for the provision of funds to enable this work to be undertaken the Minister sent me a letter and included these two paragraphs of a report from the Department of Health:

On 3rd February, 1964, a report was received from the Department of Health recommending:

(a) Installation of a suitable sewerage treatment plant be required, to adequately treat all sewerage wastes from the hospital and all proposed extensions thereto in order to produce a satisfactory effluent prior to its discharge to the ocean, or

(b) Make provision for all sewerage to be discharged to the sewer of the M.W.S. & D. Board.

The Minister in his letter went on to give me facts and figures about the cost. I appreciate the information that the Minister gave me in the letter. I am aware that the Minister is as anxious as I am to see

that this connection is made, but every time I have requested that money be made available the Minister has indicated that there are works that are more urgent and he has insufficient funds to carry it out.

The serious report on typhoid at Prince Henry Hospital and the warning by Dr Fisher that persons should not use the beach at Little Bay highlight the fact that there is a threat to public health by raw sewage from the hospital being discharged straight into the waters of the bay. The threat is not restricted to that area. Solids in discharged sewage are carried north and south from that point and are deposited on the beaches and the foreshores of the eastern suburbs. The water board has begun a large undertaking for the treatment of sewage at Malabar. At one time a ministerial conference, approved by the then Premier, Mr J. J. Cahill, and chaired by the honourable member for Castlereagh, was held between the water board and the Randwick council. The council was able to produce evidence that the Board of Health had expressed a view that sewage solids being deposited on the beaches could be infested by flies or by rodent activity, with a consequent threat to public health. As a result of that conference the water board decided to begin work on the treatment works at Malabar to macerate sewage, which is the primary stage of treatment. It is known that if sewage is macerated, salt water has a disinfecting action on it. There is no disinfection if the salt water cannot penetrate the material, and it cannot penetrate sewage solids. Flies and other insects can then infest it, and carry the bacteria to the public.

Prince Henry hospital authorities have always been concerned with the threat to public health by the discharge of untreated sewage into Little Bay. About two years ago I was invited to go to the area with the Minister for Health and the Minister for Lands. I was pleased that they asked me. I was there given an assurance that public access to the beach and foreshores of Little Bay would always be maintained from Bilga Crescent, Malabar Heights, and from Anzac Parade. Last year I received complaints from residents of Malabar Heights that public access to the beach had been closed. I suggest it was closed be-

cause of concern by the administration of the hospital about public health. That conclusion is justified by Dr Fisher's statement to the press yesterday, warning people not to use the beach at Little Bay. However, it is not sufficient just to stop persons from going to the beach. As I have already said, sewage solids are infested by flies and other insects, which carry infectious disease to the public.

Prince Henry Hospital has the largest bed accommodation of any infectious disease hospital in the State and the Minister must agree it is incumbent on him to ensure that a connection of the hospital's sewerage system is made to the water board's reticulation main. I have referred to the letter which was written in 1964 dealing with the decision of the water board to begin work on the treatment plant at Malabar. Because of concern about public health more money was allocated for that work, and rightly so. However, from 1964 onwards Randwick council was involved in a lot of activity in relation to this matter. For example, the Minister for Health referred in his letter to a meeting that took place on 5th October, 1966. I convened that meeting as mayor of Randwick and continued to convene meetings when progress was not made. However, the Department of Health apparently appreciated the seriousness of the problem and decided that a carrier line should be built to the boundary of Prince Henry Hospital, and that the hospital should connect to the sewerage system.

I know that the Minister is concerned about the matter, that he made representations to the Premier and Treasurer, and to the water board, and that as a result the Premier had to finance the work from the Consolidated Revenue Fund. Why would the Minister for Health encourage work to be done on a carrier line and why would the Premier and Treasurer provide money for the work, stopping short of the hospital boundary, if they did not believe it was essential to re-construct the hospital sewerage system and connect it to the carrier line? To spend \$258,000 on a carrier line that permanently stopped short of the hospital, and served no useful purpose, would be a waste

of public money. The Minister was anxious about the matter at that time, and I believe he still is. He wants to see the connection made. The big problem is that when the water board was approached about connecting the hospital sewerage system to the carrier line to enable sewage from the hospital to be discharged through the outfall at Malabar, it said that first it would have to check the sewerage system in the hospital. The water board found that many of the plumbing and drainage fittings in the hospital were not up to standard, and condemned them. This substantially increased the estimated cost of the work.

The Minister for Health, in the letter to which I refer, gave an estimated cost of \$189,000, and said that it could rise to \$250,000. That was two years ago. I implore the Minister and the Government to make that allocation in the interests of public health. I believe that the Minister, as a responsible person, will agree that it is better to take action to prevent disease rather than to treat it. The officers of the Department of Health are worried about the direct discharge of sewage at Little Bay. The matter should be dealt with as one of urgency. It is all very well telling the people not to use the beaches at Little Bay, to close the gates and not to allow the public to use the usual access, but how are schoolchildren who are now on holidays to be prevented from making their way to the beach around the rocky foreshores or through the scrub? In normal circumstances they would be entitled to use the beach, and should be encouraged to use it so that they might enjoy the wonders and beauties of nature.

The Government can give them this opportunity and protect their health by providing the \$250,000 required to connect the sewerage system. This would rectify not only that matter but also problems concerning drainage and water fittings within the hospital that have been condemned by the water board. There would be a completely new system, and greater allocations could be made to continue to expand the hospital and to maintain it as the best in this State. If money is to be spent on expanding the hospital the health of the staff, employees and inmates must be effec-

Mr Haigh]

tively safeguarded. Recently Randwick Municipal Council wrote to the Minister for Public Works about this matter, and I was rather amazed at his reply, which read in part:

The expansion of the sewerage system has been made up to the perimeter of the hospital, and it is a matter of the hospital engaging a plumber to connect the sewer.

One would think it was a job that would cost about \$200 instead of \$250,000. After that reply was received some aldermen asked me to ascertain how much the job would cost.

A lot of correspondence has passed between the Minister and myself, but never has the Minister said that this work should not be undertaken. The only thing he has said is that he did not have the funds. I make this appeal having regard to the serious threat to the health of the community, following expressions made by the officers of the Board of Health and public statements made yesterday. I ask the Minister to make representations to the Premier and Treasurer for the Government to allocate the funds necessary to do this work expeditiously, in order to remove the possibility of any continuing threat to the health of the community.

Mr JAGO (Gordon), Minister for Health [12.4]: I have listened to the honourable member for Maroubra with a great deal of interest. He has been concerned with this matter for a considerable period both as an alderman of Randwick council and as the member for Maroubra. There is, on the Government's part, a natural concern about the possibility of any outbreak of disease. In this regard the Government carries a heavy responsibility.

A newspaper report, which is said to be written by a medical correspondent, refers to Dr Fisher, Director of the Division of Epidemiology in the Department of Health, in this way:

Dr Fisher said people swimming in water contaminated by sewage from the hospital risked being infected by the typhoid germ.

With the greatest respect for the journalist who wrote that article, I question whether this is actually an opinion from such an able member of the medical profession as Dr Fisher.

There are some unusual features about this matter. The beach at Little Bay is in a delightful setting. For many years it has been contaminated by the Malabar outfall, which is close by. I am advised on expert opinion that that is the source of the problem. The discharge of sewage from Prince Henry Hospital reaches the ocean 400 yards to the south of the Malabar outfall and I question the possibility of a link between the danger at Little Bay and the need for sewerage connection at Prince Henry Hospital. I understand on medical advice that the incubation period for the development of typhoid fever is from 5 to 20 days with an average of from 7 to 14 days. It is significant that both officers who have shown positive indications of typhoid developed symptoms on the same day which, on medical opinion, is presumptive evidence that they were infected at the same time. They are now patients in Prince Henry Hospital. I am advised by Dr Fisher that in his opinion they possibly touched specimens in the laboratory. One of them is a pathologist and the other a female clerk-typist.

This is an important matter involving public health, and the honourable member has dealt with it in a most responsible way. Funds have been expended in recent years to improve the sewerage facilities at the hospital and in its vicinity. The standard practice adopted is that any faeces from Prince Henry Hospital used for laboratory testing purposes are eventually flushed into the ocean outfall after first being rendered harmless. I should be only too pleased to substantiate that statement if it is required.

The honourable member referred to the difficulty experienced by some people wishing to use Little Bay beach. The chief executive officer of Prince Henry Hospital, who happens to be within the precincts of the House, has advised me that as far as he knows access to this beach is not denied to local residents. I am glad of that because in this vicinity and running further south are some of the best collections of native flora in the metropolitan area. The staff of the hospital has taken a particular interest in the area. One of the proudest features of the years of office of this Gov-

ernment has been its efforts in regard to the installation of sewerage culminating this year in a total expenditure programme of \$89,000,000 for water and sewerage, details of which were given by the Minister for Public Works during the debate on the Address in Reply. Last year Malabar sewerage outfall received an allocation of \$7,000,000; its allocation this year is \$8,000,000. The total cost of the improvement of the Malabar outfall is estimated to be \$36,000,000, and the whole of the work will be completed by 1974.

I have no wish to use this occasion to compare past and present government performances in this sphere of activity. The letter to which the honourable member for Maroubra referred probably accounts for his mentioning consolidated revenue in his motion, in which he calls upon the Government to make a special allocation from the Consolidated Revenue Fund to enable these works to be carried out. The reason for consolidated revenue being mentioned in that context is that funds were advanced from the Consolidated Revenue Fund and subsequently refunded from the general loan account. Loan funds are required to enable this improvement to be effected.

The honourable member referred to a letter from the Board of Health dated February, 1964—some twelve or fifteen months before this Government came to office. When dealing with matters of health I see little political context in them: health is a matter of great importance to everybody. I do not recall having denied information to the honourable member, intimating that certain documents were confidential. Certainly, in the letter to which he has referred there is a detailed examination of the whole history of this subject and the several developments that have taken place to improve conditions at the hospital. I draw to the attention of the House that in 1965 one of the major problems facing this Government was the development of a second faculty of medicine, at the University of New South Wales. The hospitals associated with that second faculty of medicine are mostly located in the eastern and southern suburbs of the city. Without denying the importance of sewerage, with some pride I say that in

the six years that this Government has been in office \$34,000,000 has been spent on the capital needs of those hospitals.

There was a good case for the development of patient care services being proceeded with on the scale that the Government undertook. I am sure many members of this House would agree with that. Those services were of greater importance than other matters to which honourable members have referred. However, the Government has expended two separate amounts to improve sewerage services for the Institute of Administration, apart from the expenditure to which the honourable member for Maroubra has drawn attention. In the concluding paragraph of the letter of 18th May, 1971, it is stated that this item was considered for inclusion in the 1970-71 loan fund programme but adequate funds were not available. The Hospitals Commission considered this project when preparing its draft loan funds programme for 1971-72 but again it was not possible to include it as an item of work. Obviously, there is some substance in what the honourable member has said about the need for it being dealt with as a matter of urgency.

I draw to the attention of the House a copy of the loan funds programme for 1971-72. It includes an item—Prince Henry sewer, total all-up estimate \$250,000. An officer of the water supply and sewerage section of the Department of Public Works has indicated that if approval is given within four weeks of 19th August, 1971, for this work to proceed it would be possible to spend \$50,000 in the current financial year and provide for the remaining work by a carry-over of \$200,000 to the 1972-73 financial year. This would allow time for investigations to be completed and final drawings to be made. I can tell the House now that approval for the expenditure of \$50,000 from the loan funds programme this year and a carry-over of \$200,000 from the loan funds programme for 1972-73 will be approved. I share the view that this development is particularly important.

In summing up, I emphasize the extent of capital funds already spent on this and associated hospitals. The Government is well satisfied with its achievements in set-

Mr Jago

ting-up the new faculty of medicine. In the Government's six years of office on at least two occasions it has set aside money from loan allocations to improve sewerage services for the Institute of Administration in Prince Henry Hospital grounds. Additionally, there has been a partial connection of the sewer by carrying it as far as the hospital boundary. There is no reason why this project should not proceed as I have indicated. Authority will be issued for the work to proceed involving expenditure of \$50,000 this year and a carry-over of \$200,000 into the next financial year.

Mr HAIGH (Maroubra) [12.18], in reply: I was pleased to hear the Minister for Health advise the House that \$50,000 will be allocated this year from the loan funds programme for work on the sewer at Prince Henry Hospital. I am disappointed that expenditure this year will be only \$50,000 and that we shall have to wait until the following year for the carry-over sum of \$200,000 to be made available for the balance of the work required. I am still hopeful that the Minister will use his good offices with the Premier and Treasurer to increase the allocation of money or obtain an advance from the Consolidated Revenue Fund and have it recouped from loan funds next year. In this way the work might be expedited.

Mr JAGO: It is a delay in investigation and design, not in the availability of funds.

Mr HUGHES: By the time the design is completed and work starts it will be the end of the year.

Mr HAIGH: At a conference between the State Planning Authority and other organizations the Institute of Technology applied for the establishment of institute buildings adjacent to Prince Henry Hospital. Indeed, I think it was said that preliminary design work was well under way and would be completed at an early date. Apparently there has been a review of the position.

Mr JAGO: Yes. Difficulties were encountered.

Mr HAIGH: I do not wish to appear to be badgering when I say this: I said I had asked for a copy of the letter of 17th

January, 1964, and it had been refused. I was refused not only by letter but also in this House. I treasure any statements that I make in this House, and if at any time anything I have said is questioned, I am anxious to justify my statements. I received the following letter, dated 23rd April, 1968, from the Under Secretary of the Department of Health:

I would refer to your letter of 22nd April, and your earlier verbal approach requesting a copy of a letter issued by this Department on 17th January, 1964 in relation to sewage disposal from Prince Henry Hospital.

As indicated to you on Friday last, only the Minister has authority to release official documents, and your request was referred to him.

The Minister has indicated that it is not usual to release documents of this nature, and further, that as in his opinion the release of a document over four years old would appear to serve no useful purpose, he has decided that your request should be declined.

The terms of that letter support my contention, and they caused me to believe that there was some playing down of the seriousness of this matter. I do not believe that the Minister would do that; he was trying to overcome his difficulties through the shortage of funds. In any case, I am pleased to know that the work will proceed. I know that the Minister has been as concerned as I have been, for he also realizes the dangerous effect that this outfall of sewage can have on public health. The Minister has referred to faeces and other matter tested at the laboratories at the Prince Henry Hospital and subsequently destroyed. Other material that goes through the sewers can cause the spread of infectious diseases.

People have complained to me about being unable to gain access to Little Bay beach. I have raised this question with Mr Clancy, for whom I have the highest regard as the able administrator of the hospital complex. Complaints are still being made, and people are anxious to raise a petition asking that portion of the area of the hospital be set aside as a public recreation reserve. As a result of the connection of the sewer to the treatment works, it might now be possible to set aside this area for public recreation and to place it under the care and control of the hospital administration. The area could be fenced and closed

in the evening, but made available to the public during the day. I am pleased to know that the work is to commence and, like the Minister, I should like to see the work carried out speedily. I realize it cannot be done more quickly than the Minister has indicated. I thank the Minister for the information that he has imparted to the House.

Motion, by leave, withdrawn.

HOUSING INDEMNITIES (AMENDMENT) BILL

THIRD READING

Bill read a third time, on motion by Mr Stephens.

PORT KEMBLA (FURTHER DEVELOPMENT) BILL

THIRD READING

Bill read a third time, on motion by Mr Hughes.

NEWCASTLE GAS COMPANY LIMITED BILL

THIRD READING

Bill read a third time, on motion by Mr Willis on behalf of Mr Morton.

SECOND-HAND DEALERS AND COLLECTORS (AMENDMENT) BILL

THIRD READING

Bill read a third time, on motion by Mr Willis.

CLOSER SETTLEMENT AND PUBLIC RESERVES FUND (AMENDMENT) BILL

THIRD READING

Bill read a third time, on motion by Mr Willis on behalf of Mr Lewis.

PUBLIC TRUSTS AND OTHER ACTS (AMENDMENT) BILL

THIRD READING

Bill read a third time, on motion by Mr Willis on behalf of Mr Lewis.

TRUSTEES OF SHOW-GROUNDS ENABLING (AMENDMENT) BILL

THIRD READING

Bill read a third time, on motion by Mr Willis on behalf of Mr Lewis.

SPECIAL ADJOURNMENT

Mr WILLIS (Earlwood), Chief Secretary and Minister for Tourism and Sport [12.31]: I move:

That, unless otherwise ordered, this House at its rising this day do adjourn until Tuesday, 7th September, 1971, at half past two o'clock, p.m.

I am sure that all members are aware of the routine that has been adopted in recent years, for the House to go into recess each fifth week. That is the only purpose of this motion.

Motion agreed to.

COAL INDUSTRY (AMENDMENT) BILL

SECOND READING

Mr WILLIS (Earlwood), Chief Secretary and Minister for Tourism and Sport [12.32]: On behalf of my colleague the Minister for Mines, I move:

That this bill be now read a second time.

The need for this measure arises from the fact that the Coal Industry Act contains provisions that still impose monetary penalties in the old currency. As my colleague mentioned at the introductory stage, the old currency references were not converted by the provisions of the Decimal Currency Act of 1965. The reason is that the Coal Industry Act is a special law within the meaning of the Decimal Currency Act and therefore was not affected by it. It is a special law in that it requires the concurrence of both State and Commonwealth governments before it can be amended. Therefore, the bill is only a machinery measure to bring currency references up to date. I commend the bill to the House.

Mr JOHNSTONE (Broken Hill) [12.33]: The Opposition could not do anything but agree to this amending measure. After all, decimal currency has been in use for several

years now and this legislation still provides for the imposition of fines in pounds, shillings and pence. I often wondered how a company on which a fine had been imposed would be able to meet its obligation to pay it with the outdated currency. However, the Government is slipping. While the Chief Secretary is handling this measure on behalf of his colleague, the Government has not taken the opportunity to increase the fines. The Government's usual practice when amending legislation that incorporates penalties is to increase fines. Perhaps the Government's reason for not increasing a fine of, say, \$2,000 is that it is merely running true to form by not wanting to hit harder at the companies on which it depends for support. However, as section 54A makes provision for the imposition of fines on individuals, one would have expected to find an increase there. No doubt the reason for this omission is that, as the Chief Secretary said, this is really only a machinery measure. In the circumstances, we on this side can do no more than agree with it.

Motion agreed to.

Bill read a second time.

COMMITTEE AND ADOPTION OF REPORT

Bill reported from Committee without amendment, and report adopted on motion by Mr Willis.

COMMERCIAL AGENTS AND PRIVATE INQUIRY AGENTS (AMENDMENT) BILL

SECOND READING

Mr MADDISON (Hornsby), Minister of Justice [12.36]: I move:

That this bill be now read a second time.

As I intimated in my speech on the introductory motion, one of the principal objects of this bill is to bring up to date the procedures that are associated with obtaining licences under the Commercial Agents and Private Inquiry Agents Act. [*Quorum formed.*] Under the present Act when an application is made for a licence or a renewal of a licence, irrespective of whether objection to the grant or renewal has been

lodged by the police, a court of petty sessions must deal with that application. For a renewal the applicant need not attend the court unless he has been notified that the application has been objected to by the police.

By section 10 (10) (a) of the Act it is the duty of the court to refuse the grant or renewal unless it is satisfied that the applicant is of good fame and character; is a fit and proper person to hold a licence; is of the age of twenty-one years or upwards; is a natural born or naturalized subject of Her Majesty; has been continuously resident in Australia for a period of twelve months immediately preceding the making of the application; is not disqualified under the Act from holding a licence; and subject to certain qualifications, has not been convicted of any offence punishable on indictment.

I have spelt out these provisions in detail so that the explanation of changes to the Act will be more easily understood. The Act provides also that a person shall be deemed not to be a fit and proper person to hold a commercial agent's licence or sub-agent's licence if he has unduly harassed **any person** when exercising or carrying out any of the functions of a commercial agent or sub-agent. By section 11 of the Act the holder of a licence may have that licence cancelled if on the complaint of a member of the police force of or above the rank of sergeant it is shown that he improperly obtained his licence contrary to the provisions of the Act; that he has been convicted of any offence against the Act or regulations; or that he does not meet the requirements I previously mentioned that the court must consider when granting a licence or renewal of a licence.

The Auctioneers and Agents Act approaches this situation in another way. It provided originally that clerks of petty sessions but more latterly the registrar of the Council of Auctioneers and Agents should issue licences. It provides also for the council or the police to lodge an objection to the grant or renewal on certain grounds. If there are no objections the registrar issues the licence or renewed licence as a matter of course. If there is an objection the court comes into the picture at that

stage and determines whether the ground has been sustained or not. If the ground is not established the registrar then issues the licence or renewal.

Provision is made in the Auctioneers and Agents Act similar to that contained in the Commercial Agents and Private Inquiry Agents Act for application to be made to the court for cancellation at any time. This bill seeks to incorporate into the Commercial Agents and Private Inquiry Agents Act provisions identical to those contained in the Auctioneers and Agents Act. In future, therefore, the police may object to the grant of a licence on much the same grounds as were open to them before a licence or renewal could be granted. Basically these grounds were the negation of the conditions which the applicant must satisfy, namely good fame and character, fit and proper person, and so on. Some variations, however, have been introduced into the grounds for taking objection, including the addition of a new ground. [*Quorum formed.*]

This new ground provides for objection to be made on the basis that the applicant is unlikely to be able to perform the duties generally performed by the holder of a licence of the kind applied for by reason of the inadequacy of his education attainment or experience. This is an attempt to raise the standard of this calling. As honourable members will be aware, an applicant for a licence under the Auctioneers and Agents Act must now acquire certain education qualifications which are directed specifically towards the agency field before he can obtain a licence under that Act. At this stage it is not feasible to provide a course of education for commercial agents or private inquiry agents. Nevertheless my thought is that people entering this field should have achieved a reasonable standard of education and should be able to show that they have some knowledge of the type of work they are to undertake. In the future perhaps it will be possible to devise some course of education which will result in a general upgrading of this field of activity.

Second, I point out that an applicant for a licence will no longer have to satisfy the requirement that he is a natural born or naturalized subject of Her Majesty. Provided that a non-British subject can meet the requirements of the Act as to character, fitness, education standards and the like, there is no valid reason to distinguish him from any other citizen. On the contrary he may immigrate to this country bringing with him a wealth of experience in either the commercial agent or private inquiry agent field and in present circumstances he is debarred from holding a licence. Having regard to the other safeguards built into the Act, it is reasonable that a non-naturalized British subject should be given the opportunity to obtain a licence under this Act.

Third, some modification is to be made with regard to residential qualifications. As I pointed out earlier, at present a court before granting an application for a licence or renewal must satisfy itself that the applicant has been continuously resident in Australia for twelve months immediately preceding the making of an application. Experience has shown that highly qualified British subjects have been denied employment on coming to this country until they comply with the resident qualifications. The provision in practice applies only to British subjects at the moment because there is an absolute embargo on non-naturalized persons obtaining a licence. This, as I have explained, is being remedied in this measure. I am advised that Australian servicemen who have served in Vietnam or Malaya have also been denied the right to obtain licences under the Act because they have been unable to meet the residence condition.

There is some justification for requiring twelve months residence before the issue of a commercial agent's licence or a private inquiry agent's licence but there is a strong case for allowing the grant of a sub-agent's licence to a person who has not been continuously resident in Australia for twelve months. Accordingly the measure provides that objection may be taken to the issue of a commercial agent's licence or private inquiry agent's licence when the applicant has not continuously resided in Australia

Mr Maddison]

for twelve months immediately preceding the date of application for a licence. Applicants for sub-agents' licences will, as I have said, be exempted from this requirement.

Again, as I explained earlier, a person is deemed to be not a fit and proper person if he unduly harasses a person. Honourable members will recall that this was inserted in the Act to combat the obnoxious practice adopted by debt collectors of parking in front of a citizen's home or place of business a van bearing signs indicating that the van came from a debt collection agency. While I have had the control of the administration of this Act there have been few complaints that this practice exists. However, it has come to my notice that some commercial agents have letterheads bearing pictures of such vans which impliedly threaten that if an account is not paid the van will call.

Mr CRABTREE: They even write and tell them.

Mr MADDISON: If they have a letterhead they use it. Complaints have been made also about calls, either personal or by telephone, being made by commercial agents at or to a debtor's home at unreasonable hours. Accordingly the harassing-tactics provisions have been tightened up by saying that a commercial agent shall be deemed not to be a fit and proper person if he leaves in or outside any premises a notice or other object on which there is writing stating his name or that he is a debt collector or any other information in circumstances likely to cause a person visiting or passing the premises reasonably to believe that the person was visiting the occupier of the premises for the purposes of carrying out the functions of a commercial agent.

Further a commercial agent shall also be deemed not to be a fit and proper person if he sends or delivers to or leaves with any person any document likely to cause the person receiving it reasonably to believe that there would be left in or outside the premises he occupies a notice, vehicle or object such as I have previously referred to. This aims at overcoming the letterhead problem I have mentioned.

Mr CRABTREE: Are there penalties?

Mr MADDISON: A person merely loses his licence. Finally the harassing-tactics provisions have been widened to include the calling at any premises or communicating, by telephone or otherwise, with persons occupying any premises with such frequency as is or at such times as are unreasonable in the circumstances or in any other way whatsoever.

Continuing with the procedural provisions of the bill and consequent upon relieving the courts of determining whether or not a licence or a renewal of a licence should be granted, I point out that a number of provisions are made in this measure relating to the issue of licences by a clerk of petty sessions. These are contained in clause 3 (a). The bill contains a provision that, when an applicant applies for the grant of a licence as distinct from an application to renew an expired licence, the clerk of the court shall seek a police report. The police are required to inquire whether there is any ground for objection, and to furnish a report to the clerk of the court on the result of the inquiry.

If ground for objection is found the police are required to set out in the report to the clerk of the court a statement objecting to the granting of the application and setting out the nature of the objection. I have previously explained the change in procedure with regard to grounds for objection. To expedite the issue of licences provision is also made in the bill for the clerk of petty sessions to issue a licence—in the case of an application for a new licence—when the police have not reported back to the clerk within a month of the receipt of the application by the clerk. In this case if a licence has been issued and the police believe that the applicant is not a fit and proper person, the cancellation provisions of the Act may be invoked. I shall elaborate upon the reason for this provision when touching upon provisional licences.

The procedures set out with regard to the hearing of objections, service of notice on the applicant and the like, largely follow the present provisions of the Act when ap-

plicants are required to appear before the court. Clause 3 (a) provides also that, when there is an application for the renewal of a licence which is made prior to the date of expiry of the old licence, the clerk of the court shall, subject to the required fidelity bond being lodged and a payment of the required licence fee, issue the renewal of the licence and notify the police officer in charge of the station nearest to the court that he has issued the licence. This means that the clerk of the court is not required to obtain a report from the police as to the fame and character of the applicant and is not required to place the matter before the court.

It is considered that the cancellation provisions of the Act provide sufficient safeguards for the recalcitrant licensee to be brought before the court at any time to show cause why he should not be deprived of his licence. I repeat what I said in my introductory speech, that the new procedure will save not only court time but also valuable police time which can be spent in more important spheres. I might add here that similar provisions will appear in a bill that I hope to introduce in this session to amend the Auctioneers and Agents Act.

Clause 3 (a) provides also that on an application for a licence lodged by a person who has allowed his licence to lapse, generally through sheer neglect, when the application is made within less than three months after his previous licence expired, the clerk of the court shall follow the same procedure as I have outlined with respect to applications for renewal lodged before the expiry date of a licence. However, when an agent is so absent-minded or neglectful as to fail to renew his licence within three months after its expiry, a further police report will be required by the clerk of petty sessions, as is required on an application for an initial grant of a licence. This is the way the legislation is framed.

I might mention in passing that I endeavoured to introduce a restoration procedure as is contained in the Auctioneers and Agents Act but found it quite impracticable because of the fidelity bond provisions of the Commercial Agents and Private Inquiry Agents Act, which of course do not apply

to a licensee under the Auctioneers and Agents Act. It could not be seen how a bank or insurance company could reasonably be expected to cover a person who has failed to renew his licence, during the period when he was in fact unlicensed. Therefore until a further licence is granted such a person is unlicensed. Should he continue to trade during this period he will be placed by his own lethargy in the position of operating without a licence and thus breaking the law.

Let me now deal with provisional licences. Under the principal Act a provisional licence shall be issued to the applicant for a sub-agent's licence who is the employee of a licensed commercial agent or a licensed private inquiry agent or to an applicant for a commercial agent's licence who is required to hold a licence for the purpose of ascertaining the whereabouts of, or repossessing, any goods the subject of a hire-purchase agreement or owned by the applicant's employer. Once such a licence is issued the holder of a provisional licence may be immediately employed and is free to carry out any of the functions of a sub-agent or commercial agent of the class mentioned until his application is determined or an objection to the application has been notified to the applicant. This provision has caused some difficulty.

For example, at a court of petty sessions which issues many provisional licences an application was received and a provisional licence issued in respect of which the holder of a private inquiry agent's licence was nominated by the applicant as the employer of the applicant. However, police inquiries subsequently revealed that the nominated employer had never intended to employ him and in fact never had any knowledge of him whatsoever.

Experience at the major courts shows also that applicants for sub-agents' licences are reasonably often found to be unsuitable as licence holders when police inquiries are instituted and on several occasions fees for their provisional licences have been paid by cheques which have subsequently been dishonoured. At another court on one occasion the police had lodged an objection to the grant of a sub-agent's licence, notice of which was duly forwarded to the appli-

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cant, but the applicant had changed his residential address and the notice was returned unclaimed. It was not possible to obtain the return of the provisional licence. In the light of all this, it is thought that the advantages to agents and sub-agents of the issue of provisional licences are more than countered by the abuses of the system which have come to light. **The bill therefore** provides that in the future no provisional licences will be issued.

As I pointed out previously, when an application for the grant of a licence has been made and the police report is not back within a month, the clerk of petty sessions shall issue a licence in any event. This is not a great delay to the applicant and should be ample time for the police to make a report or decide whether or not to object to grant of the sub-agent's licence. Prior to leaving these procedural matters, I would point out that the Act makes no provision for the refund of fees paid when an application has been refused or withdrawn. It is only fair that in these circumstances the applicant should receive a refund of the fees paid and the bill so provides.

Under section 5 of the Act certain persons are not required to hold licences. Briefly these include any member of the police force of the Commonwealth or of this State or any other State or territory, any officer of the Crown, any officer or employee of any responsible Minister of the Crown, or any officer of government departments. Solicitors or any solicitor's clerk acting in the ordinary course of his master's business, any public accountant or any employee acting as above or any person bona fide carrying on the business of insurance or of an insurance adjustment agency or any employee or agent in the exercise of his functions as such employee or agent are also excluded.

It does not appear necessary or even desirable that banks should be required to hold licences under this Act and in the circumstances the bill proposes to amend section 5 by exempting any person bona fide carrying on the business of banking or any employee or agent of such a person in the exercise of his functions as such employee

or agent. As section 33 now stands every licensed commercial agent is required to keep a written record containing full particulars of all transactions by or with him as a licensed commercial agent. The section also requires every commercial agent to keep a written record containing full particulars as to the name and the work or services of and the remuneration by way of salary, wages or commission otherwise paid in each month by him as a commercial agent.

Provision is also made for the prescription of any other written records that may be required to be kept. The record must be kept for a period of three years after the date on which it was made. Section 34 in brief makes provision for the police to investigate these written records at reasonable times. Powers requiring production of books, papers, accounts and the like are wide but similar to the Auctioneers and Agents Act.

I think there is a deficiency in that the Act does not apply these sections to private inquiry agents—the basis being that, without the power, police are hampered in their investigations of private inquiry agents. On this basis the bill will require such agents to keep written records and for them to have those records available for inspection by the police, as is now the case with commercial agents. This I believe is a provision which should apply to licence-holders who have dealings with the general public.

Section 20 of the Act provides that any commercial agent or private inquiry agent who by any wilfully false, misleading or deceptive statement, representation or promise or by any wilful concealment of a material fact induces or attempts to induce a person to enter into an agreement or contract in connection with his business as a commercial agent or private inquiry agent shall be guilty of an offence. A similar provision relates to agents and dealers under the Auctioneers and Agents Act but difficulty was experienced in proving that the representation was wilfully false. In 1967 in relation to these people a false, misleading or deceptive statement was made *prima facie* false, misleading or deceptive whether

to the agent's knowledge or not. This was done by deeming the statement to be false or misleading if it is of such a nature that it would reasonably tend to a belief in the existence of a state of affairs that does not in fact exist, whether or not the statement indicates that that state of affairs does exist. Certain defences were provided to enable a person charged to show that he had reasonable ground for believing and did believe that the statement was true or that he had reasonable grounds for believing in the existence of the state of affairs to which I have referred and in fact believed they existed.

In this measure these identical provisions are made applicable to commercial agents and private inquiry agents. This brings some measure of uniformity between the two Acts to which I have made frequent reference. Finally, section 19 provides that an agent shall not knowingly employ unlicensed sub-agents or disqualified persons. Because of the difficulty in proof the word "knowingly" has been deleted but a defence is provided for the person charged to prove that he used all diligence to ensure that the employee was not a person prohibited from being employed. I might mention clause 5 which relates to the new procedure provisions. This clause enables applications made before but not dealt with at the commencement of this legislation to be finalized under the old provisions.

I apologize for this lengthy explanation of a comparatively short bill but in licensing Acts of this kind it is necessary in my view to explain existing provisions so that a clearer picture may be obtained of what is to be achieved by the substituted provisions. I hope that I have sufficiently explained the measure which, as I have said, is designed to modernize the existing practices and procedures. In this regard I hope in the near future to be able to do the same with other licensing Acts coming within my administration. I commend the bill to the House.

[Mr Acting-Speaker (Mr Coates) left the chair at 1.2 p.m. The House resumed at 2.30 p.m.]

Mr F. J. WALKER (Georges River) [2.30]: The Commercial Agents and Private Inquiry Agents Act of 1963, introduced by a Labor government, was designed to control the activities of commercial and private inquiry agents and their servants. We believed that that legislation was necessary to exercise such control, and we have not changed our minds since. For this reason we welcome this amending legislation which is primarily designed to tighten up administration of the Act, in the light of practical experience gained over the past eight years of operation of the licensing procedures.

I do not propose to deal in any great or painful detail with the various technical pros and cons of the bill but rather to deal only with those aspects of the legislation that I feel are worthy of special comment. Clause 2 amends section 5 of the principal Act which excludes certain persons such as Commonwealth police, members of the armed forces, Crown employees, solicitors and their clerks, accountants and insurance people from the obligation to obtain a commercial agent's or inquiry agent's licence. The amendment in clause 2 adds bankers and their agents and employees to the list of persons excluded from the operation of the licensing provisions.

The basis for the original exclusions was that all persons in this class of people have some special qualification which incidentally involves carrying out work similar to that done by commercial agents—such as serving processes or collecting debts, or obtaining and supplying information, and the like. All these people are strictly regulated by other legislation and by codes of ethics, and as a rule they have shown themselves to be responsible people, able to carry out these incidental duties in accordance with their professional ethics. Bankers fall into this category certainly as much as do insurance people, and for this reason the Opposition has no objection to including bankers within the exclusions provision.

Clause 3 deals with section 10 of the principal Act which stipulates the actual procedure for the issue of licences. It used to involve a preliminary inquiry by the police

and an eventual hearing before a stipendiary magistrate in a court of petty sessions. Clause 3 changes the nature of the procedure so that it becomes more an administrative task than a judicial function. The requirement of preliminary automatic police investigation is dispensed with in certain circumstances, notably where a person has had a licence previously and is applying for its extension or for another licence. Under the new procedure the local police get the application only after it has gone through the clerk of petty sessions, who has sent it on to them. There is a period of one month in which the police conduct their investigation. I agree that there should be a time limit on investigation: this protects the applicant and makes procedure much more efficient.

If the police have grounds of objection against the applicant, they can communicate those grounds to the clerk of petty sessions who, after examining them, can arrange for a judicial hearing, where there is a dispute, in the same manner as previously. The grounds for objection are limited. It is pleasing to note that the categories for objection are quite broad—such as the character of the applicant, whether he is a fit and proper person to hold a licence, whether he lacks sufficient qualifications, and the like. I was pleased to see the amending provisions relating to new Australians. New Australian sub-agents do not have to meet the former requirements of residency. There are many new Australians who are quite capable of performing efficiently the task of a sub-agent, and are highly qualified to do so: it would be wrong to deny them that right. Corporation employees also are caught up in this legislation.

For a considerable time I have been of the view that licensing applications should not be determined by a court unless there is an actual or a real dispute as to whether or not a licence should be granted. I agree that the proposed administrative procedure is quite good and will involve bringing only contentious matters before a magistrate; in other circumstances, the clerk of petty sessions can deal with the matter.

Clause 3 inserts a new subsection (7) in section 10 of the principal Act. The new subsection is an interesting provision and deals with the situation where the objection to the application is that the applicant in carrying out the task of a commercial agent has unduly harassed any person, directly or indirectly, by committing any of three sorts of acts. First, there is the situation in which the debt collector parks outside the debtor's premises a vehicle bearing signs indicating that it is a debt collector's vehicle. The second situation is where the debt collector or agent publishes to members of the public other than the debtor or person involved, documents which indicate that the person is a debtor. The third situation deals with the commercial agent who with unreasonable frequency calls at the premises or telephones the debtor.

In looking at these provisions I was reminded of the words of Oscar Wilde, who had a lot to say about debtors and creditors, for he was frequently a debtor himself. He was of the view that running into debt is not so bad as running into creditors. He was of the opinion also that it is only by not paying one's bills that one can hope to live in the memory of the commercial classes. A number of people in our society, through no fault of their own, are in indigent circumstances, and have to face debt collectors, solicitors, and the like. This is not a pleasant experience and in some circumstances could be humiliating. The circumstances we are looking at under this ground of harassment are more than humiliating—they are completely wrong.

I made some inquiries among my colleagues to ascertain whether they had had many complaints about the sort of thing referred to in the harassment clause. I must admit that I could not find many members who had in recent times received such complaints, though many members could tell me about complaints that had been made to them in the past. There is no doubt that some credit collection agencies still use vans with large iridescent writing on the side. They park this van outside premises so as to indicate to all and sundry that an occupant owes money—whether he

does or not. Again, the incidence of this behaviour is slight. I have personal knowledge that an organization called Transcontinental Credit Control Pty Limited did this sort of thing, either with a van, or by sending letters containing on the letterhead a representation of the van and thus implying that if the debt were not paid the vehicle would arrive at the front entrance and embarrass the person concerned in front of his neighbours.

Two situations that I have come across recently do not seem to be specifically covered and, this being so, I feel that in the future some consideration might be given to them. For instance, an agent might abuse the processes of the court to collect debts. Recently a Mr Goodwin was in this field as a mercantile agent and no doubt as a licensee. He has been before the court on two occasions for abusing the processes of the court and has been dealt with quite harshly by the court—and properly so. That sort of thing should be included as an offence sufficient to deny an applicant a licence.

The second matter I refer to in this connection is the practice of large stores and debt collecting agencies of sending letters to the neighbour of the debtor seeking information on such matters as his whereabouts and his credit-worthiness. I admit that these letters are drafted carefully by lawyers, but receipt of such a communication indicates to a neighbour that the person living next door to him has cleared out, has debts, or is in some sort of financial trouble. The person who is the subject of the inquiry has no redress. I am not anxious to name any company, but some respectable stores in Sydney are doing that sort of thing. One is Grace Bros Pty Ltd. It is unfortunate that this sort of thing happens, for it creates embarrassment and annoys the person who receives the letter. The practice should be controlled under clause 3.

The provision in the bill to relieve police officers of certain duties is welcome. The police force is seriously understaffed. Police officers already have enough administrative work without bearing the additional

load imposed on them by the principal Act. I am pleased that even though the provisions of the bill relate only to a small number of cases, the police will be relieved of some arduous tasks. Generally speaking, the Opposition supports the bill and congratulates the Minister upon its introduction. The bill will eradicate improper and anti-social practices now rife in the community.

The only other provision that calls for comment is clause 4. It seeks to amend section 33 of the Act which contains lengthy provisions to require commercial agents to keep detailed records of their activities. Clause 4 proposes that this obligation be extended to inquiry agents. Inquiry agents, by the way, are often criticized severely, particularly those who are involved in divorce raids and the like. It is a pity that the law of evidence is such that no matter how illegal such raids may be, the evidence obtained on them is still admissible in a divorce hearing. How many times have I been telephoned by angry constituents—or by clients when I was in practice—complaining bitterly that their properties had been broken into at an ungodly hour of the morning and photographs taken by inquiry agents who had no right to be there. That is the sort of harassment to which people have been subjected in recent years, and it applies not only to divorce matters: there are other areas in which inquiry agents break into properties and harass the occupants. Any inquiry agent carrying out his functions in that manner should not continue to be licensed.

The proposal to require a fidelity bond by inquiry agents is welcome. A fidelity bond is required of commercial agents and that provision is an outstanding success. It has resulted in an improvement in the quality and integrity of commercial agents. That "private eyes" are now to be subjected to the same requirement is to be welcomed.

I was most concerned that the Minister did not think it feasible to educate commercial and inquiry agents in the same way as estate agents and stock and station agents are educated. I cannot see any economic or other reason why they should not take a course at a technical college or elsewhere

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before they begin to operate. I suggest strongly that the Minister make some inquiry to see whether the Department of Technical Education or some other tertiary institution is interested in conducting a course of training for commercial agents and inquiry agents. All in all, I think the bill is a good one, and I commend it.

Mr MADDISON (Hornsby), Minister of Justice [2.45], in reply: There are only two matters to which I want to refer. The first is abuses of the processes of the courts that seem to have taken place when a Mr Goodwin has been in some bother. It is probably true to say that he, acting as a principal or as an employee of the plaintiff, as I think originally occurred, would not, under this legislation, be required to be licensed. He was acting in an individual capacity and therefore some of the restrictions, conditions and circumstances that would otherwise apply to an agent licensed under the Act, would not apply to him. I think, however, that some action was taken under the Legal Practitioners Act against him for offences that he perpetrated, involving duties that normally would have fallen to the lot of a solicitor to perform.

The other matter is the question of introducing an education qualification for certain agents. I do not disagree with the principle that it would be desirable to specify legislatively or by regulation the sort of qualification that should be required of persons seeking to be licensed under the Act. That is the way in which the matter was dealt with under the Auctioneers and Agents (Amendment) Act. However, under that Act interested professional bodies have been to the fore in promoting courses that are relevant to a qualification in the agency field. The Real Estate Institute, for example, runs its own training courses and these are highly regarded. This sort of thing spills over into other forms of agency. I do not for one moment regard the door as being closed in this respect, and I think that in the course of time it will be found possible through technical education courses to specify appropriate qualifications for one who is seeking a licence as an agent under this legislation. I am pleased that members of the Opposition favour the bill.

Motion agreed to.

Bill read a second time.

COMMITTEE AND ADOPTION OF REPORT

Bill reported from Committee without amendment, and report adopted on motion by Mr Maddison.

PLANT DISEASES (AMENDMENT) BILL

THIRD READING

Bill read a third time, on motion by Mr Maddison on behalf of Mr Crawford.

NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL

SECOND READING

Debate resumed (from 25th August, *vide* page 723) on motion by Mr Lewis:

That this bill be now read a second time.

Mr RENSHAW (Castlereagh) [2.52]: The matters dealt with in this bill are generally of a machinery nature. They include giving the Crown power to police the areas concerned. However, the bill deals with some significant matters, one of which is a power for the seabed within the territorial jurisdiction of the State and the waters beneath which it is submerged to be reserved as, or as part of, a national park area. I understand that one area under consideration for reservation in this way is that part of the coast just north and south of the Myall Lakes. Although the bill contains a number of machinery clauses, the Opposition has examined closely every part of it, and rather than take up the time of the House traversing its provisions, I content myself by saying that we support the measure.

Motion agreed to.

Bill read a second time.

IN COMMITTEE

Clause 3

[Further amendment of Act No. 35, 1967]

The CHAIRMAN: Order! With the permission of the Committee I shall adopt the course of putting various clauses *en bloc*.

Mr LEWIS (Wollondilly), Minister for Lands [2.54]: I move:

That at page 10, after line 16, there be inserted the words

Second Schedule. (q) by omitting from the First Part of the Second Schedule the word "Cocopara" and by inserting in lieu thereof the word "Cocoparra".

This amendment is necessary because an "x" was omitted in the principal Act.

Amendment agreed to.

Clause as amended agreed to.

ADOPTION OF REPORT

Bill reported from Committee with an amendment, and report adopted on motion by Mr Lewis.

PAY-ROLL TAX BILL

SECOND READING

Mr ASKIN (Collaroy), Premier and Treasurer [2.56]: I move:

That this bill be now read a second time.

The bill provides for the imposition of a State payroll tax of 3½ per cent on wages paid in New South Wales, with effect from 1st September, 1971. The background to this measure has already been explained at the introductory stage. It flows directly from the Prime Minister's offer at the June Premiers conference to transfer payroll tax to the States on a basis involving a corresponding reduction in the financial assistance grants to the States. This offer followed persistent efforts by myself and the other State Premiers to get a better financial deal from the Commonwealth, including access to a growth tax.

At the conference, following strong representations by New South Wales and the other States, the Commonwealth finally agreed to make some significant adjustments to its original proposals. However, these went only part of the way towards assisting to meet the budgetary problems of the States and the Premiers decided unanimously at the conference that they were

left with no alternative but to increase the rate of payroll tax to 3½ per cent as from the date of the transfer. As mentioned in the introductory speech, the Commonwealth has retained its tax rate of 2½ per cent for the Australian Capital Territory and the Northern Territory. This simply reflects, of course, the Commonwealth's much greater access to revenue sources and I should perhaps add that it was implicit in the very basis of its offer that the States would more or less be compelled to increase the rate of the tax.

The States agreed that the increase would need to be brought into effect as soon as practicable and it was decided that 1st September, 1971, would be the most suitable date. Legislative action is proceeding in all States and the Commonwealth on this basis and the bill provides for the New South Wales tax to commence from that date. The first State tax would thus become payable early in October in respect of wages paid or payable during the month of September, 1971. Because of the significant number of employers with business activities in more than one State, it has been considered desirable to have a number of uniform provisions in the legislation of the Commonwealth and the States. Moreover, in drafting the bill the aim has been to apply as far as practicable the existing provisions of the Commonwealth Act in the manner that would most closely accord with the existing payroll tax arrangements.

The concern has been to ensure, both in respect of transitional arrangements and for the future, that payment of State payroll tax will involve a minimum of inconvenience to the taxpayer as a result of the transfer. The large majority of taxpayers are employers in one State only, but the position of employers operating in more than one State has been considered carefully so as to ensure that the provisions operate in an equitable and convenient manner. Since all employers already submit returns on a State basis, the change-over should not be unduly complicated. Because of the nature and terms of the Commonwealth's offer, the general exemption level of \$20,800 per annum provided for in its legislation has been retained by all States.

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Moreover, having regard to the broad application which is the basis of this type of tax and to the State's difficult budgetary position, the bill includes the same specific exemptions as are now provided for in the Commonwealth legislation.

Provision has been made, of course, for the exemption of the non-business activities of local-government authorities in accordance with the terms of the Commonwealth's offer. I have no doubt that this will be welcome relief to local-government authorities. However, so far as State departments and authorities are concerned, after closely examining the position it has been decided that they should continue to be liable for the tax in the same way as has applied previously under the Commonwealth legislation. It is understood that the majority of the States will be adopting this approach.

The decision that State business undertakings should continue to pay the tax conforms with the spirit of the Commonwealth's offer under which the business activities of local authorities are to continue to be liable for the tax. A further important aspect is, of course, the deduction to be made from the State's tax reimbursement grant of the tax now paid by these undertakings. In other words, 70 per cent of this tax will simply compensate for the loss in income tax reimbursement. This approach will mean that the full cost of the services they provide will be reflected in the accounts of these undertakings in the same way as similar costs are borne by the private sector. This has been felt to be important in view of the widespread application of the tax. It has been considered appropriate that, as long as the private sector continues to bear this charge, the public sector should do so also.

So far as Consolidated Revenue Fund departments are concerned, the debit for the tax will be fully offset by a corresponding credit within the fund. I should like to stress that this arrangement will not in any way affect the availability of funds for their activities. The proposed system has been closely examined and the departments

agree that it will simply involve a continuation of existing procedures and represents an administratively convenient way to provide information required by the Commonwealth Statistician, using the existing organization within the Treasury. This will avoid any need to introduce a new system of statistical returns. Of course, in these days of computers administrative work is comparatively small. Honourable members will be aware that pay-roll statistics form the basis on which the Commonwealth Statistician determines the average wages factor used in the tax grant formula each year. They are also the source of other wage statistics of considerable economic significance and the desirability of ensuring that these statistics are as consistent and comprehensive as possible will be obvious.

In order to exempt the non-business activities of local-government authorities as required in terms of the Commonwealth's offer, the bill provides for the State to exempt wages and salaries paid by authorities established under the Local Government Act other than for business activities as nominated by the Commonwealth. These activities are the supply of electricity or gas, water supply, sewerage, the conduct of abattoirs, public food markets, parking stations, cemeteries, crematoriums, hostels and other activities that are trading undertakings within the meaning of part XVII of the Local Government Act. This is a stipulation made by the Commonwealth. As I have already mentioned, the bill will continue the specific exemptions now provided for in the Commonwealth legislation. These comprise wages paid by the Governor-General or the Governor of a State, the representatives in Australia of governments of other countries, public hospitals and certain other hospitals, public benevolent and religious institutions, non-profit private schools and a few specified international organizations. Wages paid to members of the defence forces are also exempt. Certain Commonwealth authorities—such as the Commonwealth Banking Corporation—will, however, continue to pay the tax.

The tax will be administered by the Commissioner of Stamp Duties who will also be the Commissioner of Pay-roll Tax. This

arrangement will enable advantage to be taken of trained staff and facilities no longer required for the administration of receipt duty where very similar procedures applied. The relevant provisions are contained in part II of the bill and include provision for liaison with other pay-roll tax commissioners and for the furnishing of information lawfully required by the Commonwealth Statistician.

Apart from the rate of tax, the most important feature of the legislation is, of course, the basis of an employer's liability to pay. This is outlined in clause 6 of the bill, and in the definition of wages in clause 3. Wages have been defined in the same way as in the Commonwealth Act, to include any wages, salary, commission, bonuses or allowances paid or payable to any employee as such. The definition includes payments made by way of remuneration to a company director; commission payments to an insurance or time-payment canvasser or collector; and meals or quarters provided by an employer. The definition has, however, been amplified to make it clear that the liability in respect of payments by way of remuneration to directors includes payments to members of governing bodies of various organizations and that payments to persons holding office or in the service of the Crown are also taxable. No variation has been made in the values attributed to meals and quarters in the Commonwealth Act.

One problem that arises in relation to the basis of liability is that some large companies with operations in more than one State pay certain of their staff from a central location. Under the Commonwealth legislation, the liability for tax arises at that location. To safeguard the position of the smaller States and to avoid any question of double taxation, it is proposed to adopt a basis of liability related to the location where the services are performed. The general scheme of liability envisages that tax will be paid to New South Wales on the wages relating to services performed wholly in New South Wales, regardless of where the wages are actually paid. Where wages paid to an employee are in respect

of services in both New South Wales and another States or States, tax is payable to the State in which the wages are paid.

The way in which the liability is expressed in clause 6 of the bill is that the following wages will be liable to tax in New South Wales: wages paid or payable in New South Wales, not being wages so paid or payable in respect of services performed or rendered wholly in one other State; and wages paid or payable elsewhere than in New South Wales in respect of services performed or rendered wholly in New South Wales. The manner in which this liability is expressed has been developed after very careful consideration by Commonwealth and State officers so as to give a clear and precise liability in all situations. Because under the Commonwealth Act employers already return their wages on a State by State basis, the proposed basis of liability will provide for most employers a liability for taxation identical with that under the existing Commonwealth legislation, and this is considered to be the most satisfactory for State legislation of this nature.

I might mention that following discussions with Commonwealth officials, a State has been defined in the bill as including the Australian Capital Territory and the Northern Territory combined. It is understood that the Commonwealth intends to regard the two territories as a single unit for payroll tax purposes. As in the Commonwealth Act, the liability has been related to wages paid or payable, and a deeming provision has been included to ensure that the State in which wages are payable is clear in all circumstances. A provision has been included that wages that have been paid by cheque or similar arrangement shall be regarded as paid at the place where they were sent or given.

The provisions to which I have just referred represent the primary basis for determining the wages liable to tax in New South Wales. However, an additional provision has been inserted to cover wages paid outside Australia in respect of services performed mainly in New South Wales. The purpose of this provision is to provide

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against the possibility of tax being avoided through the use of bank accounts in over-sea countries or territories.

I have already mentioned the Commonwealth decision to retain the rate of 2½ per cent for the payroll tax which it will continue to levy within the Australian Capital Territory and the Northern Territory. Following the announcement of this decision, a provision has been included in the bill aimed at removing the scope for employers operating in more than one State to take advantage of this situation to reduce their normal liability for tax in New South Wales. Under the provision, which would be proclaimed only if the need emerged—and possibly it will not—such employers would be required to pay further tax to New South Wales under a formula arrangement equivalent to 1 per cent on wages paid for services performed in New South Wales.

Under the Commonwealth Act, all employers were eligible to deduct a general exemption of \$20,800 per annum from their taxable wages, and provision is made for this deduction to continue under clauses 9 and 11. Where an employer is liable for payroll tax in more than one State, the bill provides for the apportionment of the exemption between the States on the basis of the estimated wages payable in each State. Under this procedure, an employer operating in more than one State will receive the same total exemption of \$20,800 as an employer liable to tax in only one State. To implement this arrangement in respect of interstate employers, some additional procedures are required which will be common to all States, and I think it will be helpful to honourable members if I briefly outline how the general exemption will work under the State legislation.

Under the Commonwealth arrangements, employers normally submit monthly returns of taxable wages; this procedure is to be continued. Similarly, employers with small payrolls will be permitted to submit returns on a quarterly or half-yearly basis. The general exemption will continue to be applied initially as a deduction from the wages included in each month's return, with provision made for adjustment at the end of

the financial year. Employers who are required to submit returns in only one State will be entitled to deduct an amount of \$1,733.33 from the wages included in each month's return. Employers operating in more than one State will be required to nominate the amount which they would wish to have deducted in each State, calculated in a prescribed manner in relation to the estimated wages payable in each State.

Provision is made for the variation of the nominated amount by the commissioner should it be considered unreasonably high, and there is also provision for the nominated deduction to be varied from time to time on application by an employer or at the commissioner's discretion. Once an employer has nominated the amount to apply as a deduction, and the amount has been accepted as reasonable by the commissioner, the nominated deduction would be expected to continue until such time as a significant change in circumstances, such as the closing down of an interstate branch, makes its continuance no longer appropriate.

At the end of each financial year any employer whose total wages for Australia do not exceed \$20,800 will be eligible for a refund of any tax paid in New South Wales. Persons who are employers during part only of a year will also be eligible for a similar refund on a proportionate basis. Employers whose total wages for Australia exceed \$20,800 and who have not received a full exemption by way of deduction from their monthly returns will also be eligible for a refund of tax, with a proportionate refund for part only of a year. In the case of an employer in more than one State, any refund in New South Wales will be limited to an amount calculated in relation to the New South Wales share of his total wages for Australia. For nearly all employers, the practical application of the general exemption provisions will be little different from the existing Commonwealth procedures, once the amount to be deducted for an interstate employer has been established. All the new provisions to which I have been referring relate to employers with interstate ramifications. In respect of the financial year

1971-72, the annual adjustment of the general exemption will be related to the period 1st September, 1971, to 30th June, 1972.

Part IV of the bill deals with the procedures for the registration of employers and submission of returns. These closely follow the existing Commonwealth practice, and transitional provisions have been included to deem employers registered or approvals given under the Commonwealth Act to apply also under the State legislation. I should mention that the definition of the wages to be included in monthly returns has been simplified to relate to taxable wages paid or payable during the month, in accordance with the common practice of employers in submitting their returns to the Commonwealth.

The remaining provisions of the bill are of a machinery nature and provide for the collection and recovery of tax, objections and appeals, penal provisions, and other miscellaneous matters. In general, they follow the provisions of the Commonwealth Act and regulations, with several important exceptions to which I shall now refer. These variations have been made to ensure reasonable consistency with similar provisions in the Stamp Duties Act and other State legislation. In clause 22, the penalties provided for the late payment of tax have been varied to bring them into general accord with those applicable under the Stamp Duties Act.

In clauses 32 and 33 of part VI of the bill, provision has been made for objection and appeals. A sixty-day period has been allowed for objections to the commissioner, and thirty days or such further time as may be allowed for appeals to the court should the objector be dissatisfied with the commissioner's decision. The bill does not provide for the establishment of a board of review at this stage, but this aspect is being closely examined in conjunction with proposals to introduce provision for a similar procedure into the Stamp Duties Act. It has not been possible within the short time available to incorporate in the bill appropriate machinery for the review of hardship cases. However, the procedure of *ex gratia* remission which has

worked successfully over a number of years in stamp and death duty matters will be available for payroll tax.

This completes my review of the bill. I have attempted to cover the more important features of the legislation and though the basic principles of the tax are fairly simple—they are based on the Commonwealth legislation—some provisions are rather complex. Incidentally, when I conclude my remarks I propose to permit the adjournment of the debate on the bill so that members on both sides of the House will have an opportunity of studying it. Details of the expected revenue from the tax will be given when the State's Budget is brought down but, as I stated at the introductory stage, the expected net gain this year is of the order of \$38,000,000. In conclusion I make it quite clear that the Government fully realizes the shortcomings, both in an economic and a social sense, of payroll tax as a source of public revenue. It adds directly to costs of production and, in many ways, its incidence is as unattractive as the land tax legislation that Labor introduced in 1956 when it was faced with financial problems similar to those confronting the Government.

Mr EINFELD: This is a straight-out inflation tax.

Mr ASKIN: It is almost precisely the same in effect as the land tax that Labor introduced in 1956 when it was confronted with serious financial problems.

Mr EINFELD: They are not comparable. There is no analogy. This is a straight-out, flat inflation tax.

Mr ASKIN: What would the honourable member call land tax?

Mr EINFELD: That is different entirely, and the Premier knows it. I repeat, this is a straight-out inflation tax.

Mr ASKIN: This type of tax has been imposed for a long time. I do not know whether the honourable member's colleagues in the Commonwealth Parliament have ever gone on record as attacking it. If by some miraculous but disastrous event they came

to office they would certainly continue to apply this type of tax. Nothing is more certain than that.

Mr EINFELD: The Premier cannot speak for them. He does not even do too good a job speaking for himself.

Mr ASKIN: Labor has so many speaking for it that one more would not make any difference. The simple fact is that all six State governments, regardless of whether or not they are of the same political persuasion as the parties on this side of the House, have been faced with major financial problems following the abnormally high increases in wages and salaries due to factors completely outside their control. I have had the advantage of sitting round the conference table with the six State Premiers, so I know that they share my view. All States, including two Labor-governed States, accepted the Commonwealth offer to transfer payroll tax to them and I emphasize that all the States unanimously agreed that there was no alternative to increasing the rate of tax to 3½ per cent to help overcome their problems. If the Deputy Leader of the Opposition claims that this form of taxation is inflationary he should write to his colleagues in South Australia and Western Australia and give them the benefit of his views on it.

Mr EINFELD: I cannot vote against them, but I can vote against the Premier.

Mr ASKIN: Either way it does not make any difference. The Government wants to give the Opposition a chance to study this measure thoroughly, so this is as far as I shall take the bill now. If members read my explanation in conjunction with the bill I am sure they will find it fairly straightforward. This measure follows closely the existing federal legislation. Almost without exception the variations from it have been agreed upon by all State governments. We feel that we have no alternative to acting in this way. I point out that the proceeds of the tax—naturally nobody likes the introduction of any additional taxation—will be used to help finance the essential community services for which this State Government and all other State governments are responsible. Constitutionally, the

States are responsible for education, the construction of hospitals and many other matters, and they must find the money to finance these essential community services. Payroll tax will be levied on employers for that purpose. I ask the House for its support of the bill.

Debate adjourned, on motion by Mr Hills.

DENTISTS (AMENDMENT) BILL

SECOND READING

Mr JAGO (Gordon), Minister for Health [3.26]: I move:

That this bill be now read a second time.

As I mentioned in my introductory speech, a bill on somewhat similar lines was introduced in 1966.

Mr CRABTREE: It was identical.

Mr JAGO: It is somewhat similar to the early one. However, after certain amendments had been made to that measure in another place, it was not proceeded with. This bill contains the same provisions as the original one together with other amendments that have been shown to be necessary in the meantime. The ability of the Dental Board to deal with the illegal practice of dentistry has been hampered for some years by its inability to have an inspector enter premises in which it is suspected that illegal practice is occurring.

Mr CRABTREE: Who would decide which premises to enter?

Mr JAGO: The honourable member appears to be somewhat anxious, possibly because he is not leading for the Opposition on this bill.

Mr K. J. STEWART: I might hand him that honour.

Mr JAGO: I hope you do. The answer to the query raised by the honourable member for Kogarah is that the bill provides that an inspector may enter, by authority of a search warrant, premises named in the warrant and may make such inquiries as he thinks fit. The warrant will be issued after a justice has satisfied

himself that there are reasonable grounds for suspecting that any of the provisions of the Act or the regulations are being contravened. Wilful delay or obstruction of an inspector will not be permitted.

Many Acts provide inspectors and other authorized persons with powers of entry. Within the administration of my own department several Acts fall within this category. Under the Public Health Act any local authority or a medical officer of health may enter and examine premises. A good many prosecutions flow from the exercise of this power. Another measure in this category is the Private Hospitals Act under which the president of the Board of Health or any person authorized by the board, may enter and inspect private hospitals and rest homes. No search warrant has to be applied for. No problems have arisen as a consequence of the exercise of these powers. Numerous other measures, including the Fauna Protection Act, the Explosives Act and the Gas and Electricity Act, to mention a few, give authorized persons the power of entry and search.

By this bill an inspector will have to complain to a justice before a warrant to search will be issued. The complaint, which must be on oath, must contain information to satisfy the justice that issue of a warrant is merited. Fears might be expressed that this power would entitle an inspector to enter private homes. This is correct, and necessarily so if infringements of the Act or regulations by the illegal practice of dentistry are to be detected. Those infringements could well occur in private homes.

The facts that inspectors are persons of probity, that their complaint is on oath, and that the justice must be satisfied, are safeguards against abuse of the power to be conferred by the amendment. At present, the Act provides that any person may undertake the mechanical construction, renewal or repair of artificial dentures or restorative appliances upon the order of a registered dentist—

Mr K. J. STEWART: On a point of order. The Minister has spoken on proposed new subsection (3) of section 5 which says

"Upon complaint made by an inspector on oath before a justice . . ." and goes on to give the right of entry to premises. The Minister says that the premises are any premises. I want to know the order of leave of the bill and the scope of debate available to members who speak after the Minister. The Opposition should be informed of what members will be able to say in the debate. In 1966 when the initial amendment was being discussed, Mr Speaker Ellis gave a specific ruling on this very section. That specific ruling limited the scope of that debate, which the honourable member for Kogarah led for the Opposition. In that debate the Speaker gave a considered ruling after the tea adjournment that this provision, which is now being inserted as subsection (3) of section 5 of the principal Act, does not give any right of entry into any premises other than those under the control of a dentist. Under the definition in the principal Act, a dentist is a registered person or a person who is deemed to be registered.

This ruling of the Speaker arose from a point of order by the Minister for Health who said that the honourable member for Kogarah was not at liberty to discuss dental technicians. He gave as the reason the fact that they were not specifically named in the bill and submitted that reference to them was therefore outside the order of leave. The honourable member for Kogarah said that as both section 5 and section 12 of the principal Act were being amended, and as section 12 relates to illegal dentistry by any person, under the right-of-entry amendment the homes of laboratories of dental technicians could be entered. The Minister for Health took the point that dental technicians were not mentioned in the bill. During the tea adjournment the Speaker had a look at the amending bill and the principal Act and as reported in *Hansard* of 5th October, 1966, at page 1554, said:

I am grateful for the assistance given me in this matter by the honourable member for Burrinjuck and the honourable member for Kogarah, but I feel that I am left with no alternative but to uphold the point of order.

Mr Jago

That meant that members could not discuss dental technicians in that debate. Mr Speaker continued:

Section 5 of the principal Act provided for the right of entry upon premises of a dentist but it contains no machinery specifying how the right of entry is to be exercised. The amendment provides for machinery for the exercise of the right of entry upon the premises, but the premises must obviously mean the premises in which the dentist is carrying on his practice. "Dentist" is defined in the principal Act as a person registered or deemed to be registered as a dentist. It seems to me to be clear, almost beyond argument, that the premises referred to are the premises of a dentist, and therefore not the premises of anyone in the community at large.

Because he ruled that way he said it was not competent for the Opposition or any other members of this House to say anything about illegal dentistry as practised by dental technicians, and consequently the scope of the debate was greatly limited. The honourable member for The Hills will recall that.

MR JAGO: What is the point of order?

MR K. J. STEWART: The point of order is that this amendment has been brought back in exactly the same terms as the amendment of 1966. This indicates that the Crown Solicitor does not share the Speaker's view that this right of entry is concerned only with—

MR DEPUTY-SPEAKER: Order! The honourable member for Canterbury is asking the Chair to rule on a hypothetical case. The position is quite clear. The scope of the debate on the second reading of a bill is the scope of the bill and of the Minister's speech. They are the items on which the Opposition or indeed any member is free to debate this or any other bill. I could not rule on the hypothetical case that the honourable member is speaking about now.

MR K. J. STEWART: With great respect, Mr Deputy-Speaker, I press this point. The Speaker ruled that this did not affect dental technicians; he said that it affected only dentists. That means that if that is the intention of the bill and if that is the intention of the Parliament, this right of entry refers only to premises under the control of a dentist.

Mr JAGO: It does not.

Mr DEPUTY-SPEAKER: Order! The honourable member for Canterbury is speaking about a bill that was before the House in 1966. I fail to understand how he can compare that bill with the one now before the House when he has not heard the Minister's speech in detail. The Minister may cover some of those matters in his speech, thus opening up the scope of the debate to include the matters to which the honourable member has referred. At this stage it is not competent for me to rule that members may speak on anything other than the scope of the bill and the Minister's speech.

Mr K. J. STEWART: I want to press another point of order.

Mr JAGO: Is it a point of order?

Mr K. J. STEWART: You listen and decide.

Mr DEPUTY-SPEAKER: Order! Address the Chair.

Mr K. J. STEWART: I want to take another point of order. It is certainly unfair to the Opposition and most undemocratic that on a previous occasion the scope of the debate was limited while an Opposition member was making his second-reading speech. I want the scope of this debate defined while the Minister is making his second-reading speech so that anyone who wishes to speak will know the scope of this debate. Let me make another point. I have spoken of Mr Speaker Ellis's ruling in 1966. That ruling established a special precedent in this House. It referred to an amendment that was not the subject of a final decision of this House following amendment in another place. That amendment was exactly the same amendment to the same principal Act as the relevant amendment in this amending bill now before the House. So we have a precedent of a ruling of the Speaker when he gave that decision.

Mr DEPUTY-SPEAKER: I have referred to another ruling of the same Speaker, that debate on the second-reading of a bill should be relevant to the objects of the bill and

the Minister's speech. That is the extent to which the honourable member will be allowed to debate this measure.

Mr CRABTREE: On a further point of order. In 1966 the Minister introduced into this House the *Dentists (Amendment) Bill*. He made submissions to the House on clause 2 of that bill and in fact involved the Speaker—

Mr GRIFFITH: How do you know it was the same bill?

Mr K. J. STEWART: The Minister says it is the same bill.

Mr JAGO: I did not. I said it is a different bill.

Mr CRABTREE: I give you my personal assurance that clause 2 of this bill is identical with clause 2 of the amending bill of 1966.

Mr DEPUTY-SPEAKER: Order! The honourable member for Kogarah is asking me to rule on something that no one has yet heard—the Minister's second-reading speech. Surely the scope of the debate is related to that as well as to the bill. You are saying that a bill that came into the House during a previous session is the same as this one. We have not heard the Minister's speech and I cannot restrict the scope of the debate before that speech has been delivered and everyone is aware of what the Minister has had to say.

Mr CRABTREE: With all due deference, Mr Deputy-Speaker—

Mr DEPUTY-SPEAKER: Are you raising another point of order?

Mr CRABTREE: I should like your advice. In 1966 Mr Speaker Ellis gave a ruling on a speech that I made on this identical matter raised by the Minister—entry of premises. I should like to ask whether you adhere to the ruling given by Mr Speaker Ellis on this matter in 1966.

Mr DEPUTY-SPEAKER: Order! The honourable member for Kogarah is probably referring me to a ruling given after the Minister's speech on that occasion had been

delivered. At that time the House knew from the bill and the Minister's speech the scope of the debate. At this stage as the Minister has not yet delivered his speech we do not know the scope of the debate. I propose to allow the Minister to proceed.

Mr K. J. STEWART: On a further point of order. Does this mean that under the standing orders whatever the Minister says in his second-reading speech decides the scope of the debate, or does the order of leave decide it? I invite your attention to the ruling of Mr Speaker Ellis on page 8 of his published decisions during the forty-first and forty-second parliaments. I refer to ruling No. 50 under the heading, order of leave. Mr Speaker Ellis ruled:

Standing Order 248 requires that the Order of Leave shall present the main purposes of the Bill and, as ruled by Mr Speaker McCourt, it is not necessary for every detail to be specified.

What you have said is that you will wait until the Minister has specified the details of the bill, or such details as he feels should be specified, until you determine the order of leave. I submit that what the Minister says does not refer to the scope of the order of leave. He cannot define the scope of the bill.

Mr DEPUTY-SPEAKER: Order! The honourable member for Canterbury is referring to a ruling concerning order of leave. The House is considering a motion that this bill be now read a second time. I point out that on the same page of his published decisions, in paragraph 53, Mr Speaker Ellis ruled:

Debate should be relevant to the objects of the Bill and to the Minister's speech.

How can you ask me to rule on the Minister's speech when he has not delivered it?

Mr CRABTREE: On a further point of order.

Mr DEPUTY-SPEAKER: Is this another point of order or the same one?

Mr CRABTREE: It is another one. With all due deference, I submit that you have ruled in reference to a debate. I submit that the Minister's second-reading speech is

Mr Jago]

portion of that debate and therefore it becomes the property of this Assembly. A ruling could be given or a precedent set during that debate. This is a debate of Parliament. It is not the sole property of the Minister for Health. The Opposition is asking for a ruling in a debate which the Minister himself has widened in defiance of the ruling given by Mr Speaker Ellis in 1966.

Mr DEPUTY-SPEAKER: Order! I have given a ruling on the matter.

Mr K. J. STEWART: I shall dissent from the ruling at the first opportunity.

Mr JAGO: I suppose the honourable member would. That is why the Opposition was so disappointed with the brevity of the motion for leave to introduce; it cannot put on this act of casting back to 1966 when the bill, as now, made no reference to dental mechanics. It refers to illegal dentistry over a wide field. The Act provides that any person may undertake the mechanical construction, renewal or repair of artificial dentures or restorative appliances upon the order of a registered dentist but the bill will require this order to be in writing in the prescribed form. This will assist the Dental Board of New South Wales, the statutory body appointed by the Parliament, to eliminate illegal practice.

Mr K. J. STEWART: What will it do for the people?

Mr JAGO: The honourable member for Canterbury has made enough speeches already; he should keep quiet. The aim of the bill is to assist the Dental Board to eliminate the illegal practice of dentistry in all its forms. The principal Act makes it an offence for any person to manufacture or repair artificial dentures except on the order of a registered dentist.

Mr SHEAHAN: Does that include dental nurses?

Mr JAGO: That reminds me of some difference of opinion that the honourable member for Burrinjuck and I had in 1964, which I am now sorry occurred. If some

dental technicians are doing this work without such an order or are otherwise practising dentistry, the bill may fairly be said to be aimed at eliminating such practices. This is the answer to the point that the Opposition was raising earlier. I point out however that other persons, such as dentists who come from overseas and have not been able to obtain registration, are also the target of this legislation. All honourable members will welcome the proposals to facilitate the detection and prevention of breaches of the law. The Dental Board regularly receives complaints from the public about the illegal practice of dentistry. At a later stage I shall produce a substantial collection of these complaints and, under pressure, I shall be able to identify the people concerned. On each occasion a complaint is made only when the patient has been dissatisfied with the treatment and has been compelled to seek further dental treatment or medical assistance.

Over the past three years the inspector has lodged twelve prosecutions and gained convictions in each case. In one instance, the person prosecuted had completed a three-year course of dentistry in another country and despite having been informed by the Dental Board that her qualifications would not be accepted in New South Wales where the dental course extends over five years, set up an illegal practice. On one occasion a patient had been forced to seek treatment from a registered dentist with a needle broken off in a tooth, after receiving dental treatment from an unqualified person. There have been many instances of patients seeking medical attention for lacerated gums.

MR BANNON: Some dentists have been known to pull out the wrong tooth.

MR JAGO: They are acting within the law. However, once the board's inspector is known to the person practising dentistry illegally it is virtually impossible for him to obtain any further evidence of a continuing offence. The person concerned denies the allegations and the inspector has no right of entry.

In 95 per cent of the cases, the informant is not willing to give corroborative evidence and the inspector has had to submit himself as a patient at the hands of unqualified persons. Some years ago, this public servant, engaged in policing the law of this State, was obliged to receive dental treatment for an infection which he received in the course of these duties.

The board is aware that many persons are practising dentistry illegally in New South Wales to the detriment of the public welfare but, because of the limitations of the present Act with regard to entry into premises, these unqualified persons are continuing their illegal practices unhindered. The proposal for orders to be in writing will afford protection to the dentist, the technician and the patient. The dentist and the technician are protected because the provision removes any cause for argument when the details of the work to be done are in writing; and the patient is protected by the written order of the dentist from having things done which are not intended. More important, however, the general public, the dentist and the technician will be protected by the fact that breaches of the law will be more readily detected. At present the Act does not provide for the premises of technicians to be open for inspection. If they are opened to inspection as proposed, it will still be impossible to detect breaches of the Act if dentures are being made or repaired other than on the order of a dentist unless it is a requirement that that order be in writing. Otherwise, it is competent for the illegal practitioner to claim he has an oral order for the work.

Honourable members will appreciate that under the provisions of this bill no properly qualified dental technician working legitimately would have any reason for concern. The bill simply requires that when dentures are to be made for any patient they may be supplied only on the written prescription of a dental surgeon and this, of course, is a safeguard for the community. I use the word community in its full sense, meaning that the bill safeguards the dental surgeon when perhaps an argument could arise; it protects the dental

technician who might claim that he did exactly what he was told. The bill provides safeguards also for the patient, who is ensured of getting exactly what his dental surgeon intended for him.

Mr RUDDOCK: Has the patient a choice of dental technician?

Mr JAGO: The patient has a choice of dentist, who may authorize any person, under his authority, to carry out any work so ordered. This bill is designed ultimately to protect the dental health of citizens of New South Wales. A number of gentlemen on the Opposition side write to me regularly asking me to find a dentist for their electorate. A number of towns in which there is not a dentist, or a school dental service, are represented by members of the Opposition. The promotion of the profession of dentistry is very much involved in this measure, to meet the needs of all sections of the community.

Mr K. J. STEWART: The means test at the training school is so strict that the school has no patients.

Mr JAGO: I am surprised at the abysmal ignorance displayed in that interjection. The New South Wales Department of Health, the Board of Health and the Dental Board have always been extremely proud—and with justification—of their approach to dental health and to the problems of improving the poor standard of dental health in this community. The Act and the regulations provide that a dentist shall be guilty of misconduct in a professional respect if he advertises otherwise than in accordance with the regulations.

No similar restrictions are placed on local-government authorities or friendly societies who may employ dentists and conduct clinics to treat their employees or members. The Dental Board is accordingly unable to deal with those authorities or societies which advertise in an endeavour to widen the scope of their operations so as to include persons other than their employees or their members.

The bill will accordingly enable the Dental Board—not the Minister for Health—to place restrictions on these organiza-

tions while dentists in private practice are restricted as to the manner in which they may advertise. This will be brought about by authorizing the Governor, on the recommendation of the board, to make regulations as to the manner in which and the extent to which a society, council, body or corporation may advertise the dental service available from it for persons who are not employed or members.

The Governor will be empowered also by the bill to make regulations requiring dentists to furnish the board with evidence as to their date of birth. This is intended to provide statistical details of the field of dentistry, to facilitate effective planning of the dental needs of the State and the future provision of dental treatment. At present, although there are details of the number of dentists registered, there are no accurate statistics as to the numbers of dentists likely to be available at any given future time. The bill will assist in correcting this.

I have often been asked why there is a shortage of dentists in this country when it is known that dentistry is a lucrative profession. Indeed in professional income surveys dentists are sometimes placed higher than doctors. It has to be appreciated that, as with other professions—and perhaps more so—dentistry is not a cheap profession to enter. It is costly in training and it is costly to set up oneself in practice. Figures I have seen indicate that a good suburban practice might cost up to \$30,000, about two-thirds of which would represent the goodwill of the practice. In addition, there is furnishing, fitting out and things of that sort.

On the education side, university training for a dentist takes five years; it is a difficult course, with increasingly high standards governed by the quota intake system, and specialization has broadened the course. It could be generally stated that dentistry is not one of the most popular professions. The truth of this statement is illustrated by a recent survey by the appointments board at the University of Sydney which showed that 53 per cent of dental students did not nominate dentistry as their first professional choice. Initially, most students wanted to be doctors, veterinary

scientists or lawyers. Some said they had intended to transfer to medicine after the first year of dentistry.

Yesterday I received a letter from a dentist in a town represented by a member of the Opposition. The dentist said that in view of the activities in that town, he might as well have forgone his five years of university training and, though lacking that training, he could have engaged in the full scope of dental activity that was being engaged in in that town.

In 1970, the Department of Labour and National Service, Melbourne, published *Professional and Technical Manpower Study No. 1—Dentists*. The summary disclosed that "all States showed falling dentist-population ratios from 1933 onwards". Recent analysis of the dental register in New South Wales showed the proportion of dentists to population in Sydney as 1:2440; Newcastle, 1:3977; and in country areas, 1:4163.

I now mention some of the communities that have approached the Department of Health and the Australian Dental Association in recent years, seeking the establishment of dental practices. The first is Nyngan. I wonder who represents Nyngan in this House? The next is Coleambally. Who represents Coleambally? Another is Merriwa-Denman. Who represents that area? Broken Hill is another. Who represents Broken Hill? At Bingara-Manila, Cessnock, Dunedoo and Eden there are no dentists.

Mr K. J. STEWART: Where were you going to get dentists to put in every public hospital?

Mr JAGO: Calm down. I come to that next. The Department of Labour and National Service report made two main points. It stated that while dentist-to-population ratios were falling dental services in the country continued to suffer compared with metropolitan areas. The report said that productivity of dentists had improved through clinical and technical advances, better training, extension of government services and the expanded role of auxiliary personnel. This had prevented a decline in the dental services available. It is on this aspect that I regret that Parliament in 1964

did not proceed with the scheme regarding dental nurses in accordance with the pattern that had then been established.

Mr SHEAHAN: Your supporters could not get it abolished quickly enough while I was away in Canada.

Mr JAGO: I was not here at the time. The Department of Labour and National Service survey estimated that in mid-1969 about 3,560 dentists were practising in Australia, excluding about 90 in military service. It estimated also that about 12 per cent of dentists are employed on salaries in the government service, the remainder being in private practice. As I recall it, some 130 dentists are helping the dental service of the Hospitals Commission of New South Wales and of the Department of Health to meet a tremendous burden. A conclusion of the survey, that the supply of dentists was adequate, was based on effective demand rather than on the theoretical need for treatment. For all practical purposes it would appear that the supply is quite inadequate. I shall make reference to this again towards the end of the debate.

An important aspect of the bill relates to provisional registration. Although a graduate may be entitled to a degree, he cannot be registered at present until the degree has actually been conferred on him. Further, although the registrar of the Dental Board may be satisfied that a person is entitled to be registered under the Act, the registration cannot be effected until the matter has been considered by the full board. It is accordingly proposed that in these cases the registrar will be able to issue a certificate of provisional registration until the degree is actually conferred or until the board considers the application. When registration is approved by the board, the provisional certificate will be replaced by a certificate of full registration. This will keep to a minimum delays associated with registration.

Under the Dentists Act, only dentists who hold a qualification listed in the third schedule under the Act or have been entitled to registration in another State of the Commonwealth of Australia, are eligible for automatic registration in New South Wales.

This, of course, is subject to proof of good character, payment of the fee, proof of a satisfactory command of the English language, and submission of the necessary documents.

Applications from dentists who do not come within either of those categories are given individual consideration by a qualifications subcommittee consisting of four members of the board, one of whom is the Dean of the Faculty of Dentistry at Sydney University. The recommendations of the subcommittee are discussed by the board and where the basic qualifications and post-graduate training of an applicant are considered to be of a sufficiently high standard, a recommendation is made to the Minister for Health that he be registered. Applicants who have successfully completed a course of training of four years or longer at a recognized school of dentistry, whose qualifications do not clearly establish that they have sufficient training and skill to justify an immediate recommendation for registration, are usually granted the opportunity to sit for an examination which the board conducts each year. The examination is an extensive one, and most candidates, particularly those with a language problem and those who completed their training many years ago, find it very difficult. These candidates are unable to practise dentistry in any way until they have passed the examination and gained full registration. This period away from practice of dentistry imposes financial hardship on the dentists concerned and also involves a loss of manual dexterity which makes it more difficult for them to pass the examination. It also deprives the community of their urgently needed services.

The Medical Practitioners Act, like the Dentists Act, has provisions for registration of special cases but it provides also for a form of licensing for medical practitioners not otherwise entitled to registration, to allow them to practise either in remote regions of the State or under supervision in a hospital specified in the licence. A similar form of licensing for dentists who are considered by the board to have adequate training and skill, would provide service to the community and at the same

Mr Jago

time provide a means for the dentists concerned to maintain manual dexterity and skill until they were able to pass the examinations or otherwise satisfy the board that a recommendation for full registration was justified. The licensing system, which has been controversial in the medical field, has worked well within the medical profession and has greatly assisted in the staffing of many metropolitan and country hospitals. There has been little question in recent years concerning it.

Mr SHEAHAN: Government supporters, when in Opposition, opposed it, though.

Mr JAGO: I seem to recall a slight difference of opinion. That is a substantial addition to the bill. What is perhaps a more important aspect of the measure is that it makes provision for a system of licensing of persons who have had training and experience but are not entitled to be registered as dentists. These licensed dentists will be authorized to practice under the supervision of a dentist in whatever hospital or other institution I, as Minister, may approve. I seem to recall the honourable member for Canterbury mentioning this a little earlier.

They will be authorized also to practise, without supervision, in similar places if it is considered that this is appropriate. As members will be aware, there is a real shortage of dentists: it is not possible, particularly in outlying areas, to provide a service to everybody in need of it. The Government's endeavours to remedy this situation have been directed along a number of avenues and these have largely met with success; the problem, however, remains. I am sure that this system of licensing, which has been so satisfactory in respect of medical practitioners, will prove of considerable benefit to the State, particularly in outlying areas.

On 29th January of this year I handed over a \$10,000 special government grant to the Dental Health Education and Research Foundation to assist its work among school children. The grant brought to a total of \$40,000 the donations by the New South Wales Government since 1965-66. The foundation, in conjunction with the

New South Wales Department of Health, works actively in schools among children, teachers, trainee mothercraft nurses and parent groups. The Government is anxious that the benefits flowing from the foundation should continue and where possible expand.

The education of dentists in our total community health programme is a prime objective. Seminars on preventive dental practice and the dentist-patient relationship are being held this year. This is the first matter to be considered, and when it has been dealt with a number of other developments can take place in logical sequence. The Dental Health Research Foundation owes its existence to the subscription of more than \$100,000 by the dental profession itself. Last year, for the first time, fourth and fifth year undergraduates in dentistry attended seminars on psychological aspects of the dentist-patient relationship as part of their curriculum. In all fields of health today education and prevention are the main themes. Dental health now takes its place as part of the total health concept and dentists and auxiliary dental personnel play their specialized part in the community health team.

The problem of dental disease is, unfortunately, still with us although more recently there have been encouraging signs of improvement. However, there is still urgent need for further prevention and an even greater awareness among the community of the importance of dental health. At the invitation of the departments of health and education, the foundation works in schools and amongst community groups reinforcing and promoting community acceptance of dental health services. Prevention of dental disease is related to education of the community.

Professor Noel D. Martin, Dean of the Faculty of Dentistry, said recently:

We come into this decade with an expanding concept of the social responsibilities of the dental profession and a concept of greater involve-

ment in the community. We come, too, with the realization that, more and more, we are serving people, providing dental health as part of total health care, as an essential member of the health team—doctor, nurse, public health administrator, health engineer and a multitude of other auxiliary personnel.

In the evolution of dentistry there must be a continuously forward movement towards improving the oral health of the community. This is achieved by research, by education and by the provision of treatment and preventive services.

He went on:

We must be genuinely concerned for the health of people in the community. We must be prepared to serve the health needs in an intelligent and conscientious way both in prevention and treatment.

The time has passed when the many organizations in the dental profession can work effectively without integration. Community action in community health demands the best efforts of the total dental community.

In our priorities, people and human values must come first.

In line with the Government's desire to keep at a high level the standards of service rendered by professionals, the bill empowers the Dental Board either to refuse to register or to remove from the register the name of a dentist who is mentally or physically unfit to carry on the practice of dentistry. The Act at present enables the board to remove the name of a dentist who is a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, but the bill will extend this power, as stated, in the public interest. A right of appeal to the District Court will be available to any dentist who wishes to contest the board's decision.

The bill contains amendments to the Act in respect of complaints against dentists. The board will now be empowered to invite a dentist's comments on allegations contained in complaints so that it may be better informed before deciding whether to hold an inquiry. The board will also be enabled to investigate, in future, cases where a dentist has been convicted of crimes and offences as well

as in respect of felonies and misdemeanours which it is empowered to investigate at present. The board will also be able to reprimand or caution a dentist, in addition to its present power to suspend or deregister.

The annual roll fee of \$6 is at present apportioned between the Consolidated Revenue Fund and the dental education and research account in the proportion of \$1 to the fund and \$5 to the account. This is because the Act says \$1 shall go to the Consolidated Revenue Fund and the amount of the fee which is in excess of \$1 is to be credited to the education and research account. This was satisfactory when the fee was \$2 but since then it has risen to \$4 and then to its present level of \$6. The Nurses Registration Act provides that the fee shall be divided equally between consolidated revenue and the nurses registration board education and research account. The bill will make a similar provision in respect of the annual roll fee for dentists. I commend the bill to the House.

Debate adjourned, on motion by Mr K. J. Stewart.

ADJOURNMENT

DRUG PROBLEM IN WOLLONGONG

Mr JAGO (Gordon), Minister for Health [4.15]: I move:

That this House do now adjourn.

Mr RAMSAY (Wollongong) [4.15]: I rise on the adjournment motion to bring to the attention of this House a grave and urgent social problem. In the city of Wollongong there is a large-scale rapidly-spreading misuse of drugs, particularly among students in that city as well as teenage youngsters on the South Coast. Drug peddling and drug addiction have reached serious proportions in the city of Wollon-

gong and are causing great concern to students, the clergy and members of the police force. Between 1962 and 1968 only two charges in respect of drugs were preferred by the police in the area. In 1969, seventeen charges were laid, and in 1970, fifty-seven cases were detected. So far this year 109 cases have been detected in respect of misuse of drugs and more than seventy charges have been preferred. If the present trend continues there will be an increase of about 400 per cent on last year's figures.

I referred this matter to the Premier and Treasurer some weeks ago and requested that a full-time drug squad be set up in Wollongong. In reply, the Premier and Treasurer indicated that he has received advice from the Commissioner of Police to the effect that the figures this year are forty-eight detections and forty-four persons charged, and that at this point a drug squad is not warranted in Wollongong. Those figures are completely incorrect: the figures quoted by the Commissioner of Police are not up to date: they show the position only up to 18th June of this year. There is still no drug squad in Wollongong, where it is public knowledge that there is only one policeman to conduct criminal investigations and deal with the misuse of drugs and the detection and apprehension of offenders. This is a situation that must not continue. One policeman cannot cope with such a problem. There is an urgent necessity to set up a small drug squad as soon as possible.

Only recently in Wollongong a person who had been in this country for only about three months was standing in the street with money in one hand and drugs in the other. That is the sort of situation that is developing, not only in the streets but also in other places including hotels.

There is an urgent need for the Government to set up an education committee which could educate the community on this grave social problem that is wrecking the lives of our young people and causing heartbreak among their parents.

Mr JAGO (Gordon), Minister for Health [4.18], in reply: The honourable member has referred to an important problem that has serious social implications, particularly to young people. He has referred to information he obtained from the Premier and Treasurer and from the Commissioner of Police. I recall a statement made by the Premier and Treasurer that any request made for additional police to engage in drug enforcement activities would be investigated. There is a drug squad in Sydney which has a detached element in Newcastle. In effect the honourable member is asking for representation of that squad in the Wollongong district. The information he has given and the figures he has put forward will be referred for examination. I would add, from the health point of view, that the Commonwealth has made a generous allocation of \$500,000 to the States to deal with this non-political and important social question. Although the Commonwealth has made substantial funds available, it has taken a while to recruit medical staff and lecture staff. I am sure that a substantial education element, if it is not already available in Wollongong, will function in conjunction with the Department of Education. Highly qualified persons have been recruited to engage in this activity. In addition to their normal tasks these special training groups will counsel, advise and assist not only in the prevention of drug addiction but also in keeping the community free from what in most cases might be described as a tragedy, as Sergeant Dell Fricker of the police drug squad said yesterday.

Motion agreed to.

House adjourned at 4.21 p.m. until Tuesday 7th September, 1971, at 2.30 p.m.

Legislative Assembly

Tuesday, 7 September, 1971

Printed Questions and Answers—Questions without Notice—Printing Committee (Fourth Report)—Threats to Hon. Member for Heathcote (Privilege)—Coal Industry (Amendment) Bill (third reading)—Commonwealth Agents and Private Inquiry Agents (Amendment) Bill (third reading)—National Parks and Wildlife (Amendment) Bill (third reading)—Rural Economy—Companies (Amendment) Bill—N.S.W. Institute of Psychiatry (Amendment) Bill—Pilotage Bill—Pay-roll Tax Bill (second reading)—Adjournment (Golf Course at Campbelltown: Coal Mining in Blue Mountains).

Mr SPEAKER (THE HON. SIR KEVIN ELLIS) took the chair at 2.30 p.m.

Mr SPEAKER offered the Prayer.

PRINTED QUESTIONS AND ANSWERS

HUNTER VALLEY CONSERVATION TRUST

Mr JONES asked the MINISTER FOR MINES AND MINISTER FOR CONSERVATION—(1) Will he supply the following information concerning the Hunter Valley Conservation Trust for the years 1967, 1968, 1969, 1970 and 1971 for—(i) the area added to the trust by the 1967 amending legislation, and (ii) the area of the trust within the Newcastle city council boundaries prior to the 1967 legislation: (a) the total rates collected, (b) works and the cost thereof carried out by the trust, (c) which works received a Commonwealth or State subsidy for flood mitigation and the amount of such subsidy? (2) What works and the cost thereof has the trust planned for 1971 and 1972?