

## Legislative Assembly

Wednesday, 15 September, 1976

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Petitions—Personal Explanation—Questions without Notice—Personal Explanations—Ombudsman Bill (third reading)—Joint Committee upon Pecuniary Interests—Mines Rescue (Amendment) Bill (Int.)—Hunter District Water, Sewerage and Drainage (Rating) Amendment Bill (Int.)—Local Government (Rating) Amendment Bill (Int.)—Metropolitan Water, Sewerage and Drainage (Rating) Amendment Bill (Int.)—Teaching Service (Amendment) Bill (second reading)—Church of England Trust Property (Amendment) Bill (second reading)—Tourist Industry Development Bill (second reading)—Adjournment (Land Acquisitions at Minto and Leumeah)—Questions upon Notice.

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Mr Speaker (The Hon. Lawrence Borthwick Kelly) took the chair at 2.15 p.m.

Mr Speaker offered the Prayer.

### PETITIONS

The Clerk announced that the following petitions had been lodged for presentation and that copies would be referred to the appropriate Ministers:

#### Sunday Hotel Trading

The Petition of the undersigned Electors in the State of New South Wales respectfully sheweth:

1. A referendum on Sunday Trading in hotels was held in New South Wales in the year 1969 which showed an overwhelming majority voting against Sunday Trading in hotels.
2. It is considered by the undersigned that any changes in the law allowing extension of Sunday Trading in liquor in hotels or in any shop selling liquor will increase the acknowledged evils associated with the consumption of liquor including particularly danger in road travel and in crime, and in damage done to domestic life of wife, husband and children in many cases.

Your Petitioners therefore humbly pray that your Honourable House:

1. Will not pass any legislation which will allow any extension of Sunday Trading in liquor in hotels or in any other place where the sale of liquor is permitted.

2. If nevertheless it is intended to **submit** legislation to the House this should not be done until a further Referendum is held to ascertain the wishes of the people as was previously held and which as stated showed an overwhelming majority against such legislation.

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

Petitions, lodged by Mr R. J. Clough, Mr Leitch, Mr Ryan and Mr Stewart, received.

#### Gambling Casinos

The Petition of the undersigned Electors in the State of New South Wales respectfully sheweth:

1. There are at present sufficient legal gambling outlets in the State of New South Wales.
2. During the last recently recorded period of a year the amount spent or invested in gambling exceeded the sum of **\$4,000**million.
3. The opening of Casinos will enlarge this expenditure and will create further inroads upon the amount available to families for the conduct of their domestic life and will thus cause hardship to parents and children in the home and will also, as experience has shown, be an incentive to **crimes** of stealing, embezzlement and fraud in order to make up for moneys that have been lost through gambling or which are intended for gambling.

Your Petitioners therefore humbly pray that your Honourable House will not legislate to legalize casinos in New South Wales.

**And** your Petitioners, as in duty bound, will ever pray.

Petitions, lodged by Mr R. J. Clough, Mr Leitch, **Mr** Ryan and Mr Stewart, received.

#### Austral Bronze Crane Copper Limited

The petition of certain citizens of New South Wales respectfully sheweth:

That a need exists for the approval to employees of Austral Bronze Crane Copper Limited at **247** Burwood Road, Concord, to park motor vehicles at a **45** degree angle to the kerb in Burwood Road, near the company's premises.

Your petitioners therefore humbly pray that your Honourable House will approve of the parking of motor vehicles at a **45** degree angle to the kerb and we make this request in the knowledge that Bunwood Road provides no thoroughfare beyond the company's works and believe that public transport buses **would** not be inconvenienced by this move.

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

Petition, lodged by Mr Maher, received.

## UNEMPLOYED TEACHERS

### Personal Explanation

Mr Bedford: I wish to make a correction to a statement I made in the House yesterday in reply to a question without notice from the honourable member for Hornsby. During my reply I stated that of the number of unemployed teachers approached by the Department of Education with offers for employment only fourteen were willing to serve anywhere in the State. I wish to make the correction that in fact twenty-four of them were willing to serve anywhere in the State. In mentioning the number fourteen, I had in my mind that the number of teachers who were willing to serve anywhere in the State was comparatively small compared with the whole of the teacher work force.

## QUESTIONS WITHOUT NOTICE

### AIR FORCE COMMEMORATION DAY SERVICE

Mr HEALEY: I address my question without notice to the Premier. Did the Premier receive an invitation for his Government to be represented at the air force commemoration day service at Martin Place, conducted by the Air Force Association, New South Wales Division, today? Has the ceremony been a feature of the city since 1946? Is the Premier aware that the Wran Government is the first government not to be represented at the ceremony? Will the Premier explain to the wives, mothers, sons and daughters of airmen who lost their lives defending Australia during world wars why the Government could not provide a representative on this important and solemn occasion? Was the decision not to be represented made because His Excellency the Governor-General is patron of the federal division of the Air Force Association?

Mr WRAN: It is amazing the extent to which some Ministers of the former Government will go to ingratiate themselves at least with some sections of the community —

Mr Healey: I have been a member of the association for thirty years—it is not ingratiation.

Mr SPEAKER: Order! I call the honourable member for Davidson to order for the first time.

Mr WRAN: The honourable member for Davidson was a Minister long enough to know that invitations to the Premier and to Ministers are dealt with at departmental level. The Minister or the Premier concerned rarely sees an invitation. I know **nothing** of this matter.

Mr Healey: You should ask your secretary because——

*[Interruption]*

Mr WRAN: The honourable member for Mosman was a Minister for **only** thirty-three days so he would not have had an invitation——

*[Interruption]*

Mr SPEAKER: Order!

Mr WRAN: Despite the apparent levity with which the question by the honourable member for Davidson is being dealt with by his colleagues——

*[Interruption]*

Mr SPEAKER: Order! I call the honourable member for Hornsby to order for the first time.

Mr WRAN: I shall certainly have the appropriate inquiry made within the Premier's Department and, if there is the slightest suggestion on the part of the association—which I do not think would be nearly as churlish as the honourable member who asked the question—that an apology is called for, an appropriate apology will be tendered.

### HISTORIC BUILDINGS

Mr WILDE: I address my question without notice to the Minister assisting the Premier, representing in this House the Minister for Planning and Environment. Is the Minister aware of public concern at the demolition of buildings of historic and irreplaceable significance, two further examples of which have occurred in recent weeks? Is it a fact that at the present time the Government is unable to prevent such vandalism? Will the Minister advise what action will be taken to rectify the situation?

Mr HAIGH: I congratulate the honourable member for Parramatta on the interest that he has shown on the important matter of maintaining the character of the early history of Sydney, Parramatta and similar areas, which have been the foundation of the history of New South Wales and of Australia. There is little that the Government can do at present to prevent the demolition of historic buildings. Buildings classified by the National Trust come under the demolisher's hammer. The only action that can be taken that might prevent their demolition is to **rezone** the area in which they are located and use the planning scheme provisions that are then available. The honourable member would know from his long experience in local government, particularly from the valuable service he gave to Parramatta as its mayor, that **rezoning** is a tedious approach to preserving historic buildings. Usually a building would be demolished by the time such action could be taken. Notwithstanding that a wonderful, historic building might be classified by the National Trust, the Government has no powers to prevent its demolition in the city of Sydney or in cities such as Parramatta.

I am sure that all honourable members would commend the action of the Minister for Planning and Environment in negotiating with developers in an attempt to preserve Jamieson House. Gratitude for the Minister's action has been expressed to me. It was only because of his intervention on behalf of the Government that that lovely old historic building will be preserved. The Government's concern about the matter raised by the honourable member for Parramatta is reflected in the fact that it has looked at it as a matter of urgency. I inform the honourable member and the House that the Government is at present considering legislation that it hopes to bring forward at an early date.

### PEDESTRIAN CROSSINGS

Mr JACKETT: I ask the Minister for Transport and Minister for Highways a question without notice. Have pedestrians with failing or defective eyesight some difficulty seeing green walk signs on automatic signals, mainly because the background is black? Will the Minister investigate the possibility of having the green letters in walk signs displayed on a white background and thus improve their visibility to pedestrians who are dependent upon the lights for safe road crossings?

Mr COX: The honourable member for Burwood has made a most interesting observation that concerns pedestrians with poor eyesight. Obviously he has carried out a great deal of research into the matter. I shall have his suggestion properly investigated by my department.

#### AIRPORT FOR LONG POINT

Mr KEANE: Has the attention of the Premier been drawn to the recent statement by the Leader of the Opposition that the Liberal Party recommends that an international airport should be constructed at Long Point in the Holsworthy area? As the great majority of international jet-setters undoubtedly reside in the salubrious North Shore dress-circle area, would it not be far more practical to construct the airport at Duffy's Forest in the electorate of Pittwater, a proposition strongly favoured by the former Premier, the honourable member for Wollondilly?

*[Interruption]*

Mr SPEAKER: Order! I call the honourable member for Bligh to order for the first time.

Mr WRAN: I did see that as a result of the findings of a committee of the Opposition a recommendation was sent by the Leader of the Opposition to the Prime Minister that Sydney's second airport should be located at Long Point. I was interested to observe that the site that the Opposition selected happened to be an old army training area that was already described as highly dangerous because it is apparently impregnated with unexploded shells—a circumstance that apparently escaped the attention of the Leader of the Opposition and his colleagues. However, it may be that in the midst of this **first** flight of invention they propose to equip all incoming jets with their own racks of shells so that these ground hazards can be detonated before landing.

This is a most serious matter, Mr Speaker, and I appreciate that the honourable member asked his question with a mixture of seriousness and levity. The Prime Minister has been in touch with me in relation to setting up a working party consisting of representatives of the New South Wales and federal governments in order to determine what use can be made of the extension of present facilities available at airports in New South Wales, and at the same time to determine a whole range of questions, including the possible site of a second airport and the possible growth of air traffic in the Sydney area for a large number of years. I hasten to assure the honourable member who asked the question and honourable gentlemen opposite that so far nobody but the Liberal Party candidate for The Hills has mentioned Galston as a possible site for the new airport, and certainly it has not been mentioned by the present incumbent of the Prime Minister's office or the present Government of New South Wales. The House may be assured that this Government will be co-operating with the federal Government with a view to providing a sensible long-term solution to air traffic and landing problems which face the Sydney metropolitan area.

#### PECUNIARY INTERESTS OF MEMBERS

Mr FREUDENSTEIN: I wish to direct a question without notice to you, Mr Speaker. Did the Premier give notice—

*[Interruption]*

Mr SPEAKER: Order! I call the honourable member for Gosford to order for the first time.

Mr FREUDENSTEIN: Did the Premier give notice that he proposed to move for a select committee to be set up to inquire into the matter of disclosure of members' interests, particularly pecuniary interests? Could all members of this House be deemed to have an interest in this inquiry? Does Standing Order 348 clearly state that no member who is personally interested in its inquiry shall sit on a select committee? Is there any proposal before the Standing Orders Committee to amend Standing Order 348 and, if not, do you propose to allow the Premier to proceed with his motion?

Mr SPEAKER: Order! In reply to the honourable member for Young, I shall give the question that he has asked some consideration and report to the House at a later hour.

### LOCAL GOVERNMENT FINANCE

Mr FLAHERTY: My question without notice is directed to the Minister for Local Government. Has the Commonwealth Government announced that it intends to allocate 1.5 per cent of its revenue from income tax to local government? Will this result in about \$51 million being distributed to councils in this State? How will this money be distributed and when will it become available?

Mr JENSEN: It is true that \$51.25 million in untied grants will be made available to local government in New South Wales as the result of a recent decision by the Commonwealth Government. This is a significant increase on the \$29.1 million that was made available in untied grants in 1976, although it is \$45 million less than the total sums made available to local government by the previous federal Government, which allocated \$53 million under the RED scheme and \$30.9 million under other special grants to local government, particularly for road construction purposes. I hope the Commonwealth Government will increase its aid to local government, especially in view of the high incidence of unemployment in many parts of the State.

The Department of Local Government has sent a circular to all councils in New South Wales asking them to indicate the durable work they can undertake if the Commonwealth Government, in a serious effort to reduce unemployment in all local government areas in New South Wales, should make funds available for that purpose. The Commonwealth Government has directed that the \$51.25 million referred to in the honourable member's question shall be distributed on a minimum basis of 33 $\frac{1}{3}$  per cent *per capita*, which means every local government body in New South Wales will get some of it. The New South Wales Government will have to make the 333 per cent distribution on a *per capita* basis. This means that the needs factor, which was the predeterminant of how the money from the previous federal Government would be allocated, will on this occasion apply only to 663 per cent of the money that is to be distributed. The Commonwealth Grants Commission has devised the formula that is to be used. The Commonwealth's requirement on this occasion is that 33 $\frac{1}{3}$  per cent be distributed on a *per capita* basis and the remainder on an equalization basis. The equalization method is designed to ensure that areas which appear to have the greatest need will get the greatest benefit from that component. I am sure that local government will put the money to good use. I hope the Commonwealth Government will think again about additional assistance to local government. It has not yet made any announcement to this effect. I do not know when the money will be made available, as this has not yet been disclosed by the Commonwealth Government. I expect that the New South Wales Grants Commission, which has been doing the detailed work involved in determining recommendations for the distribution of the money, will finish this work in the next few weeks.

## MINERALS MINING AND METALLURGY PTY LIMITED

Mr MOORE: I address my question to the Minister for Decentralisation and Development and Minister for Primary Industries. Has Minerals Mining and Metallurgy Pty Limited at Broken Hill recently retrenched sixty-two employees? Did this occur because of the failure of the company to obtain a guarantee from his Government for a loan of \$1.2 million? Will the Government immediately introduce legislation to permit the Minister's department to give such a guarantee in this and other deserving cases?

Mr DAY: I am not fully conversant with all the details of the matter mentioned by the honourable member for Gordon, though I am aware that the Government Guarantees Act precludes any government guarantees for loans negotiated by a mining company. If such a guarantee were considered desirable it would be necessary to amend the Act before the guarantee could be given. I am sorry to hear that the company mentioned by the honourable member for Gordon is in financial difficulties. I know the employment situation in Broken Hill is acute, as it is throughout New South Wales and the rest of the Commonwealth. The Government is anxious to do everything possible to maintain and improve employment opportunities in Broken Hill and elsewhere. I shall have a look at it, but in view of the structure of the Act it is not possible, in the short term at any rate, to offer any mining company guarantees for loans.

## SURF LIFE SAVING CLUBS

Mr CLEARY: I ask the Minister for Sport and Recreation and Minister for Tourism whether it is a fact that the surf life saving clubs, especially in the Coogee electorate, have been disadvantaged in the past because of lack of government financial assistance. Has the new State Government taken any action to improve the financial position of these clubs, to help overcome their problems of inadequate facilities and equipment? More specifically, can the Government do anything to help the surf life saving clubs in my electorate?

Mr BOOTH: It is true that surf life saving clubs, especially those in the Coogee electorate, have been seriously disadvantaged because of lack of government support. The former Government gave very low priority to the tremendous work undertaken by the clubs and their members, and its only contribution was a paltry \$76,000, which was not allocated for any specific purposes whatsoever. Naturally this has caused the surf life saving movement to seek financial help from private firms, as well as supplementing their income by placing additional burdens on clubs and their members in the form of running raffles, chocolate wheels and all the other activities that we believe were not necessary and were discouraging people from taking up surf life saving. Because of the dire straits the surf life saving movement had got into, the new Government—and I was encouraged in this by the Premier—allocated \$250,000 to assist it.

Mr Arblaster: That is less than we said.

Mr BOOTH: That is strange. I shall tell the former Minister for Sport what was contained in item 5 of the Liberal Party's election policy. The only reference to this subject was, "Improvements of safety measures for water sports and recreation". There was no special mention of the surf life saving movement. It was extraordinary that despite what was said in the Liberal Party's policy speech, when the sport and

recreation fund was established last year only \$2.5 million extra was channelled into it for sport and recreation purposes, with nothing specifically mentioned for the surf life saving movement in New South Wales.

It is time to put the record straight. Members of the Opposition are not in office any more. Some of the files the former Minister had I now have, and the ones he says he had still are not there. I merely say to the honourable member that, although he said he would do something for the surf life saving movement, he did nothing. Only \$76,000 was found last year for surf life saving. This Government found \$250,000. This will be a tremendous advantage for this money has been allocated specially to the surf life saving movement. We believe that its members have the expertise, and we look to them for guidance in these matters. The money is being used to promote surf life saving and competition, at regional, State and national levels; to extend training methods; to improve the helicopter rescue service, communications and administration; and to provide loans for grants for capital expenditure on gear and buildings. These negotiations were conducted between the surf life saving movement and the Department of Sport and Recreation.

The Government is very proud of another first: this is the only Government in Australia ever to have a separate Department of Sport and Recreation with a permanent head. It was established only last week. This gives some idea of the initiatives the Government is taking in sport and recreation. It will help in discussions between the department and the various organizations.

The Government is pleased to announce also that, because of the wide interest of the honourable member for Coogee—which is natural because Coogee and Clovelly are renowned surfing areas—the surf life saving clubs there will benefit from this grant. This results from initiatives taken by the honourable member for Coogee. Everyone recognizes the contribution he has made to the surf life saving movement. Only this week approval has been given for \$30,000 of the \$250,000 to go to the Clovelly Surf Life Saving Club for a building programme, for a gymnasium, a handball court, a kitchen, a ladies room and a storage area. It is a community project, not confined to surfing. Also involved is an allocation to the Redhead Surf Life Saving Club because it too is involved in community activities. The other allocation is to the club at Port Macquarie which is engaged in a similar type of project. The Government has relied heavily on the recommendations made by the surf life saving movement.

I pay tribute to the persistent efforts of the honourable member for Coogee in this matter, for he has been a strong advocate for this sort of additional help to lifesaving clubs. He has been vitally concerned also with the provision of funds to restore beaches that were badly damaged in 1974. The Deputy Premier, Minister for Public Works, Minister for Ports and Minister for Housing has instituted a programme in this respect of which the Government can be proud. This is one Government that is concerned about surf lifesaving and about our beaches.

#### POKER MACHINE TAX

Sir ERIC WILLIS: My question without notice is directed to the Premier. In September last year did the Premier, when Leader of the Opposition, promise registered clubs that they would be classified into different categories for the assessment of additional, supplementary poker machine tax, and that the classification would result in welfare and sporting clubs being exempt from the supplementary tax? Did the Premier promise also that supplementary tax would be reduced by half for all other

clubs? Did the Premier say in **his** policy speech, "We will fulfil the commitment I made to the New South Wales club movement last year"? Will the Premier now say when he intends to redeem that \$15 million commitment?

Mr WRAN: No doubt the Leader of the Opposition is still full of the enjoyable night he had last evening with the Registered Clubs Association when, being paired with the Minister of Justice and Minister for Service ———

Sir Eric Willis: That is not correct.

Mr WRAN: ———and, having signed the pairs book for a pair with Mr Wade——

Sir Eric Willis: You are telling lies again.

Mr SPEAKER: Order! I call the Leader of the Opposition to order for the first time.

Mr WRAN: —~~he~~ came back and scratched his name off for the pair in the book with Mr Wade. He went back on his word in relation to a pair.

Mr Mutton: On a point of order. That is not correct.

Mr SPEAKER: Order!

Mr WRAN: It is true that in September of last year I made the statement to which the Leader of the Opposition refers. Indeed, I made it every month after September up to and including the elections on 1st May. Furthermore, the relief that the Government proposes to give registered clubs will be the first real and effective relief that those clubs have had in more than eleven years. The honourable member has been long enough in this Parliament to know that the question he asks is one that, of necessity and from its very specification, must be dealt with in the Budget. For me to indicate at this stage the measures that the Government proposes to take by way of implementing in whole or in part that election promise would be to pre-empt the Budget. That is something I do not intend to do, despite the way in which the Leader of the Opposition has sought to introduce the matter into the House.

#### STARTING-PRICE BETTING

Mr ROGAN: I ask the Minister of Justice and Minister for Services a question without notice. Does the Minister propose recommending to State Cabinet an increase in the legal penalties that might be imposed on persons who are convicted of starting-price betting? If so, how long is it since penalties for this offence were varied?

Mr MULOCK: The answer to the first part of the honourable member's question is most emphatically, yes. I do intend to recommend to Cabinet that penalties for SP bookmaking be increased. It is many years since the level of penalties in relation to offences of this nature were increased. In fact, the penalties have remained unaltered since the original legislation was enacted in 1912. I believe, and I think all reasonable people would agree, that it is certainly not ahead of time to look at the question of increasing penalties for SP bookmaking. The increases that I will propose, though not yet decided in detail, will be heavy. A huge volume of water has flowed under the bridge since 1912 and the value of money has declined drastically. This state of affairs reflects little credit on the previous Government which allowed eleven years to elapse without doing anything substantial to deter SP bookmakers, particularly as the inadequacy of these penalties was commented upon in 1963 by Mr Justice Kinsella in his report as the Royal Commissioner who inquired into off-course betting.

I understand that the honourable member for Fuller has complained that if the Government increases penalties for SP bookmakers it will be stealing the thunder of the previous Government. Let me indicate quite clearly that there is no intention to steal the thunder of the previous Government—it had no thunder to steal. I have already pointed out that in respect of these penalties nothing was done during the 11-year reign in office of the Liberal-Country party coalition Government. In fact, nothing was done about them over a period of sixty years. The honourable member for Fuller, as the Minister responsible, achieved nothing whatever in this respect. The departmental file records the history of the former Minister's activity, or in this case, as with so much of his administration, his inactivity. It is interesting to note that it was the predecessor in office of the honourable member for Fuller—the former member for Kirribilli, the man who was rejected by his own party—who initiated a move to increase SP betting penalties. The former member for Kirribilli started the ball rolling after the Totalizator Agency Board complained about the extent of SP bookmaking in August, 1975, and the police were requested to investigate the complaint.

Early this year, following a night of the long knives, the honourable member for Fuller bobbed up as Chief Secretary with responsibility for these matters. On 30th March the honourable member for Fuller, as Minister, received a draft Cabinet minute from his department recommending increases in penalties for these betting offences. Did he immediately get cracking and set in motion the necessary machinery? No way. The recommendation was still lying in his too-hard basket after the elections. It was not until 5th May, after the elections and after the honourable member for Fuller's throat had been cut by the electors and he was slowly expiring, that he finally put pen to paper and signed the draft Cabinet minute. The matter was never placed before Cabinet and the previous Government made no decision on it. Notwithstanding that fact, in today's edition of the Sun the honourable member for Fuller is reported as saying that one of the last things he did as Chief Secretary was to approve legislation to increase penalties for SP bookmaking. He did not increase anything. That is the unenviable history of the matter. If the honourable member for Fuller wishes to raise a few other matters for which he, together with the Leader of the Opposition, have been claiming credit—that would be the only thing they would agree upon—I may take it into my head to set the record straight on those matters also. I am well prepared to do so. The story of the inactivity of the honourable member for Fuller is recorded in the files of my department.

#### GAMBLING CASINOS

Mr DUNCAN: I ask the Premier whether he, when delivering the opening speech for his party's campaign at the Bankstown civic centre in April last, indicated that if Labor were elected to government it would take office without any hidden commitments. Did the Premier clearly breach that undertaking by failing to tell the people of New South Wales of his plans to license gambling casinos? Did the Premier, also in April last, at a conference with the Council of Churches intimate that he personally opposed any extension of gambling in this State? If these are facts will the Premier delay any plans he might have to license gambling casinos in order that the people of New South Wales may be given an opportunity to express their views on this important moral issue at a referendum held in conjunction with the next State elections?

Mr WRAN: The question raised by the honourable member for Lismore is the subject of current public debate. What we must remember is that the honourable member who asked the question with such a sanctimonious air was a supporter of a

government that for eleven years allowed illegal gambling casinos to flourish without one word coming from the honourable member for Lismore. Perhaps the question that the electors of New South Wales—particularly the people of Lismore—should be asking themselves is, how do the honourable member for Lismore and his colleagues justify their support for illegal gambling casinos? That is the real question. If I may say so, the relatively small minority of persons who are raising their voices in protest against the movement to legalize casinos in New South Wales should ask themselves how they justify supporting the continuation of illegal gambling casinos in this State. We have it on no better authority than the honourable member for Fuller, the Leader of the Opposition and the former Minister for Police and Services, Mr Waddy, that the law made it virtually impossible to close illegal gambling casinos in this State. All that Opposition members are doing now is trying to divert attention from the simple, cold, brutal fact that they were not willing to lift a finger to stop this practised illegality that went on under their noses over the past decade.

As to the question of referendums, two authoritative polls have been conducted in New South Wales in respect of the question of legalizing casinos. One poll found that 55 per cent of people were in favour of legalizing gambling casinos and 30 per cent were against it. A more extensive Morgan Gallup poll was conducted on this question. The results of that poll were published in the Bulletin—that veritable bible of the Liberal Party—of which the honourable member for Fuller is a former editor, and he will vouchsafe the accuracy of almost anything. The result of that poll was that 55 per cent of the population of New South Wales wants legal gambling casinos, and that less than 30 per cent of people would vote against their introduction. If, in the light of that circumstance, the honourable member for Lismore thinks that approximately \$1 million should be spent in conducting a referendum, that is a matter for him. However, the question for him and his conscience—in fact the conscience of all Opposition members—is, what were they doing when they allowed the law to be flouted night after night for the past ten years?

#### DEPARTMENT OF MAIN ROADS RENTS

Mr BANNON: My question without notice is directed to the Minister for Transport and Minister for Highways. I ask the Minister whether the Department of Main Roads recently reviewed the rents of property owned by it, resulting in some cases in an increase in rent from \$36 a week to approximately \$42 a week. Has it come to the Minister's notice that some tenants, such as breadwinners on the NEAT scheme who are receiving about \$102 a week, may be in real difficulty in facing these increases? Will the Minister consider the introduction of some form of rebate scheme to relieve the burden of tenants in these necessitous circumstances?

Mr COX: It is true that the Department of Main Roads recently reviewed the rentals of properties it owns. In some cases this has resulted in a hardship for some occupiers of these dwellings. It has been brought to my attention that a number of people in these homes have been placed in difficult circumstances. I have asked the department to review the current situation in relation to this matter to see whether it is at all possible for some rebate scheme to be introduced. When I have this further information I shall let the honourable member and the House know the position as quickly as possible.

#### TRAFFIC INSTALLATIONS

Mr VINEY: I direct my question without notice to the Minister for Transport and Minister for Highways. Did the Minister recently state that the Department of Main Roads has a proposal to install an electronic driver-aid scheme involving **closed**

circuit television, remote-controlled, movable, median lane control signals on the Sydney Harbour Bridge and its approaches? Is the **Minister** aware that the Department of Main Roads was making similar statements over two years ago? Is he aware, also, that the necessary design work is nowhere near complete? Will the Minister direct the Commissioner for Main Roads to retain private engineering consultants to complete all design work and set a deadline of not later than 31st December? Will he also set deadlines for the calling of tenders and the installation of this equipment?

Mr COX: The honourable member for Wakehurst has raised a number of matters of a highly technical nature. I shall certainly take up these matters with the Commissioner for Main Roads and give the honourable member and the House a detailed reply as quickly as possible.

### MOTOR VEHICLE DELIVERY CHARGES

Mr WHELAN: I ask the Minister for Consumer Affairs and Minister for Co-operative Societies whether he is aware that motor car dealers impose a pre-delivery charge in addition to the normal advertised selling price of motor vehicles. Will the Minister inform the House whether he has commissioned an investigation into this matter? If not, will he have this done as a matter of urgency?

Mr EINFELD: In the comparatively brief time that the honourable member for Ashfield has been a member of this House he has shown a gratifying interest in affairs that affect the public generally and consumers in particular, and this question is in line with the interest he has shown in all similar matters. In recent years it seems to have become a practice for motor car dealers to inflict a pre-delivery charge as one of several extras that are customarily added to the advertised price of motor vehicles—in particular new cars although to some extent it has extended to used vehicles. The Australian Automobile Dealers Association approached the Prices Justification Tribunal seeking the tribunal's approval, as a guideline, of various items it associated with the delivery of motor vehicles. Two matters are involved in this question. The first is that dealers make a delivery charge which, particularly as it relates to country dealers, has justification in that the freight involved in getting a vehicle to country areas is a justifiable charge and ought to be added. Indeed in most hire-purchase transactions involving motor vehicles such a charge is shown as a separate item in the purchase price. What is happening in respect of the pre-delivery charge is that this item is being added to the advertised cash price of the vehicle and shown as one item.

A pre-delivery charge covers all sorts of things, such as the cost of a dealer cleaning a new car before delivery, inspecting it to see that it is in good condition or the cost of putting a registration plate in the registration frame. In my opinion and in the opinion of the officer of the department who has been investigating the matter these things are unjustifiable and to some extent iniquitous. The matter has been investigated for some time. Let me sound a warning first in regard to the used car; it is completely unfair that a person seeking to purchase a used car for cash or on hire purchase at the advertised price should find that extra charges are added to the price. I am asking the department to investigate that to see whether an amendment is needed to the Motor Traffic Act to deal with it or whether the new prices commission, when the legislation passes through the Parliament, will be adequate to deal with it.

I commend the honourable member for Ashfield for bringing this matter to the notice of the House. As to new cars, there is an iniquitous practice of adding separate charges, some of which are unjustified. A person going to a department store to buy new goods expects to find those goods in new order. If one goes to a new motor car

dealer one should be able to buy a vehicle that is in first-class order and condition without having to pay for the work that has to be done to ensure that the vehicle is in new condition. The department is investigating the matter. If charges are not justified, or exploitation is practised, a way to deal with it will be found.

#### DRIVING LICENCES

Mr N. D. WALKER: I direct my question without notice to the Minister for Transport and Minister for Highways. Are a number of driving licences and motor cycle riding licences cancelled each week in this State? Is the Minister aware that a number of disqualified drivers and riders are going to motor registries and obtaining licences by giving a false name and address? Is the Minister aware that the Police Department is most concerned at this blatant breach of the law? As the Minister with jurisdiction over these matters, will the Minister for Transport and Minister for Highways take urgent action to stop this illegal practice?

Mr COX: The honourable member for Miranda has raised a number of matters dealing with people who have had their driving or riding licences cancelled. He has implied that a number of them go to the department and give false names and addresses to obtain licences. I have no detailed knowledge of this situation but I accept the word of the honourable member. I am unaware of the concern of the Police Department. The department has not contacted me in relation to the matter. I should have thought that were the practice as prevalent as the honourable member for Miranda has suggested, the police would have been in contact with me. I shall certainly have discussions with the Police Department and the Department of Motor Transport to ascertain what action can be taken.

#### PECUNIARY INTERESTS OF MEMBERS

Mr SPEAKER: I have had time to consider the question directed to me earlier by the honourable member for Young. His question can be best answered by referring him to page 618 of the eighteenth edition of *May* where it is stated:

In the nomination of Members to serve on select committees neither the House, nor, where the nomination is entrusted to the Committee of Selection, the Committee of Selection, is bound to consider whether members are personally interested in the matter or bill referred to the committee, and no objection can be raised in this respect to the composition of the committee.



#### PAIRS

##### Personal Explanation

Sir Eric Willis: During the course of answering a question asked of him a short while ago the Premier, as has now become his regular daily practice, uttered a number of untruths—

*[Interruption]*

Mr SPEAKER: Order! Has the Leader of the Opposition the indulgence of the House to make a personal explanation? Indulgence is granted.

Sir Eric Willis: The Premier uttered a number of untruths in respect of myself, I should not rise to correct the position were it not for the fact that it is now becoming a daily habit for the Leader of the Opposition to accuse me——

Mr Ferguson: The Premier ——

Sir Eric Willis: It is only a matter of time——

Mr SPEAKER: Order! I ask the Leader of the Opposition to ignore interjections. He is making a personal explanation under Standing Order 137. I do not want the Leader of the Opposition to engage in debate with honourable members on the Government benches.

Sir Eric Willis: Perhaps you will prevent the Premier ——

Mr SPEAKER: Order!

Sir Eric Willis: I listened courteously and silently to the answers given by the Premier to the questions asked of him. First, in the course of his answer he said that I had entered my name in the pairs book. Since I have been in this Parliament I have never entered my name in the pairs book.

Mr F. J. Walker: You get your hatchet man to do it.

Mr SPEAKER: Order! I call the Attorney-General to order for the first time.

Sir Eric Willis: Second, the Premier said that I was paired with the Minister of Justice and Minister for Services. I deny that. My name was in the pairs book as being paired with the honourable member for Newcastle who is, as you know, Mr Speaker, overseas. The third inaccuracy in the same statement from the Premier was that I had scratched my name out of the pairs book in order to suit a particular convenience. I can assure you, Mr Speaker, that at no time was I paired with the Minister of Justice and Minister for Services. The time I was paired yesterday I was entered in the pairs book, as is shown, with the honourable member who is overseas. Accordingly, I resent the fact that the Premier continually utters these lies in order to make this point.

## PAIRS

### Personal Explanations

Mr Mulock: On the matter raised by the Leader of the Opposition just now I wish to say that the Opposition Whip phoned me at 5.20 p.m. yesterday afternoon——

Sir Eric Willis: On a point order. Unless an honourable member can show where he personally has been misrepresented he cannot make a personal explanation.

Mr SPEAKER: Order! I actually have not heard what the Minister of Justice and Minister for Services is indicating.

Mr Mulock: The Leader of the Opposition said that he was never paired with the Minister of Justice and Minister for Services yesterday. I am about to indicate that that is not the position.

Mr SPEAKER: Order! The Minister would have to explain to me how his position in the House was reflected on by the Leader of the Opposition.

Mr Mulock: The reflection upon me is serious because it relates to a particular function about which the pair was arranged.

Sir Eric Willis: On a point of order. I said nothing about the Minister of Justice; I was talking about the Premier.

Mr SPEAKER: Order! In effect the Minister of Justice and Minister for Services is trying to debate a personal explanation.

Mr Mulock: Mr Speaker——

*[Interruption]*

Mr SPEAKER: Order!

Mr Mulock: If as a result of an arrangement entered into by the Leader of the Opposition--on which he subsequently reneged—I was unable to attend a function at which I was to represent the State Government, it does reflect upon me unless the record is put straight. Mr Speaker, at 5.20 p.m. yesterday——

Sir Eric Willis: On a point of order. With the greatest respect, Mr Speaker, I submit that on numerous occasions your predecessors have ruled that an honourable member must show how he has been personally misrepresented. The Minister of Justice and Minister for Services is now saying that I said something that misrepresented him. In fact, what I said related to the Premier. Not once did I say that the Minister said or did anything, and therefore I cannot see how he has been misrepresented.

Mr Mulock: On the point of order. I have been misrepresented by way of a denial. The Leader of the Opposition has denied a pairing arrangement which I intend to show was entered into and altered by the Leader of the Opposition, causing me embarrassment in my ministerial portfolio. It is not necessary for there to be a positive misrepresentation. The Leader of the Opposition is a master of the half-truth and in this way the Leader of the Opposition may misrepresent somebody's position. A person may be misrepresented in a particular circumstance; he may be personally misrepresented by way of a denial, which was so in the case of the Leader of the Opposition.

Mr F. J. Walker: On the point of order. I submit that the Minister of Justice and Minister for Services has a right to make a personal explanation about pairing arrangements. He does not have to make a personal explanation about a matter that happened inside this House; he can make it about a matter that happened outside it——

*[Interruption]*

Mr SPEAKER: Order!

Mr F. J. Walker: The Minister is indicating to you, Mr Speaker, that he has been embarrassed and wishes to make a personal explanation under Standing Order 137, which permits him to raise a personal matter—a matter that affects him personally—and to show why he has been embarrassed. If the misrepresentation is the reneging by another member in this Parliament—the deliberate breaking of a pair and dishonouring of an arrangement—I submit he is entitled to make a personal explanation.

Sir Eric Willis: On a point of order——

Mr SPEAKER: Order! If I allow honourable members on both sides of the House to continue to take points of order it will develop into a debate. Having listened to the points of order that have been taken, I am satisfied that the inability of the Minister of Justice and Minister for Services last night to attend a function to which he was invited was in some way caused by the fact that the Minister understood that he was paired with the Leader of the Opposition.

Sir Eric Willis: Mr Speaker—

Mr SPEAKER: Order! In reply to a question asked by the Leader of the Opposition the Premier said that the Leader of the Opposition reneged on a certain agreement concerning a pairing arrangement. The Leader of the Opposition has made his explanation as to how his reputation in this House has been affected. It is fair that the Minister of Justice and Minister for Services should be permitted to make his explanation.

Mr Mulock: At 5.20 p.m. yesterday a message was received from the Whip—

Mr Fisher: On a point of order. The permission of the House was required before the Leader of the Opposition could make a personal explanation. I submit that similarly the permission of the House should be received before the Minister of Justice and Minister for Services may make a personal explanation.

Mr SPEAKER: Order! Is the indulgence of the House granted to the Minister of Justice and Minister for Services? The indulgence of the House is granted.

Mr Mulock: After an approach had been made to the Leader of the Opposition, who was also an official guest at the annual dinner of the Registered Clubs Association—he was to support the toast which was to be moved by me, as appears from the official programme—I was informed that the Opposition Whip had said that the pair would operate as from a quarter to six last night. I sent a message that it was to be an official pair to be signed in the pairs' book. The information received was that so far as the Opposition was concerned the arrangement about signing the pairs book related only to members of the House who were overseas on parliamentary duties. It was made known to me last Friday that the Deputy Leader of the Opposition was also to attend the function at the Registered Clubs Association.

Last night I contacted the executive officer of the association and intimated to him that because the Leader of the Opposition was not willing to sign the pairs book and give an official pairing I should be unable to attend. Subsequently, at 7.40 p.m., I looked at the pairs book and saw that the Leader of the Opposition was then paired with the honourable member for Newcastle, who is overseas on parliamentary duties. I telephoned the chief executive officer and informed him that the Leader of the Opposition had taken an official pair with the honourable member for Newcastle, who was overseas. The chief executive officer asked where was the Deputy Leader of the Opposition. I said that quite obviously the Deputy Leader of the Opposition had not gone because no pairing arrangement had been made and that the Leader of the Opposition was attempting to steal a march on the Government by being the only representative of this Parliament at the association's function by taking a pair in the official book. It was a renegeing of the arrangement that was made.

[*Interruption*]

Mr SPEAKER: Order!

Sir Eric Willis: Mr Speaker, I do not want to create the impression that I am attempting to debate a personal explanation—

Mr SPEAKER: Order! On what matter is the Leader of the Opposition rising?

Sir Eric Willis: On a personal explanation relating to the matter which has just been raised, not in connection with what the Minister of Justice and Minister for Services said in respect of his own conduct but in respect of the statement made that I had entered into a pairs arrangement with the Minister for any time yesterday. Let it be quite clear now that I had an approach from the Leader of the House on behalf

of the Government about a month or six weeks' ago asking me about pairs and I wrote—I put it in black and white—that until The Hills by-election was over there would be no pairs arrangement, and there will not be any pairs arrangement because the Government has deliberately kept the honourable member for The Hills as one of their pairs at all times.

## OMBUDSMAN (AMENDMENT) BILL

### Third Reading

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

### JOINT COMMITTEE UPON PECUNIARY INTERESTS

Mr WRAN (Bass Hill), Premier [3.20]: I move:

(1) That a joint committee be set up to inquire into and report whether arrangements should be made relative to the disclosure of members' interests and the registration thereof, and in **particular**—

- (a) what classes of pecuniary interest or other benefit are to be so disclosed;
- (b) how the register should be compiled and maintained and what arrangements should be made for public access thereto; and
- (c) what classes of person (if any) other than members of Parliament ought to be required to register

and to make recommendations upon these and any other matters which are relevant thereto.

(2) That such committee consist of eight members of the Legislative Assembly and three members of the Legislative Council.

(3) That Mr Dowd, Mr Freudenstein, Mr Keane, Mr Kearns, Mr O'Connell, Mr Quinn, Mr Sheahan and Mr Viney be the members of the Legislative Assembly.

(4) That the committee have leave to sit during the sittings or any adjournment of either or both Houses and to make visits of inspection within the State of New South Wales, other States of Australia and the Australian Capital Territory.

I do not propose to speak at any great length to this motion. It speaks for itself. The motion is for a joint committee of both Houses and delineates the terms of reference of the committee. The committee provides representation from both sides of this House and also from the Legislative Council.

As I understand it, the Opposition raises no objection to the establishment of the committee, but the Leader of the Opposition has expressed the view that the proposed committee is lopsided—having eight members from this Chamber and three from the Legislative Council. This is an argument that no doubt he will develop if he wishes.

I hope that the committee will proceed with due expedition. It has been charged with an important inquiry on a subject that has already attracted the attention of the federal Houses of Parliament and the House of Commons. Naturally, it will be a

matter for the committee, but it is the Government's hope that the committee's report will be available in such time as to permit its recommendations to be considered by the Government early next year.

Sir ERIC WILLIS (Earlwood), Leader of the Opposition [3.23]: I make clear at the outset that the Opposition supports the principle embodied in the motion. However, there are some observations that I should like to make and I want also to move an amendment, which I hope the Premier and his colleagues will accept. The objective of this motion is worth examining. Many people in the community believe—perhaps without much thought, but nevertheless quite sincerely—that members of Parliament are in politics for what they can get out of it. In fact, my experience over a long period is that that applies to extremely few politicians indeed. We can largely blame ourselves for this situation because far too often members of Parliament, either by inuendo or implication—and on rare occasions by direct statement—harm or attempt to harm the reputation or the good character of other members and, of course, persons outside Parliament. Already in this session we have seen a number of examples of this.

For example, today I was the subject of a statement that I broke an agreement about which I knew nothing and that I am certain I did not break. About a week ago I was accused by a Minister of being a criminal. I was accused by no less a person than the Premier that, in the eleven years that I was a Minister, I had lined my pockets. There have been numerous other examples, notably the most unjust remarks made about members of the Legislative Assembly, on this side of the House only, who quite honestly earned or purchased milk quotas under legislation that had been enacted by a former Labor government. None of these honourable members had gained any benefit whatsoever out of the previous Government's actions or intended actions, but nevertheless they were subjected to a great deal of character besmirchment by remarks made in this House under parliamentary privilege. Accordingly, Mr Speaker, I warmly commend the move being made to clean up the whole thing.

Let us have a system whereby the public can see just what each member of Parliament has when he or she enters the Parliament or the ministry. Let us reveal to the public what possible conflicts might exist or arise between public duty on the one hand and personal interest or benefit on the other. I can assure you, Mr Speaker, speaking on behalf of all honourable members on this side of the House, that we have nothing whatsoever to hide. Therefore, we are quite happy to reveal all, as they say. Perhaps this will put an end to part, if not all, of the mud-slinging and character assassination that has been going on in this Chamber—as I said before, under parliamentary privilege.

The problem can never be resolved to the complete satisfaction of everyone. It is just not possible to record all possible outside influences that may be exerted on honourable members. We are all, according to the textbooks, conditioned in one way or another by our environment, heredity or external circumstances. I point out that the motion emphasizes pecuniary interests. This is an important interest; I am not suggesting that it is not, but it is by no means the only interest. Nowhere, as far as I have been able to ascertain, has it been found possible to devise a perfect system. For example, there are registers of one kind or another in various parliaments and similar bodies throughout the world, but if one glances through their requirements, it is possible to readily detect loopholes that could be used, mis-used or abused by unscrupulous persons. If we have a register of shareholdings or property, should it be confined only to what the member himself might have in his own name? What about his wife, his children, relatives—father, mother, cousin, aunt, uncle? The further one goes the more one reaches the conclusion that there is no limit to how far one should go if one wants to cover every possibility.

What about interests other than pecuniary interests? Last week I used an illustration—a most important one in my opinion. The Deputy-Premier at one and the same time is Minister for Housing and an extremely active member of the Building Workers Industrial Union. I mentioned that there would be a conflict of interests between his responsibilities to the taxpayers of the State and his responsibilities to a union to which he belonged. If the register which is to be introduced reveals only financial or pecuniary interests, then membership of a trade union would not be disclosed.

What about an attorney-general who, for example, is being asked to file no bill, when the person who has been committed for trial belongs to the same organization as that attorney-general—for example, the same political party or peace movement? I wonder in the case of the Attorney-General how he would file those circumstances. Is it possible that someone could draw the conclusion that, because he belonged to the same organization as that person, he was influenced in some way in his decision.

Mr Quinn: What about being on the same board of directors?

Sir ERIC WILLIS: Yes, or on the same board of directors. The point that I am trying to make is that it is not just pecuniary interest that should be included in the register. That is one interest, and a most important one; let us have pecuniary interest by all means, but let us have these other interests as well. There are many other interests, I believe, that should be specified, but the only one that is mentioned by name is pecuniary interest. I submit that we want to be extremely careful that it is not the only one on which the select committee carries out its investigation. Nowhere should we assume that the only interest that might be responsible for a conflict in the mind or conscience of a Minister or a member of Parliament is a pecuniary interest. There are, as I said earlier, many other examples that one can think of similar to those that I have mentioned by way of illustration. We on this side of the House believe that the committee should look into all interests of members—not only their pecuniary interests. Interests both pecuniary and otherwise might be disclosed in consequence of the committee's findings, and for this purpose I shall be moving an amendment to ensure that this point is considered by the committee.

I hope that the Premier will agree to the amendment that I propose to move. I am sure he will do so if his motives are as wholesome as he claims them to be. I have no reason to doubt that they are anything but wholesome. If we are to look into this question we should not stop at pecuniary interests; we should look at other interests, such as those I have given by way of illustration. No doubt the Premier will say that the wording that he has chosen for his motion is similar, if not identical, to a resolution carried in the federal Parliament about September, 1974, when the Whitlam Government was in office. I know the Premier is a great supporter and follower of Mr Whitlam and anything that his Government did; no doubt this is the reason why he has been persuaded to use similar phraseology in his motion. I believe that in the interests of getting at the crux of the matter he ought to accept my amendment so as to put beyond all doubt that what are to be considered are not only pecuniary interests, but also all others interests that may cause a conflict in the mind of the member or Minister concerned.

I appreciate that in setting up a select committee the Government is following a trend. Similar moves have been made in other Parliaments of like nature, such as those of the United Kingdom, Canada, New Zealand, Victoria and Canberra. The procedure has been to set up a select committee and to have it make a report to Parliament. But, of course, every place has differing circumstances and differing traditions, and various matters must be taken into account. I suggest that the committee, when it is working,

might take into account the reports of those select committees in other places, and of course, make any necessary modifications or additions according to the needs of the community in which we live and work.

I now turn to the lopsided composition of the committee. In recent correspondence with the Premier on this subject I have told him that his proposed committee is very lopsided, with eight members from the Legislative Assembly and only three from the Legislative Council. Naturally I asked myself why the Premier would want this. The reason must be apparent, even to the honourable member for Burrinjuck: the Government wants to make absolutely certain that it has a majority of members on the committee. It puts up five Government members and three Opposition members from the Legislative Assembly, although the numbers in this House are almost equal. When the seat of The Hills is filled there will be a difference of only one between the Government and the Opposition, disregarding the honourable member who is an independent, or claims to be. With the numbers so evenly divided, the Government says, "Let us have five to the Opposition's three from the Legislative Assembly". It is hardly cricket, old boy. But this is not a game of cricket: it is a game in which the Government wants to ensure that its viewpoint will prevail, no matter what. So it has plumped for three members of the Legislative Council.

Although I have no foreknowledge of the subject I should be willing to **wager**—even to offer a shade of odds—that the Government intends to have on the committee two Government supporters and one Opposition supporter from the other House. Cunning people as they are, and knowing that the Liberal Country party Opposition has a majority in another place, the Premier and his colleagues suspect that the ratio might be reversed, in which event they would lose their majority unless they had two more in this House than they have up there. They have ensured that even if there is a minority of one to two in another place, the Government will maintain its majority on the committee.

Having worked through this process of simple mathematics, may I say on behalf of my colleagues that we do not want to have a majority on the **committee**. We are quite happy to let the Labor Party have a majority, and to let the Government have the chairman. We have nothing to hide, and we are not afraid of what the report will bring out. If Government supporters are so concerned to have a majority, and also the chairmanship of the committee, I do not mind. If they want me to do so, I shall even move an amendment that the **chairman** be a member supporting the Government, or that there be a majority of members supporting the Government. The Opposition does not mind that in the slightest. But let us look at the matter a little more objectively and fairly, and with a little more justice than there was in the minds of the Premier and his draftsman when they prepared the motion under consideration.

I **mentioned** earlier that the Premier had followed slavishly—only two or three words were changed—the Whitlam Government's motion to which I have referred. **But** when it comes to the composition of the committee, there is a dramatic change. When the Whitlam Government controlled the House of Representatives and not the Senate, it moved that there be five members of the lower House and four members of the upper House on its committee, three Government members and two Opposition members from the House of Representatives and two members from each side in the Senate. This composition ensured that the Whitlam Government would have a chairman of its own persuasion and it also gave the upper House a reasonably fair representation.

Mr **Quinn**: The Senate is elected. The **Legislative Council** is not.

Sir **ERIC WILLIS**: That is not in any way relevant to the point we are debating. I did not think we were debating how members of the upper House should be chosen. Is there any need for the **select** committee to be lopsided to the extent of eight

members from one House and three from the other, or should representation as between the two Houses be more evenly balanced? I put it to you, Mr Speaker, that as most honourable members in this House are full-time members, devoting their entire attention to their parliamentary duties, it is reasonably logical to deduce that by and large they have not much in the way of outside pecuniary interests. On the other hand, members of the Legislative Council are part-time members, not full-time members. They are there for the purpose of reviewing legislation that comes from this House. They spend much less time doing that than we in this Chamber do in our deliberations. They have not constituent matters to attend to, having no constituents.

For these reasons almost all members of the upper House are part-time members. This makes it much more likely that they have outside interests, and I should think they would have a real concern about matters that will come before this committee. I ask whether it is fair to load the committee so heavily against them, especially as it will investigate matters that really concern them more than they concern us. Is that fair and just? Is that what the Labor Party calls a fair go?

Mr Speaker, I think you will agree that honourable members in another place will not take kindly to being swamped in the manner proposed in the motion that we are debating. I should like to know why the Premier on this occasion has not followed that demi-god from Cabramatta whom he normally follows so faithfully. If it was good enough for the Whitlam Government's committee to have five members from one House and four from the other, why is it not good enough for the Wran Government's committee to have a similar composition? I submit that there must be a good explanation for this, and the only one I can think of is that which I gave a few minutes ago. I put it to the Premier that if his committee was similar in composition to the Whitlam committee he would achieve the purpose he seeks, namely control of the majority of members of the committee. If it is so important for the Government to retain control, let it have three Labor members and two Opposition members from this House, a total of five, and two members from each side in the Legislative Council. I believe the members of the Legislative Council would accept that as a reasonable proposition. Let us have the numbers from the Legislative Council equal, and let the Government have a majority of members from this House, although this is really not justifiable in view of its numbers here.

If we are to be fair dinkum and genuine in our desire to do something with sincerity and purpose in relation to outside interests, pecuniary or otherwise, this is a reasonable proposition that I put to the Premier and I ask him to consider it. I do not intend to move an amendment to this effect, but will leave it to his common sense. I know that the honourable member for Lane Cove would be willing to drop off the list of names included in the motion, but this would also necessitate two Labor members dropping off. That would be a much fairer way of doing things.

If I do not succeed by appealing to the Premier's sense of fair play, I can appeal in more legalistic terms. The standing orders provide that a select committee of both Houses must have present at all meetings at least three members of the Legislative Council; if fewer than three attend, there is no quorum. If the committee mentioned in the motion were appointed and established, ten members could attend but if one member of the Legislative Council was not present the meeting would grind to a halt for lack of a quorum and could not function. If one member of the Legislative Council were ill or could not attend for some other reason, the committee could not work. I am sure the Premier will appreciate that it is not much use our going through the motions of establishing a select committee that will not be able to get going. The suggested committee certainly **will** not get going if even one member of the Legislative Council is absent from a meeting.

If the Premier adopts what I suggest, he would be fairer than he has been with the composition of this committee, and at the same time would ensure that the committee is a real goer—not just something on which the news media can extol him as the great man who wants to expose the unscrupulous members of the Opposition who have such enormous pecuniary outside interests that they are continually being manipulated by them. If that is the sort of game it is to be, let us have the committee that the Premier seeks to establish. But if he wants a genuine approach to investigating this very important matter, let us have the sort of committee that I have suggested. If the Premier wishes to adjourn this debate to enable him and his colleagues to consider the view I have put, I shall be happy to agree to an adjournment. It does not matter whether the debate is concluded today, tomorrow or next week, because the Legislative Council will be unable to consider the matter until 28th September, which is thirteen days away. The upper House is in recess until that day, so that there is no real need to rush this matter through today or tomorrow.

In conclusion, I assure the House that the Opposition is certainly happy to see this motion brought forward today, but my colleagues and I are anxious to ensure that the committee functions efficiently and produces a report that will be purposeful and beneficial to the Parliament and the people of New South Wales. We seek to approach this matter constructively and in no way destructively. We do not want to make this committee a party-political forum in which all sorts of allegations and accusations will be hurled back and forth. We want the committee to provide a useful mechanism for ensuring that members of Parliament not only act and behave in accordance with the highest possible principles, but also that they are seen to be doing so by the people who elect them.

For those reasons, and on the assumption that the Government feels the same way, I ask the Premier and his colleagues to give consideration to the views I have expressed. Finally, I formally move the amendment that I foreshadowed a few minutes ago. I move:

That the question be amended by leaving out the words "(a) what classes of pecuniary interest or other benefit are to be so disclosed;" with a view of inserting the words "(a) what classes of interest, pecuniary or otherwise, or other benefit are to be so disclosed;"—instead thereof.

Mr WRAN (Bass Hill), Premier [3.46]: I thank the Leader of the Opposition for warmly commending the Government and accepting the principles involved in this motion, the purpose that prompted it, and the aims that it hopes to achieve. He made two points. The first was in relation to the terms of reference of the select committee; the second was in respect of the size of the committee. As to the former, he has moved an amendment; in relation to the latter point, he has thrown himself upon our capacity for being what he described as fair dinkum. The fact is that back in 1939 the Legislative Council resolved that it would have equal representation on joint committees, and without exception since 1939 that resolution of the Council has been steadfastly ignored by governments of all political persuasions. Indeed, only last year when the joint committee on drugs was set up by this Parliament the Legislative Council, no doubt fossicking around its archives, found the 1939 resolution and, though agreeing that it would have a minority number on the joint committee, asserted that this was done without derogation of its right to have equal numbers.

The Leader of the Opposition treated us to some evidence of his capacity to perform simple arithmetic by adding up the numbers on both sides of the proposed committee, and telling us what would happen if we deducted one or two here or added one or two there. He assured us that he did not mind if a Government supporter had

the chairmanship of the committee and the Government had the majority of numbers on it. The fact is that the committee is well balanced, certainly so far as the Legislative Assembly is concerned. All honourable members would agree that the gentlemen from this House nominated by each side are men of experience in the workings of Parliament, to whom we can well entrust the onerous responsibility that they will be called upon to discharge in their deliberations and recommendations.

It is true, as the Leader of the Opposition observed, that the Legislative Council is a part-time House. A good number of the present Opposition members in the Chamber find it difficult to struggle up there for the sittings of the House, let alone to attend meetings of select committees. It was thought desirable to maintain the ordinary practice by giving the Government a slight majority. That is exactly what has been done by providing for three members of the Legislative Council and eight members of the Legislative Assembly, five of whom would be supporters of the Government. It will be for the leader, but no doubt proper arrangements will be made in the Council. So far as the suggestion of lopsidedness of the proposed joint committee is concerned, and despite the Leader of the Opposition's earlier assertion that I follow blindly everything that Mr Whitlam did or does, the Government does not intend to follow the former Prime Minister's evenhandedness in respect of representation of this committee, notwithstanding the standing order in relation to quorums of a joint committee of both Houses of Parliament, to which the Leader of the Opposition referred.

The other matter raised by the Leader of the Opposition had more substance. That concerned the terms of reference of the proposed committee. It becomes a little tiresome to hear the Leader of the Opposition offer only half of what is the fact or half of what is the case. I expected his memory to be a little better, for I pointed out to him the origin of these terms of reference the other day when we were discussing the matter. The origin of these terms of reference is not found in the terms of reference of the select committee of both Houses of Parliament established by the Whitlam Government but rather in those of a committee of the House of Commons established in 1974. If the Leader of the Opposition and others interested looked at the debates of the House of Commons for the year 1974 they would find a resolution of 22nd May setting out terms of reference of a select committee which are not all together, but practically, on all fours with the terms of reference of the joint committee that we now seek to establish in this Parliament.

It was after the House of Commons resolved to establish such a committee, and after that committee—I am almost certain—brought down its report that the federal Parliament established a joint committee of both Houses and adopted almost the same terms of reference as those of the House of Commons committee. One could be fairly sure that by the time the matter had been deliberated upon by members of the House of Commons and by the members of the joint committee of the federal Parliament, little by way of initiative could be expected from the Opposition in this House in addition to the decisions reached in those two other places.

Examining the proposition made by the Leader of the Opposition, one sees the folly of endeavouring to interfere with a well-proven recipe such as that which attracted the House of Commons and the federal Parliament. The provision that the Leader of the Opposition seeks to alter is in these terms: "(a) what classes of pecuniary interest or other benefit are to be so disclosed;". To that the Leader of the Opposition has moved an amendment in which he seeks the deletion of that provision and a substitution of the following, "(a) what classes of interest, pecuniary or otherwise, or other benefit are to be so disclosed;". I know that a lot of pejorative things are said about lawyers and legal draftsmen, but the fact is that there is a rule governing these matters. The

Minister for Lands is not in the House at the moment and so will not be offended when I say that it is called the *ejusdem generis* rule, which says that you look for the *genus* in the first word of a series of categories as it will govern the terms of all that follows. So, the Government proposes the following: "(a) what classes of pecuniary interest or other benefit are to be so disclosed;". The Leader of the Opposition has said that honourable members should disclose all of their interest, but the fact is that the word interest is governed by the word benefit in the amendment proposed by the Leader of the Opposition.

Sir Eric Willis: The Premier cannot understand simple English.

Mr WRAN: The Leader of the Opposition has shown that he understands simple arithmetic, but I doubt that he understands simple English, and he certainly does not understand simple logic, for otherwise he would not have suggested this absurd amendment, for reasons that I shall adumbrate in a moment or two. The committee would be deliberating upon whether there should be included in the register of interests the fact that an honourable member was in the Royal Society for the Prevention of Cruelty to Animals, the Earlwood Bowling Club, the Masonic Lodge, the Rechabites, or, perhaps, the Hospitals Contribution Fund.

Sir Eric Willis: Why not? I should be happy with that.

Mr WRAN: The Leader of the Opposition says that he would be happy with that. Despite this frankness and wholesome motivation, which he does not impute to the Government, and from which I would not for one moment seek to derogate, it has only been since the blood of the Opposition was spilt in relation to payments under the Dairy Industry Authority Act that he has made this attitude known. It is all very well suddenly to become wholesome about something, but the fact is that if the Government accepted the Leader of the Opposition's amendment, the proposed joint committee would never cease sitting in our lifetimes, for it would be going up all the blind alleys and dry creeks in the world, and it would serve no useful purpose in doing so.

The proposed terms of reference are tried and true. Nothing clever is sought to be done; nothing is sought to be done in the terms of reference that would give an advantage to a government or to an opposition, whether it be a government or opposition today or a government or opposition tomorrow. The one thing certain in politics is that the wheel turns. The Government has sought only to adopt terms of reference that were acceptable to the mother of parliaments at Westminster and to the national Parliament in this country, and to say that they should be the terms of reference of a joint committee of both Houses of this Parliament.

Sir Eric Willis: They had an even committee.

Mr WRAN: If the Leader of the Opposition wants to debate this aspect, let me say that he knows perfectly well that we in New South Wales have the only upper House in Australia that is not elected by the free vote of the people. He knows also that the Government is committed to reforming the Legislative Council in order to give people a free vote in the election of that Council. He knows that we have in New South Wales the only upper House in Australia in which politicians elect politicians. As I said earlier—and the Leader of the Opposition found this objectionable—he knows that so many members of the Legislative Council find it hard enough to turn up to the sittings of the House let alone attend meetings of a joint committee.

Sir Eric Willis: They are too busy at the trades hall, are they?

Mr SPEAKER: Order!

Mr WRAN: The Government has sought to give each House proportionate representation on the proposed joint committee. That is reasonable representation. There is no reason at all why all views cannot be canvassed and all interests in both Houses represented.

Finally I should like to say, for the benefit of those members who might seek to participate in this debate and those who might make submissions to the joint committee, that there is published and freely available in booklet form the report on declaration of interests of the Joint Committee on Pecuniary Interests of Members of the Parliament of the Commonwealth of Australia. There is also freely available a rather historical review by a House of Commons committee which looked at the same question. That report is published in a document called *The Table*, volume 49, 1975, at page 30.

I should like to make it clear that, though perhaps what is being done has been prompted by the events of a week or so ago in relation to the disclosure of milk quotas and some of the unseemly scenes witnessed in this House which should surely be avoided in the interests of the dignity of this Parliament and indeed all parliaments, it is merely following the policy of the Government. Though what we are doing may have been accelerated by those events, the fact is that for a long time it has been part of the policy of the party to which Government members are attached that all Ministers and members should table in their parliament statutory declarations as to their directorships and shares they hold in companies, including shares held in trust for them. I mention that because since that became part of Labor Party policy there has been a refinement of the need for the disclosure of pecuniary interests in both the House of Commons and the federal Parliament. Indeed, any student of parliamentary affairs will have observed that throughout parliaments under the Westminster system there has been concern to establish registers in such a way that they will operate without prejudice to any person yet with due regard to the interests of all.

Mr VINEY (Wakehurst) [4.2]: My contribution will be brief. The Premier has intimated that he will not accept the Opposition's amendment. Obviously it will be a matter for the joint committee, under the guidance of its chairman, to make its own interpretation of other benefit and how it will affect the ability of a member of parliament to carry out his duties. The Government's motion proposes an inquiry into pecuniary interest or other benefit to be disclosed. The committee will put an interpretation of what other benefits are to be so disclosed. That will be a function of the committee. It is not a function of anyone in this House to tell the committee how it should operate. If the Premier will not accept the amendment, the committee will make its own judgment in regard to what other benefits might affect a member in the rightful performance of his parliamentary duties.

Though there is no amendment before the House in regard to the suggestion made by the Leader of the Opposition as to numbers, this point was canvassed by the Premier in his reply. I should like to relate my own experience as chairman of the Joint Committee upon Drugs. Though there were only three members of the upper House on that committee, the standing orders of the Legislative Council sometimes precluded that committee from functioning effectively. Frequently, especially when one or more country members of the upper House are on a committee, circumstances prevent a member from attending meetings. Consequently it becomes difficult for the committee to operate. When witnesses have been summoned and the whole procedure of the committee set up, if through a breakdown in communications or for some other reason one of the members cannot attend, the meeting is null and void.

The drug committee was fortunate in that the upper House agreed to amend its standing orders to allow a quorum of five. Whether the upper House will again agree to that course, I do not know. On that previous occasion the decision was said to be without prejudice and should not be taken as precedent. I assure the Premier that having to depend upon three members of the upper House to be present to enable the committee to function will more often than not cause the committee to collapse, to the embarrassment of the Parliament, particularly when witnesses have been called before the committee. Often because of communication or transport difficulties, flood or fire one or more members of the committee cannot be present at a meeting.

Mr Wran: The Legislative Council would be obstructive if it refused to change its standing orders, would it not?

Mr VINEY: I cannot answer that. I am merely offering advice based on my experience. Another problem I should like to touch on relates to all select committees. Select committees need more help than can be given by the staff allotted by the Parliament, particularly when research is necessary. Recently I attended a meeting of the Senate Standing Committee on Social Welfare, set up by the Whitlam Government. That committee has a full-time secretary, an assistant secretary who is also a research officer, and a female assistant research officer. That staff is of great assistance to the committee. My experience as chairman of the drug committee revealed that despite wonderful co-operation of the committee's secretary, who happened to be the **Serjeant-at-Arms** in this House, all the research had to be done by members. I hasten to add that I am not complaining. Members are paid an allowance for their committee work. However, I believe that the quality of the work would be improved if more assistance were provided, particularly for research.

Question—That the words stand—put.

The House divided.

Ayes, 48

|                 |              |                 |
|-----------------|--------------|-----------------|
| Mr Akister      | Mr Flaherty  | Mr O'Connell    |
| Mr Bannon       | Mr Gordon    | Mr Paciullo     |
| Mr Barnier      | Mr Haigh     | Mr Petersen     |
| Mr Bedford      | Mr Hills     | Mr Quinn        |
| Mr Booth        | Mr Jackson   | Mr Renshaw      |
| Mr Brereton     | Mr Jensen    | Mr Rogan        |
| Mr Cahill       | Mr Johnson   | Mr Ryan         |
| Mr Cleary       | Mr Johnstone | Mr Sheahan      |
| Mr R. J. Clough | Mr Jones     | Mr Stewart      |
| Mr Cox          | Mr Keane     | Mr F. J. Walker |
| Mr Crabtree     | Mr Kearns    | Mr Whelan       |
| Mr Day          | Mr McGowan   | Mr Wilde        |
| Mr Degen        | Mr Maher     | Mr Wran         |
| Mr Durick       | Mr Mallam    | <i>Tellers,</i> |
| Mr Einfeld      | Mr Mulock    | Mr Hunter       |
| Mr Face         | Mr Neilly    | Mr Ramsay       |
| Mr Ferguson     |              |                 |

Noes, 46

|                |                 |            |
|----------------|-----------------|------------|
| Mr Arblaster   | Mr Brown        | Mr Coleman |
| Mr Barraclough | Mr Bruxner      | Mr Cowan   |
| Mr Boyd        | Mr Cameron      | Mr Darby   |
| Mr Brewer      | Mr J. A. Clough | Mr Dowd    |

|                    |             |                 |
|--------------------|-------------|-----------------|
| Mr Doyle           | Mr Maddison | Mr Schipp       |
| Mr <b>Duncan</b>   | Mr Mason    | Mr Taylor       |
| Mr Fischer         | Mrs Meillon | Mr Viney        |
| Mr Fisher          | Mr Moore    | Mr N. D. Walker |
| Mr Freudenstein    | Mr Murray   | Mr Webster      |
| Mr Griffith        | Mr Mutton   | Mr West         |
| Mr <b>Hatton</b>   | Mr Osborne  | Sir Eric Willis |
| Mr Healey          | Mr Park     | Mr Wotton       |
| Mr Leitch          | Mr Pickard  |                 |
| Mr <b>McDonald</b> | Mr Punch    | <i>Tellers,</i> |
| Mr <b>McGinty</b>  | Mr Rofe     | Mr Jackett      |
| Mr Mackie          | Mr Rozzoli  | Mr Singleton    |

Pair

Mr Wade

Mr Morris

Question so resolved in the affirmative.

Amendment negatived.

Motion agreed to.

Message

Motion (by Mr Wran) agreed to:

That the following message be sent to the Legislative Council:

Mr **PRESIDENT**—

The Legislative Assembly has this day agreed to the following **Resolution**—

- (1) That a joint committee be set up to inquire into and report whether arrangements should be made relative to the disclosure of members' interests and the registration thereof, and in **particular**—
  - (a) what classes of pecuniary interest or other benefit are to be so disclosed;
  - (b) how the register should be compiled and maintained and what arrangements should be made for public access thereto; and
  - (c) what classes of person (if any) other than members of Parliament ought to be required to register
 and to make recommendations upon these and any other matters which are relevant thereto.
- (2) That such **committee** consist of eight members of the Legislative Assembly and three members of the Legislative Council.
- (3) That Mr Dowd, Mr Freudenstein, Mr Keane, Mr Kearns, Mr O'Connell, Mr Quinn, Mr Sheahan and Mr Viney be the members of the Legislative Assembly.
- (4) That the committee have leave to sit during the sittings or any adjournment of either or both Houses and to make visits of inspection within the State of New South Wales, other States of Australia and the Australian Capital Territory.

And the Assembly requests that the Legislative Council will appoint three of its members to serve with the members of the Legislative Assembly upon such joint committee.

## MINES RESCUE (AMENDMENT) BILL

### Introduction

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [4.13]: I move:

That leave be given to bring in a bill to amend the Mines Rescue Act, 1925, for the purposes of vesting certain land in the Mines Rescue Board free from certain trusts and empowering the Governor to resume or appropriate land on behalf of that board.

The principal object of the bill is to vest in the Mines Rescue Board, for an estate in fee simple, the lands comprising existing mines rescue sites. These are now held by the board as trustee. The bill will empower the Governor, on the recommendation of the Minister, to resume or appropriate land on behalf of the board for the purposes of sites for rescue stations. The existing provisions dealing with the acquisition of rescue station sites were enacted in 1925 and are now inappropriate to a body corporate.

This bill will serve to place the Mines Rescue Board on an administrative footing similar to that of other statutory bodies in relation to the holding and acquisition of land. As a consequence of the amendments proposed to the Mines Rescue Act it will be necessary to move subsequent amendments to certain other Acts to preserve the exemption from rating of land held as rescue sites. I commend the motion to the House.

Mr WEBSTER (Pittwater) [4.14]: It takes a man of honesty and courage to look at his opponent's work and say that it is not bad. Today the Minister at the table has shown that he has both those qualities for he has sought leave to introduce a bill that was, in the main, prepared by his predecessor. I listened with interest to what the Minister said. The coal industry of this State is aware of the pride and interest of Opposition members in that industry. It is aware, also, that we recognize the role that the industry will play in the future development of this State. For those reasons the bill, which will help to ensure the protection of all of those who work in the industry, is welcome. The Opposition will look at the details of the bill with interest.

Motion agreed to.

Bill presented and read a first time.

## HUNTER DISTRICT WATER, SEWERAGE AND DRAINAGE (RATING) AMENDMENT BILL

### Introduction

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [4.15]: I move:

That leave be given to bring in a bill to amend the Hunter District Water, Sewerage and Drainage Act, 1938, to provide that certain land vested in the Mines Rescue Board shall not be ratable.

This bill is consequential to the Mines Rescue (Amendment) Bill. Its object is to provide that land which is vested in the Mines Rescue Board and used for the purpose of a rescue station shall not be ratable under the Hunter District Water, Sewerage and Drainage Act, 1938. I commend the motion to the House.

Mr WEBSTER (Pittwater) [4.16]: I can do no more than repeat my final remarks in relation to the earlier bill, except to say that the Opposition will examine the contents of the bill before expressing its attitude to it.

Motion agreed to.

Bill presented and read a first time.

## LOCAL GOVERNMENT (RATING) AMENDMENT BILL

### Introduction

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [4.17]: I move:

That leave be given to bring in a bill to amend the Local Government Act, 1919, to provide that certain land vested in the Mines Rescue Board shall not be ratable.

This bill is a consequential measure arising from the provisions of the Mines Rescue (Amendment) Bill which I introduced into this House earlier. That bill provides for the vesting in the Mines Rescue Board in fee simple free from trusts of lands comprising the sites of rescue stations.

Those lands which are at present vested in the board as trustee are not in that capacity ratable under the Local Government Act, 1919. The purpose of the bill for which I seek leave to introduce is to preserve that exemption when those lands become vested in fee simple in the board. I commend the motion to the House.

Mr WEBSTER (Pittwater) [4.18]: Again, the Opposition does not oppose leave to introduce the bill the object of which is to give further security to the Mines Rescue Board. We shall wait to see the contents of the bill before discussing its provisions in detail.

Motion agreed to.

Bill presented and read a first time.

## METROPOLITAN WATER, SEWERAGE, AND DRAINAGE (RATING) AMENDMENT BILL

### Introduction

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [4.19]: I move:

That leave be given to bring in a bill to amend the Metropolitan Water, Sewerage, and Drainage Act, 1924, to provide that certain land vested in the Mines Rescue Board shall not be ratable.

This is one of the several consequential measures arising from the Mines Rescue (Amendment) Bill. In common with those other measures it preserves the exemption from rating of lands used as sites for rescue stations. I commend the motion to the House.

Mr WEBSTER (Pittwater) [4.20]: This is becoming monotonous. It would have been preferable if the Minister had introduced these three bills in tandem. Any comment that I made on this measure would be identical with the comments made in relation to the bills introduced earlier by the Minister.

Motion agreed to.

Bill presented and read a first time.

## TEACHING SERVICE (AMENDMENT) BILL

### Second Reading

Debate resumed (from 14th September, *vide* page 857) on motion by Mr Bedford:

That this bill be now read a second time.

Mr DOYLE (Vaucluse) [4.22]: When the debate was adjourned last night the honourable member for Gosford and the honourable member for Illawarra had spoken. Before I make my contribution to the debate I hasten to refute some of their less accurate utterances. The speech by the honourable member for Gosford was more an exercise in whitewashing of the members of the executive of the Teachers Federation than a sincere addition to the debate. It was interesting to hear an updated version of the far left line. The honourable member for Illawarra will have to look to his laurels as he has a younger, modern competitor for the title of mouthpiece for the extreme left. I thought that the honourable member for Illawarra was rather pathetic.

Mr Petersen: I had a bad throat.

Mr DOYLE: Admittedly he was having technical trouble with his delivery and sounded more like a commercial for cough mixture or Irish Moss jubes than an erstwhile virile champion of the workers for revolution. He resorted to such timeworn expressions as the exploitive society and even went as far back as "scab", which he was good enough to define for us though I have reason to believe that in his own mind a scab is defined as anybody with a political philosophy different from his. I do not know what the honourable member for Illawarra can do to update his philosophy in view of the new ideas advanced by the honourable member for Gosford. A religious man requiring revival of his faith can go to a church or into retreat. I suppose that the equivalent action for leftwingers would be a walk through the Domain on Sunday afternoon or to spend several hours browsing in the Third World Bookshop. In any case I advise the honourable member for Illawarra to look to his laurels as he has competition.

The honourable member for Gosford took the line that honourable members have become used to hearing from the far left, namely, that those who are aware of their intentions are seeing communists under every table. If I wanted to be sure of finding communists under a table, the table round which the members of the executive of the Teachers Federation sit would be a good place to start. Over the years, as at the present time, not all the communists have been under the table. I refer to people like Edith Hokim, Col Rennie who has been described as a member of the revolutionary new left, P. Woods who is a member of Teachers for Radical Education and Michael Hourihan, a self-confessed anarchist. I could continue. With those people calling

the shots for the Teachers Federation executive—from either above or below the table—it is not surprising to find members like the honourable member for Gosford having to whitewash the executive on every possible occasion.

To depart from the fellow travellers of the honourable member for Gosford and to come to the content of his speech, the first statement that must be refuted is that the breakdown between the Teachers Federation and the Liberal-Country party Government arose from a shortage of funds. Nothing could be further from the truth. That is arrant nonsense. It would not have mattered if the whole budget had been spent on education; the executive of the Teachers Federation would have been working for chaos in education. To claim—as he did—that their only goal is peace in education, it is necessary to understand that the definition of peace in a communist mind is when all other political philosophies lie down and allow the communists to march over their faces. That is the communist definition of peace and has been for the past fifty years. There is never peace for communists. They wanted a piece of Korea, a piece of Vietnam, a piece of Cambodia, Burma, India and on it goes.

Mr Quinn: And a piece of cake.

Mr DOYLE: They are not allowed to eat cake. Because for many years I have been interested in education in this State and in the workings of those who wish its corruption I have made a point of asking all Ministers for Education since Sir Charles Cutler how it is that within days of their appointment the executive of the Teachers Federation are taking potshots at them. The answer from all of them—Cutler, Willis and Pickard—is that no matter how they extend the hand of friendship, no matter how they offer co-operation or how much persuasiveness and sweet reasonableness is used, the same outcome is inevitable. Regardless of the personality wishing to co-operate, the members of the executive of the Teachers Federation revel in animosity and hatch hatred from the moment the Minister sits in the chair.

Their only concern is disruption, anarchy and chaos, in which most of them are trained experts. Hence, it was not surprising that when the council of the federation realized that section 129B of the Industrial Arbitration Act was an excellent vehicle for creating chaos in teacher recruitment and appointment, its members began, after its inclusion in their award in 1974, to use it as a tool for wrecking the department. If I am doubted, honourable members should look at the statement made by the Minister at the time of the alteration. Section 129B had, of course, been in the Industrial Arbitration Act since 1959. Not until the Teachers Federation used it as a tool for upheaval of administration did it require the Minister for Education to take the steps he did when introducing the amendment in 1975. The Minister was forced to take those steps by the fact that the Teachers Federation had the idea of including it in the award. The moment it came into the award they used it as a method for disrupting staff in the department.

As the honourable member for Hornsby tried to point out—I thought most effectively—it was a travesty of justice and an edict in the teeth of human rights that section 129B in its present form was ever included in the Act. The Liberal Party and the Country Party opposed it bitterly but could not prevent its inclusion. I was delighted to hear the honourable member for Hornsby and the honourable member for Lismore conduct their addresses on the highest philosophical principles. Basically that is what is involved in this measure. That is what the bill is about. For that matter, that is what section 129B is about. I know that it is a constant irritation to the Labor Party that, since the inception of the Liberal platform over thirty years ago, all workers have been encouraged to be members of their unions. We think this will militate for industrial peace and reasonableness in wage negotiation.

We have never claimed that employers will always grant employees their share of the cake. Strong and numerical unions, in which there is a cross-section of political views, are regarded as essential to the well-being of the industrial community. There is one principle, one plank of our platform that we regard as sufficiently important to over-rule our support of universal unionism—that in no way should legislation inhibit the freedom of individuals unless it is there to protect the freedom of other individuals. The measure we are being asked to support could never be described as legislation that would stand up to the tests I have just detailed. To require a man to establish that he has a conscientious objection to being a union member before he is accepted on equal terms with another applicant is not equality. That is a prostitution of individual rights. As the principle laid down in the Universal Declaration of Human Rights was referred to by the two earlier speakers for the Opposition in this debate and the honourable member for Hornsby detailed it in some degree, I shall not cover that again.

The State is taking away from an applicant his birthright as prescribed in the United Nations charter. There can be no if's or but's; that is what the Government is doing. This right should be available to an individual in the year of Our Lord 1976; he should not have to apply to a court to establish conscientious objections to what is proposed in this bill. That is not equality—unless it conforms to the socialist adage that all men are born equal but some are a little more equal than others. This legislation is typical of socialist thinking—that people should be regimented, directed and controlled, and to hell with the individual. One would expect that type of socialist thinking in some honourable members opposite.

I promised by way of interjection that I would explain to the honourable member for Gosford the main aspect of the bill to which the Opposition objects. I proffer the suggestion that all university graduates who seek academic appointment are not equal in terms of academic achievement, degrees held, and contributions by way of authorship of books and articles to the discipline they may follow. The honourable member for Gosford made the absurd statement that because the Department of Education vetted all applicants before they were accepted for appointment as teachers and therefore qualified for federation membership, they were equal. That is a ridiculous claim. In the eleven years that I have been a member of the Senate of the University of Sydney I know that the committee for chairs and appointments has met perhaps on a dozen occasions in a month to assess the merits of various applicants for academic positions. The committee members from their experience are able to measure academic ability. The honourable member said that after applicants for teacher positions are accepted by the Department of Education there would be some levelling out. That is an absurd contention.

Mr McGowan: Either a person has or does not have a university degree.

Mr DOYLE: The honourable member still has not got the point that we wish to stress. Of two applicants for an academic post one could be a 24-year-old ordinary level Arts graduate with one year extra for a Dip.Ed. and two years in the field; the other may be in the latter stage of his academic life, re-entering the profession, a post-graduate Ph.D. or holder of a doctorate degree, perhaps a professor with fifteen years' experience lecturing students. The honourable member for Hornsby may claim an affinity with that type of academic achievement. In terms of the thinking of the honourable member for Gosford that sort of person would be equal to the wet-behind-the-ears, young, inexperienced, incompetent teacher. As a consequence of this measure, if he were a member of the Teachers Federation he would get a job in preference to a highly qualified person.

Mr Petersen: Why can he not join the federation?

Mr DOYLE: He may have some principle that dictates he should not join. The honourable member for Illawarra considers individual freedom to be complete nonsense. His concept is that there should be regimentation, that teachers must be told to join the union. If the honourable member believes that the people of New South Wales will fall for that kind of a so-called democratic system he has a limited period left to him in this Parliament. The competence of applicants for academic positions varies enormously. Honourable members opposite suggest the criterion should be that for an applicant to be successful he must be a member of the Teachers Federation. If this were so, those persons who, for personal reasons, did not want to join the federation could be easily brushed aside. The Government's contention is that a teacher who does not wish to join the federation can apply to a court and if it concludes that he has conscientious objections to joining a union, that would make him equal to members of the federation. This concept of equality is unlikely to obtain acceptance among the majority of people. Those who make such an assertion must be suspect of having motives other than the welfare and education standards of the children of New South Wales.

When the former Minister for Education was introducing the 1975 amending measure which this bill seeks to reverse, he said in his second-reading speech that the aim of the measure was to safeguard the welfare of all children in public schools in New South Wales. It would not be an exaggeration to say that the negation of that legislation represents a threat to their welfare. I am greatly disappointed that after four and a half months in Government, during which the Minister for Education would have been able to scan the whole purview of the State's education requirements, the first bill he introduces has cheap, political intent. When the Minister was spokesman for the Opposition on education I thought that he could make a good Minister in this portfolio. As shadow minister for education he acquitted himself well. However, I hear that he has fallen completely under the sway of the Teachers Federation executive. This is a great pity. I believe that without embarrassment the Minister meets representatives of the federation regularly at the department without even one of his officers present. He has been brow-beaten into being a mere tool in the grasping hands of the federation executive. When one has regard to the fact that prior to the last election the Teachers Federation spent \$25,000 in anti-Liberal propaganda one can understand that the Minister has an obligation to jump when the federation cracks the whip.

Education is not a static concept. It requires constant innovation as it develops. There must be all sorts of important issues on which the Minister could introduce legislation. However, his first dance in the legislative ballroom is to a tune played by the Teachers Federation executive. This is a disappointing assessment of values by a person who could have been an excellent Minister for Education.

In conclusion, I say that when the selection of teachers for that giant employer, the Department of Education, is based on criteria other than academic qualifications the gate is being opened for the sort of indoctrination of the teaching community which throughout history has been the forerunner of the creation of autocracies. When one has regard to the members of the Teachers Federation who have been pushing for the introduction of this measure, I believe sincerely that it could be the forerunner of far more sinister activities. I oppose the bill.

Mr ROGAN (East Hills) [4.38]: This is my second contribution to the debate on this bill, as I spoke on it first at the introductory stage. I listened with interest to the remarks of the honourable member for Vacluse. Half his speech was devoted to denigrating the speeches of the honourable member for Illawarra and the honourable

member for Gosford. I thought their contributions to the debate were quite sound and in direct contrast with that of the honourable member for Vaucluse. The other half of his speech was devoted to attacking the Teachers Federation, naming its members one by one and calling them all sorts of names without any regard for the truth of his assertions. He said that this measure will bring about chaos in education. What utter, unadulterated rubbish. He said that no matter what the previous Government would have done for the teaching profession and for education generally, it would not have made any difference to the attitude of the Teachers Federation. The previous Government got offside with the Teachers Federation for the same reasons that it got offside with almost every other group in the community and led them to campaign against the previous Government at the last State elections. Undoubtedly their actions were a contributing factor towards the downfall of the previous Government. The real break came because of the previous Government's broken promises, dishonesty and double dealings.

As I said, I am pleased to have another opportunity to speak on the Teaching Service (Amendment) Bill. On this occasion, thankfully, it has been introduced by a Labor government. The purpose of the measure is to repeal the Teaching Service (Amendment) Act of 1975. If one were to attempt to select one measure that went through this House during the term of the previous Liberal-Country party Government which was characteristic of that Government's legislative programme, one could do no better than to select the Teaching Service (Amendment) Act. The way that measure was introduced into the House made one almost immediately suspicious of its intent. The Minister for Education of the day introduced the bill one Thursday afternoon with a brief two-minute speech at the introductory stage. He claimed that it was simply a machinery-type piece of legislation, that there was really nothing much in it at all, and then left it to the House, knowing full well that country members invariably left Sydney on Thursday afternoon to return to their electorates. Those members usually conduct their interviews with constituents on a Friday and a Monday. Thus they returned to the House the following Tuesday and it was not until then that they could become fully aware of the intent of the measure.

On the Tuesday my colleagues and I woke up to what was going on and informed the Teachers Federation of the position. The federation immediately sent telegrams to its members inviting their attention to what was proposed. Within six hours the public gallery of this Chamber was packed with teachers incensed about that measure. They were not incensed over being denied a salary increase or because their working conditions were being adversely affected; their feelings were aroused by the Government's proposal to break a fundamental principle.

The Leader of the Opposition, then Minister for Education, made much in his second-reading speech of the fact that he was bringing forward merely a machinery measure. We know now, as we knew shortly after its introduction, that this was not so. However, the Minister—often called the Minister for Deception—did not get away with it. As soon as the teachers and all those who stood to be affected by it were alerted, they immediately demonstrated. They filled the public gallery here and began a great agitation on behalf of their colleagues. It looked as though the agitation would spill over into other public service unions if the Government had persisted with the introduction of other similar measures and required their enforcement by Government departments.

When speaking on that measure I said that it was a smokescreen to camouflage the general inadequacies of the Government's record in education. This was typified by the sorts of articles that were then being published, and I referred to one in the

*Mr Rogan*]

*Sunday Telegraph* of 10th March, 1974, which stated, under the heading "Schools with no teachers, no future":

The playground area at the inner-city Redfern Primary School is so small, pupils take their playtime on a roster basis.

The primary school at Lewisham, another inner-city suburb, occupies a 2-acre site including the school buildings.

It has 1 300 pupils. They too play on a roster system. Lunch hours are staggered.

At the Arthur Phillip High School at Parramatta, the pupils have 5 sq ft of room each if they play together.

They are three of 20 Sydney schools euphemistically termed "dis-advantaged".

During the debate Opposition speakers have been at pains to refer to section 129B of the Industrial Arbitration Act. This provision existed throughout their eleven years in government but they did not seem to consider it as important then as they do now. We all know that countless employers have availed themselves of that provision. As the honourable member for Illawarra has pointed out, the largest private company in Australia, Broken Hill Proprietary Company Limited, insists that all its employees belong to a union. The present Premier, then Leader of the Opposition, referred to this fact when he was speaking in the second-reading debate of the Teaching Service (Amendment) Bill when it was introduced by the former Government. He said:

The situation is this. First, there are many professional bodies in the State of New South Wales with a preference clause in the award or industrial agreement that covers their conditions of employment. Second, the preference provision in the teachers' award is a provision in terms of section 129B of the Industrial Arbitration Act and is a standard provision in awards in New South Wales. It is a completely ordinary, common or garden provision that can be found in all awards. Indeed, in 1961 the Industrial Commission determined what would be the form and content of any preference provision and that provision has been maintained in form and substance in all awards since that time.

In referring to the position at Broken Hill Proprietary Company Limited he stated:

Every award covering employment in Broken Hill Proprietary Company Limited contains a preference clause. In addition that company has a policy of employing only members of an industrial union registered under the Industrial Arbitration Act of New South Wales or under the federal Conciliation and Arbitration Act.

However, when this provision was agreed to by the Department of Education—and by all the parties, I might add, who were before the commission at the time—the Government, by legislation, upset a decision of the Industrial Commission and introduced the measure that we are now repealing. This aptly demonstrates the double standards to which I referred previously. The government of the day used to say to trade unions and to others who were seeking by any form of action to improve their working conditions or salaries, "Go to the arbitrator, go to the industrial tribunals, where your claims will be considered, and we will abide by the decisions handed down by those tribunals." However, when such a provision was introduced into an award covering teachers in New South Wales that same Government was unwilling to accept the judge's decision and it pushed through this House the most obnoxious piece of legislation that we are now repealing. Some members who have spoken on this

bill have been most vocal in their condemnation of this Government's supposed denigration of the United Nations Universal Declaration of Human Rights. What rubbish. This is what I said in my second-reading speech on the former Government's bill:

I am always amazed at the way Government supporters quote legislation, principles of civil liberties and civil rights, the United Nations charter and other great documents. Despite this, the Government is ever quick to put down those rights when it sees fit so to do. The Government is great on principles but when it comes to action on those principles there is little of it in evidence.

Then I referred to other legislation which had been brought before this House by that Government. I mentioned, among others, the Obscene and Indecent Publications Bill, which empowered police to break down a person's door with no more authority than the signature of a justice of the peace. Further I referred to the Summary Offences Bill, by which a person taking part in an unauthorized procession could be liable to a fine of \$200 or three months' imprisonment. That again aptly illustrates the double standards that the present Opposition is so quick to adopt.

The simple point is that when enacting the legislation that we are about to repeal the previous Government was continuing its practice of bringing forward either provocative legislation or of a machinery nature if they involved industrial matters. Recently when speaking in the Address-in-Reply debate I said in this House:

The previous Government's record in this field should make honourable members opposite hang their heads in shame.

The Parliamentary Library undertook a search for me back to 1965 when the Opposition occupied the Government benches, and its record shows that the former Government's only activity in the industrial area was either of a provocative or machinery nature. It was not responsible for one innovative programme that would have come to grips with the deep-seated problems facing the work force and management. I mentioned the Teaching Service (Amendment) Bill and said that it showed the former Government's double standards. It always told the trade-union movement to go to the appropriate tribunal and it would abide by the decision. What happened when the unions followed that advice? In 1971 the former Government introduced the Industrial Arbitration (Amendment) Bill which dealt with secret ballots, lockouts and the cancellation of registration of trade unions. That legislation, when put into effect, increased the number of bans, lockouts and illegal strikes. Measures of that kind were provocative. The former Government continued its provocation when it introduced the Teaching Service (Amendment) Bill and forced it through this House. We are now in the process of repealing it. The target of that repressive legislation was the Teachers Federation.

The previous Government got offside with the Teachers Federation because of failure to honour its promise to establish an education commission. It is all very well for members of the Opposition to say that an inquiry came up with a report that a commission was not needed. Ministers of the former Government have said that by setting up an education commission the control of education in New South Wales would be handed over to the communists. That Government's refusal to set up an education commission was inconsistent with its setting up of a number of commissions in other fields. Let us look at the commissions that have been established: the Public Transport Commission, the Health Commission, the Corporate Affairs Commission, the Electricity Commission, the Housing Commission, the Industrial Commission, the Water Resources Commission, the Workers' Compensation Commission, the Law Reform Commission and the Pollution Control Commission—but there is no education commission. Since attaining office this Government has made it clear

*Mr Rogan]*

that it will not renege on its promises. One of the first promises to be fulfilled was that for the setting up of a working party to investigate the establishment of an education commission. The next promise to be fulfilled was the repeal of that obnoxious piece of legislation, the Teaching Service (Amendment) Act.

I do not feel that I can add much more as most of the points have been adequately covered by members on this side of the House, whose speeches were in stark contrast with those of members on the other side. I fail to see what Opposition members are getting upset about. It appears that their main criticism is of the principle that people should join trade unions. There is nothing new about this principle, which is followed in other fields. There is adequate protection for anybody who does not want to join a trade union, which in this case is the Teachers Federation. Such a person need not join if he does not wish to. I fail to see why anybody would not wish to join such an organization when one considers it is responsible for maintaining and improving the working conditions of teachers. It goes before the industrial tribunals for improved wages and salaries, and for better conditions of work. The matters raised by the Opposition in this debate make it clear that its members are hypocritical in their arguments, which are without substance. I am grateful to have been able to speak on the repeal of such an obnoxious and anti-social measure, which was brought in by the previous Government.

Mr PARK (Tamworth) [4.55]: Of all the bills introduced into this House by the Government, this one was inevitable. I feel the Minister was reluctant to introduce it. Certainly he was not keen to do so, being aware of its consequences, but he was forced by the Teachers Federation to introduce it. I have no doubt that the Minister was subjected to some pressure by the Teachers Federation. Because of that pressure, his job—already a difficult one—will not be made any easier. My colleagues of the Opposition and I are not opposed to the Teachers Federation, but I am going to criticize it in this instance. The federation should be concerned with attempting to make the education system in this State work more effectively. It should strive to improve the system, look to the welfare of students and facilitate the difficult task of imparting knowledge. It should not involve itself primarily in politics. It is fair enough for a body such as the Teachers Federation to make recommendations, but I do not believe it should issue directives and ultimatums to an elected government and its Ministers.

I have had dealings with the local branch of the Teachers Federation in my electorate, and, though I have not always agreed with its views, I have always respected them. I am concerned that the Minister and the Government are being dictated to by a body from outside this Parliament. I believe that is undemocratic. I wonder in what other areas of administration and policy the Teachers Federation will in future seek to dictate to this Government. Will it seek to change the system of education, either through its own body or by bringing influence to bear through the proposed education commission? These matters are of concern not only to the Opposition but also to students and particularly to parents.

The bill seems to take away from the Director-General of Education his initiative and responsibility to ensure that in every case the most suitable teacher has been appointed. I shall be interested to hear how the Minister proposes to retain the initiative and responsibility in this area, particularly in relation to the appointment of the most suitable teacher in every case. This concerns not only me but also the children who attend government schools and other people interested in these matters.

Last night in this House the honourable member for Illawarra suggested that the Teachers Federation should be considered as an industrial union. I assume that he would like to see in the schools the same sort of industrial unrest that exists where

the industrial unions operate. The honourable member for Illawarra stated that members of the Opposition did not understand unionism. I think we can understand the sort of unionism he believes in. On 1st September in this House the honourable member for Broken Hill, during the Address-in-Reply debate, said among other things that there are two sides to industrial disputes—the boss's side and the workers' side. Whereupon the honourable member for Illawarra interjected and said, "The boss's side and the right side." To me that remark is one-eyed and shows that his thinking is limited. To his credit, the honourable member for Broken Hill replied, "No, there are two sides to industrial disputes, and they both need to be taken into account."

Last night in this House the honourable member for Gosford said, in effect, that the exercise of individual rights was equal to anarchy. I should think that that is something his electorate would like to know. So far as I am concerned, I regard the industrial blackmail that exists today as something that borders on anarchy.

Two groups of people are affected by the bill: first, the teachers, and second, the students and their parents on their behalf. In New South Wales about 42 000 teachers are on the government payroll. Naturally their level of academic training varies in terms of degrees, diplomas and so on. A great many subjects are involved, and teachers have varying levels of experience. Each year a number of graduates who come from the training institutions must be appointed to positions where they can perform best, and also where they can gain the necessary experience to ensure that in future they will be most effective. To suggest as the honourable member for Illawarra did last night, that simply because teachers must be qualified before they can teach they are all the same, is to be naive, to say the least.

In New South Wales in 1975, 491 000 students attended infant and primary schools, and 298 000 attended secondary schools, making a total of 789 000 students attending government schools in that year. The non-government schools had about 127 000 infant and primary school students and 92 000 secondary school students, with a total of 219 000. Therefore, the Government and non-government schools had just over one million students. I shall refer later to non-government schools, because I believe they are relevant in this discussion. Our schools cover a wide range, from infant, through primary, to secondary schools. There are large high schools and some large primary schools. At the other end of the scale are the small country schools, involving one or two teachers. The important aim in this exercise is the appointment in every case of the most suitable and the best qualified teachers for the particular job. The Opposition's concern in this regard is shared by the students and their parents throughout the State. I believe that it should be the concern of the Government and the Teachers Federation also.

Unfortunately, it seems that union membership and absolute preference, as spelt out by Mr Justice Dey, is the major concern of the Government and the Teachers Federation. The Liberal and Country parties always encouraged teachers to join the Teachers Federation. When the Leader of the Opposition was the Minister for Education he said on many occasions in this House and outside it—and I too have said it—that we should never compel teachers to join the federation. I believe that this legislation will do so, and that thousands of teachers in this State who are not members of the federation for one reason or another, but have been encouraged to join, will be compelled to join whether or not they want to do so.

In the eleven years of Liberal-Country party government in New South Wales, through arrangements such as the New South Wales teacher education scholarships, a great deal was achieved in the field of teacher training. The Opposition as a whole and I, personally, have a high regard for teachers. I believe—and I do not say this just

*Mr Park]*

because it has been said before and well received—that the teaching profession is a noble one. Teaching is an important, responsible and difficult job. If we ensure that teachers in this State are appointed to the positions most suitable for them, the task in which they are engaged will be done better. I believe also that the great majority of teachers are extremely conscientious, that they work hard, and that they give of their best. The Opposition will oppose the bill, for we believe that the Government has its priorities wrong and that it is bowing to the Teachers Federation. We believe that it is more important to appoint the best teachers than to give preference to unionists.

Mr JENSEN (Munmorah), Minister for Local Government [5.11]: I support the bill with all the enthusiasm that it is possible for me to muster. I believe in preference to unionists. I think it is completely proper, and that those who are opposed to it understand little of the significance of the organization about which they speak. I make these remarks as one who is an experienced trade unionist. I should like to know how many honourable members opposite are experienced in trade-union affairs, or even how many of them are financial members of trade unions. How many of them have ever worked in the trade-union movement? How many of them have ever stood up to the communists in the industrial movement—something that takes guts, courage and understanding? What is their record in that regard?

What are the qualifications of members of the Liberal Party or the Country Party for talking about preference to unionists? Their attitude was predictable. The attitude of the honourable member for Vacluse was contemptible, as frequently it is. He smeared decent men and women in a profession that he claims to honour—the teaching profession. He smeared members of the executive of the Teachers Federation—persons who were elected by members of that federation to the positions they hold. He smeared the honourable member for Gosford in a contemptible manner, by talking about communists and communist associates. The fact is that there is no more honourable, decent, pious, and devout man in this House than the honourable member for Gosford. There is no better family man; no man is better qualified in the trade-union movement and in industrial affairs than the honourable member for Gosford. I repeat that for the honourable member for Vacluse to use this opportunity to speak on a subject about which he knows nothing and in the course of doing so to smear the honourable member for Gosford was contemptible.

As I have said, the attitude of the Opposition to this bill was completely predictable. They are representatives of those who, when an effective trade-union movement developed in democratic countries, lost privileges they believed to be theirs exclusively. They are the followers of those who consider themselves born to rule, as having a divine right to rule, and as being responsible for government. They know, however, that since the advent of the trade-union movement society has become more egalitarian and that the economic position of the majority in our community has improved.

The reason for the failure of members of the Opposition to support the bill is that they recognize it as strengthening the trade-union movement, which is depriving them and those they represent of privileges they believe to be theirs still. That is the reality of it, and we on the Treasury benches acknowledge what the trade-union movement has done for the emancipation of the masses of working people, who now enjoy a place in the community and a share in the good things of life that were not available to them before. That achievement is attributable to the trade-union movement—not to a wishy-washy, ineffectual trade-union movement, but to a trade-union movement strong and resolute because it is united and well organized.

Although the attitude of members of the Opposition and their supporters was completely predictable, it is not excusable. Surely with the passage of time and the performance of the trade-union movement, even they recognize that trade unionism has

its place in our society, and that that place should be accepted. At one time ordinary men and women were exploited despicably. That ceased with the development of effective trade unionism, and many of the exploited have now been elevated to a status that would not have been possible formerly.

When honourable members opposite say that they believe in trade unionism, but that trade unionism should not be recognized by the Government to the extent proposed in the bill, they are adopting attitudes that are insupportable by every right-thinking, decent value judgment that could be made, and are behaving in a completely inappropriate manner. The honourable member for Hornsby sought to justify his hostility—not even slightly concealed, and evident in every word he spoke—to the trade-union movement when he asked the Government to say where it stood on the Universal Declaration of Human Rights, which he quoted at length. I ask members of the Opposition where they stand on the important principles enunciated in that declaration. Let me take for example Article **23**, which is in these terms:

(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work, and to protection against unemployment.

Where do members of the Liberal-Country party stand on that human right? They are talking about the rights of persons who are unwilling to join a union despite the fact that every reasonable and sound judgment that could be applied indicates that those persons should join a union. Members of the Opposition are concerned about protecting such persons. What are they doing about the attitude of the Liberal-National Country party Government in Canberra, which has set out on a deliberate policy of causing unemployment in this country? What do they say about the assertion in the Universal Declaration of Human Rights that that should not be done? What do they say about the remaining clauses in Article **23**:

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Members of the Opposition would **allow** persons to form and to join trade unions, but would want the unions organized in such a way as to ensure that they would be toothless, ineffectual, and tame-cat. Who on the Opposition benches can speak for the trade-union movement? Who among those opposite has ever been part of it; who has ever worked in it or understands it? Who in the Opposition ranks see anything other than communists in the trade-union movement? [*Quorum formed.*]

The honourable member for Hornsby omitted to mention or to emphasize the statement in the Universal Declaration of Human Rights that it is the right of every human being to work and to organize himself in such a way **as** to get a decent reward **for** his labours. That is what the Liberal-Country party Government is seeking to prevent in Australia. Where is there **anything** in the declaration to which I refer to show that because inflation is to be countered people must suffer the degradation of unemployment, be cast on the scrap heap, or be put on the dole? Where is the justification for that? If the motivation of members of the Opposition is the Universal Declaration of Human Rights, why have they not concerned themselves with the matters **to** which I refer? Abuses of the basic rights and freedoms of man are much more

*Mr Jensen*]

grievous than the considerations that produced the bleatings and mouthings of members of the Opposition in this debate, who have no understanding of, or sympathy for, the trade-union movement, as is clear from their frequent expressions.

My colleague the honourable member for Gosford made a fine contribution to this debate. He supported the bill, though he did not think it went far enough. I, too, do not think it goes far enough. It goes less far than I should have liked it to go. The honourable member for Gosford said that all other things being equal unionists should have preference. That means that if the opinion of the examination panel, an applicant has qualifications for teaching superior to those of another applicant **who** is a unionist, the unionist's qualification of having a ticket from the federation does not count. I believe that every person who works in the teaching service should join the Teachers Federation. I should like honourable members opposite to justify the view they hold—or pretend to hold—that a person may accept the privileges and benefits gained by a union but refuse to join that union.

The trade-union movement has contributed more to the economic welfare and well-being of the community than any other factor in economic **history**. I cannot conceive how a person would wish to work as a teacher and accept the benefits that the Teachers Federation and the trade-union movement have won for teachers—those hard fought rights and entitlements—yet not join the federation. That sort of person wants to merge in and mix with those people and be at one with them but not of them. What kind of mentality have members opposite who would support that sort of conduct? To my mind it is indefensible. No decent thinking man working in the teaching profession would deny the truth of the advances gained by the federation in working conditions and rates of pay. **Any** teacher who would accept those benefits yet refuse to join the federation is not **only** ignoble and unworthy but indeed should be ashamed. That is a miserable attitude to adopt. In fact, I describe it as despicable conduct.

Members opposite, by their advocacy in this debate, want to deny trade unions this preference. That attitude is unsupportable. The fact is that members of the Opposition have an intense hatred of the trade-union movement. Anything at all advanced in this Parliament which might in any way improve the position of the trade-union movement or make it more effective is automatically opposed by members opposite. How can a trade union be effective if it is representative of only 25 per cent or perhaps 30 per cent of people working in the industry? It could not work at all and would be ineffectual.

When the trade-union movement was formed in Philadelphia and when it was formed in the United Kingdom it was persecuted and pilloried by the police, the army and the other forces which were used in an endeavour to **crush** it. Harsh methods were used against the trade-union movement in those early days. However, out of those struggles came the solidarity of workers and closed shops. The early trade unionists knew that once the door was open for non-unionists to work in a factory their cause was lost. Closed shops were necessary for the trade-union movement to survive.

Enlightened employers recognized that to get good relationship between themselves and those members of trade unions working in their industry, they had to adopt a sensible attitude towards the few who might be inclined to bludge on their mates and accept conditions provided for them while taking everything that had been won by the trade-union movement yet refusing to contribute a miserable few dollars a year to sustain that workers' organization. They are the people whom members opposite champion. Honourable members opposite talk of human rights but they shun that part of the declaration of human rights which refers to a man's right to work.

I believe that people who by deliberately cutting off funds deny men the opportunity to work are committing a criminal act. That is an act properly described as contrary to the concepts of the Universal Declaration of Human Rights. It ill becomes members opposite to skip over that part of the declaration of human rights and talk only about the parts that might support the attitude of someone with an outlook of a scab, who chooses not to join a union that he ought to be willing to join. The trade-union movement in Australia has been responsible for many great advances. This year and every other year over the past thirty years the trade-union movement has won for its members, in disputed compensation claims—court contested compensation claims—more money than it has received by way of contributions from its members. Honourable members opposite cannot see the worth of that. Instead they defend those who oppose in the courts compensation entitlements of injured workers. That achievement in the field of workers' compensation is a monument to the trade-union movement. It can achieve these things only through solidarity and unity. Solid and united unions avoid the likelihood of industrial unrest caused by an attitude of unionists towards people who will not join the union.

The legislation introduced by the former Government, aimed at denying a preference to unionists, was typical of the point of view and attitude that comes from the other side of the House. It is not representative of the attitude of the mass of people in Australia or in any other democracy. Unless there is a strong trade-union movement the prospect of our society advancing is remote. Had there not been a strong union movement in Australia, the United Kingdom and the United States of America—three of the major industrialized democracies in the world—the pattern of society which has sustained members opposite and from which those whom members opposite represent have won great privileges, would have been vastly different.

Mr Fischer: I represent 6 000 unionists and I am proud of it.

Mr JENSEN: Perhaps so, but I should like to know how many members opposite have a trade-union ticket. How many attend trade-union meetings? How many have ever been members of the executive of a trade union? How many have been a trade-union official? How many have put their shoulder to the wheel to find out what it is all about? When members opposite can truthfully claim those qualifications they can make the kind of contribution that will have some impact upon those who listen objectively. Members opposite, in referring to the declaration of human rights, have referred only to insignificant matters. The worthy things in that declaration have been brought forward by Government supporters.

I commend **this** measure to the House. I am sure that as a consequence of this amending legislation the New South Wales Teachers Federation will be even more effective than it has been previously. The kind of industrial relations that will obtain between this Government **and** the Teachers Federation will be immeasurably better than the relationship that existed between the federation and the coalition Government over the past eleven years. The reason for this great improvement will be that the Minister for Education, his Cabinet colleagues and Government supporters have a deep understanding of industrial relations and, as employers, are aware of the way in which the Teachers Federation and its members should be treated. That is the manifestation of this Government's measure of understanding of good industrial relationships and the means to achieve them.

Mr CAMERON (Northcott) [5.29]: The debate upon this regrettable amending bill has now been put into proper perspective. A senior Minister of the Crown, the Minister for Local Government, has criticized the bill on the basis, to use his own words, that it does not go far enough. The Minister defended his colleague and near

neighbour, the honourable member for Gosford, for what he said in this debate. In all honesty I must say that the Minister's speech was the best I have ever heard him make. I have listened to the honourable member for **Munmorah** on numerous occasions in this Chamber and usually I have heard drab, lacklustre speeches from him. Never before I have heard him speak with such fire, such passion, or such conviction as he demonstrated this evening. I believe him implicitly when he says he does not believe the bill goes far enough. I believe also that he, being a consistent man, will strive to improve it.

I believe that the Minister, being the consistent man he is, will strive among his Cabinet colleagues to make sure that the principle is **carried** even further. The honourable member for Gosford, whom the Minister was defending, said repeatedly by way of interjection during this debate that so long as people had a degree they were equal; that people are measured in terms of quality by whether or not they possess a formal qualification. However, the Minister negates that; he says quite emphatically that it is wrong. He said that the respect in which the bill does not go far enough is that where men are patently unequal—denying completely the proposition put by the honourable member for Gosford—preference for unionists should still apply. Obviously, if the Minister is sincere in saying that the bill does not go far enough, he will carry that statement through to its logical conclusion. He will crusade in the classic case where an experienced teacher is competing for a promotion against an immature and inexperienced teacher. Where there is a vast disparity in terms of teaching quality the Minister will contend that the only thing that will decide the matter is which one of the two is a unionist. If the inferior, immature and inexperienced person happens to be the unionist and the experienced, mature, highly qualified person happens not to be one then, says the Minister for Local Government, the preference should go to the immature unionist at the expense of the experienced non-unionist.

I say clearly that the debate upon this thoroughly regrettable bill has now been put into its proper perspective. Right at the heart—the very kernel—of the bill is the proposition that the unionist comes first and all other classes come second. Honourable members have long known that it was the view of the party that now occupies the Treasury benches in this Parliament that union interests should always transcend other interests. We are now dealing with a situation concerning 42 000 teachers in the government teaching service of New South Wales. Let me make my position absolutely clear: I am a champion and an admirer of the teaching service. My mother—and we all revere our mothers—was a government schoolteacher. Teaching was the kind of career to which I should have aspired, and I believe that if I had undertaken that profession, it would have given me deep and profound satisfaction.

I put it to the House strongly that these 42 000 teachers represent as diverse a group of people as one could possibly find anywhere. Moreover, many of their interests run totally alien to the basic thought superimposed by the Teachers Federation. Many of them support my side of politics rather than the side reflected by members on the Government benches. The very fact that the Teachers Federation fails to reflect and to mirror the sentiments of this vast and challenging group of people was demonstrated with tremendous clarity on the day of the Medibank strike when, despite the directive of the Teachers Federation executive, teachers throughout the State reported for duty. Schools throughout my electorate were manned almost totally. I pay tribute to the dedication of those teachers who manned the schools in my part of the Sydney metropolitan area on that day.

This bill is saying with straightforwardness and clarity not only what we **already** knew—that in **Labor's** view the union comes **first** and children **come** second—but also that teachers come somewhere lower down the scale, whether it be

third, fourth or in some other position. What the Government is doing, quite plainly, is saying to teachers: "It is not your interests, your appetites and your diverse concerns that we are here to reflect. We are in business to do nothing more than advance the interests of this tiny, radical cell, constituted by the Teachers Federation executive"—which consists of about twenty people and perhaps a handful of other activist federation representatives who derive their political power from involvement in this activity. It would be of interest to the House to know that the workers of Australia lost about \$17 million in wages as a result of the Medibank strike. However, it is satisfying to me that teachers lost only a fraction of the wages they would have lost if they had yielded to the directives of their executive.

The amendment proposed by the Opposition is one which in its terms proclaims its merit in a straightforward fashion. It deals with the appointment of people either to the permanent or temporary teaching staff, and indicates that they must have a prior contract of service or be under bond. It puts forward the simple proposition that, in making an appointment, the director-general, notwithstanding any other law, including any award made under any Act, may select a person who has the appropriate qualifications and who in his opinion is the most suitable person for appointment. That is a proposition that is based purely and simply on quality and suitability. Now the Government is saying that another consideration must transcend quality and another consideration must be preferred to suitability—that is, the simple attribute of membership of a particular organization or association.

Let me make my position quite clear in respect of everything that has been said concerning the United Nations Universal Declaration of Human Rights. I believe that declaration contains an enormous number of vacuous platitudes, and I should be the last to subscribe to every one of them. I criticize strongly Government supporters who, in Opposition, so strenuously championed this document whenever it suited their interests, but immediately it ran contrary to their interests derided it and threw it away. The classic words, that no man can be compelled to join an association, is one fragment of the charter that I support wholeheartedly. Government supporters threw aside that part of the charter when they got the first indication that it was inconvenient to them. The people to whom I am directing my primary concern in this debate are the 42 000 teachers to whom I have referred. I put it strongly that it is a matter of faith with me—an article of conviction—that they ought to have some kind of choice in their membership of an association. I believe strongly in the highest possible level of free voluntary, active participation in unions. But even in a situation where 95 per cent of people affected were voluntarily and actively involved in an association, I should still resent the intrusion of statute to compel, unwillingly, the other 5 per cent to join that organization.

Honourable members know very well that when the former administration withdrew the arrangement that membership fees of the Teachers Federation would be automatically deducted from their salaries membership in the federation dropped dramatically. The extent of that drop is a carefully guarded secret. Many people say, and the news media has consistently said, that it dropped as low as 10 000 members at one stage. We know now that the first step of the new Labor administration is to come, willy-nilly, to the aid and succour of the union, against the interests and wishes of the teachers. Teachers do not drop out of membership, when given the chance, for any reason other than that they do not choose to be members. What the Government is saying, and what everyone in the community needs to realize, is that thousands of people who did not elect to belong to the federation and have proven that they do not want to belong to it, are to be compelled to join. There is a lesson built into that, not only for the thousands who will be dragooned and conscripted unwillingly and

*Mr Cameron]*

reluctantly back into the fold of the federation, but for **all** other members of the community who are **likely** at some stage to be the victims of similar proposals on the part of this compulsion-minded Government.

I repeat my proposition: I believe in free, voluntary unionism, but I believe also in competitive unionism. It is one of the tragic drawbacks of our distinctive and unique Australian system of conciliation and arbitration that the system tends to recognize and give registration to only one union covering a particular vocational field, so that people of a conservative inclination working in the field are dragooned, virtually willy-nilly, if they are to be in unions at all, into those of a radical bent hostile to their own philosophical position. It could be that people of strong left-wing inclinations are forced reluctantly into right-wing unions in which they feel thoroughly ill at ease and not at home. If ever it lies within my scope to restructure in the slightest degree the industrial scene in our State I shall be striving to create an atmosphere of free, voluntary, competitive unionism whereby the unionist who feels not at home in that union but at home in a competitor union, will have freedom of choice to move to the other union.

That is a basic philosophy of freedom that evokes not the slightest echo within the ranks of Government supporters. How fascinating it was during the debate to hear the honourable member for Illawarra say that absolute preference to unionists applies in the BHP steelworks, so why should teaching be different? That is a classic proposition. The honourable member for Wentworthville should tell the teachers, who claim that they are members of a profession and members of a professional body, that whatever is applicable to the industrial workshop should be applied in the professional field.

Mr Quinn: The profession of the honourable member for Northcott does it. One cannot practice law unless he is in the union.

Mr CAMERON: What the honourable member says is a total negation of fact. I certainly was a member of the New South Wales Bar Association—an active member of that association—but there is no requirement, no compulsion, to belong to the New South Wales Bar Association.

Mr Quinn: What about the Law Society?

Mr CAMERON: I throw out the simple challenge: does the leader of the bar in New South Wales, the Attorney-General, belong to the New South Wales Bar Association? Perhaps we might get an answer to that question. Whatever the professional group, whether doctors, accountants, lawyers, engineers or architects, tell them that in the view of the New South Wales Labor Government whatever is applicable on the floor of an industrial workshop applies also to them. Tell the doctors that if it is good enough for the BHP steelworks it is good enough for the Australian Medical Association. Put that proposition to all other relevant bodies and see whether there comes back the warm, loving response from the professions that the Government is constantly, day by day, alienating at this time.

*[Interruption]*

Mr SPEAKER: Order! There is too much interjection.

Mr CAMERON: I say emphatically that I, like another member of the Opposition who spoke, have always had a warm personal regard for the present Minister for Education. I hope he does not regard that remark as the kiss of death, although I

suspect he will do so. As an earlier speaker from this side said, I felt that the present Minister did a creditable, responsible and balanced job in Opposition when he was shadow minister for education.

*[Interruption]*

**Mr SPEAKER:** Order! The honourable member for Northcott has the call. I ask that he be permitted to continue without interruption.

**Mr CAMERON:** I do not want this subject to be treated with light-heartedness or hilarity. I say in all honesty that the Minister's credibility is now in the balance: it is hanging in the scales. He has a tremendously responsible task to discharge. The Minister commands the largest department of State in New South Wales and has under his immediate charge all these diverse, fascinating, 42 000 schoolteachers who are part of the teaching service. What is required of the Minister—indeed demanded of him—is a discharge of duty that makes him something more than simply the servile mouthpiece of the Teachers Federation. I shall not go so far at this stage as to prejudge him and say that he has become the tool, the instrument, the servile mouthpiece of the Teachers Federation. I still retain a basic faith in the Minister and I believe his responses and aspirations are right. I hold out the hope that he will rise to the challenge and deal fairly, reasonably and honestly with this radical body, but not from the standpoint of abdication or surrender of responsibility.

Honourable members can only wait to see in the coming months whether the new Minister is adequate to the challenge that faces him. It is a bad start to have, as his first performance in this House, the repeal of section 24A of the Teaching Service Act. The terms of the section explain its intrinsic merit. They do nothing more than set as a criterion the concept of the most suitable person being appointed. What the bill does is provide that from the date of repeal the most suitable person need not necessarily be appointed. If he is not a unionist, the most suitable person will not be appointed. That is a matter of regret for the whole community. The bill serves nothing more than the interests of the Teachers Federation executive. It is diametrically opposed to the right of freedom of choice of teachers generally and to the interests of parents and the community at large.

**Mr R. J. CLOUGH** (Blue Mountains) [5.50]: I speak on the bill to reply to those honourable members opposite who over the past one and a half days have chosen mainly to attack my colleagues rather than to advance objective arguments on the bill. As a member of an extremely moderate trade union, I suggest there can be little chance of my being classified as either pro-Peking or pro-Moscow. I assure you, Mr Speaker, and honourable members that my two colleagues and I who were reviled by the Opposition are very much pro-Australian. The Government of which I am extremely proud to be a member is very much pro-New South Wales. It has to be so after eleven years of broken promises to establish an education commission and of the needless friction generated by supporters of the previous Government between the many people in New South Wales engaged in the education of children and the government of the day.

Few members listening to this debate would not realize what is the real question at issue. It is not merely whether the teaching service will benefit by the provisions of the bill; it is whether the Liberal and Country parties' determination to crush the trade union movement will succeed eventually. That is the question—nothing else. The Opposition see the measure as a giant step backwards, seriously affecting their goal of subjection of trade unions to dictatorship from their side of the House, whether it be at a national or State level. Opposition members are as aware as are

Government supporters that the extremely difficult employment situation in Australia today has put on an important level the possession and retention of a job. Already I have seen evidence in my electorate of fear being instilled into citizens that they will be sacked on any pretext if they stand up for union principles. That is happening and will continue if the Fraser Government in Canberra has its way.

Yesterday I was listening to the honourable member for Hornsby, for whom I have respect. He disappointed me because I honestly thought he was capable of doing better. Towards the end of his remarks he went to the point of filibustering. Even you, Mr Speaker, remarked on his penchant for dreary repetition. His statement that the United Nations Declaration of Human Rights was being attacked at its foundations reminded me of the State some 700 miles north of Sydney where neither human rights, democratic representation nor the United Nations are given any thought at all. I refer to the police state run by associates of the honourable member for Hornsby. The honourable member for Gosford went to the crux of the matter when he said last night that the bill provides that, all things being equal, preference in employment will be given to members of the Teachers Federation. This concept is nothing new. In the Commonwealth public service the returned servicemen's provision is the same: all things being equal, preference is given to a returned serviceman.

To mention mediocrity is rubbish. To suggest that the yardstick of all things being equal would not be applied is surely a last desperate bid to turn attention from the real purpose of the Opposition's tactics, which are designed to cause unrest among the parents when no real cause for unrest exists. The Opposition well knows that the preference-for-unionist clause will not affect the efficiency of the Department of Education. As a public servant, I know from experience that active unionists are sought after by government departments because they have that little extra awareness that comes from being involved in union affairs.

I commend the honourable member for Lismore for the stand that he has adopted. He commands my respect for his willingness to appear at a public meeting and to put publicly his point of view. These days one sees so little of that attitude. However, he is mistaken about his fears of compulsory unionism. The bill does not intend to inflict compulsion on teachers. Provision will be made for them to exercise their rights to stay out of the Teachers Federation by adopting the course available to them. If there were any doubt about a person having the right to determine whether he or she will join a union, it would have to be looked at closely. Every person has the right to say, "No, I shall not join a union". Every person has the right to determine that, by exercising this right, he or she is willing to accept that salary increases and better working conditions obtained by a particular trade union shall not apply to him or her. Why should they receive such benefits?

I should like to see the industrial awards of New South Wales amended to provide for a system by which non-unionists did not receive a flow-on of benefits obtained by a trade union. The findings arising from a case before a court should apply only to the members of the union presenting it. The union of members pooling their subscription meets the cost of the arbitration or court proceeding. It is eminently fair that this type of provision should apply. By paying an appropriate fee any non-unionist could intervene in a case before a court. In this way the non-unionist could abide by his strongly held principles and at the same time gain some benefit from what is, in effect, a joint application to the court. This would overcome the dreaded compulsion clauses and ensure that the non-unionist puts his money where his mouth is.

All trade unionists know that the proportion of genuine conscientious objectors is negligible. If such people were honest they would admit that they are not willing to pay the dollar or so a week to join and remain in a union. That is the crux of the matter. A person with genuine political objection to joining a union would have under the provisions I outlined two options: to remain a non-unionist and put himself at the benevolent mercy of his employer to partake in wage rises and improvements in conditions obtained by a trade union which he opposes—and I can imagine what the result would be; or he can meet the cost of his own intervention and pay for obtaining the benefits he hopes to share.

The honourable member for Lismore made reference last night to a senior officer of the Department of Education and read from a circular issued to all teachers. I suggest that the officer issued that circular in accordance with the policy of the former Government. I wonder whether he will issue a similar circular now that there has been a change of government. The honourable member for Lismore raised also the question of whether the new Government has confidence in the senior officers of the public service. Of course it has confidence in them. I assure the House that I have every confidence in senior and junior public servants in New South Wales, so long as they realize that there has been a change of government and that policy and principles will also change. The public service is responsible to the Parliament and no doubt it will implement the Government's decisions. No one would suggest that public servants would adopt the maxim that political parties come and political parties go, but they go on forever. That would be an extremely unrealistic attitude for them to take. I support the bill because I believe it will be good for the teaching service, for education in New South Wales and for the State. I deplore and discount the red herrings that have been drawn across the trail by those Opposition members who have spoken so far in the debate.

*[Mr Speaker left the chair at 6 p.m. The House resumed at 7.30 p.m.]*

Mr DARBY (Manly) [7.30]: Mr Speaker, all members of the House appreciate the concession that has been given to allow the debate to continue for as long as it has. They must appreciate the vital significance of the principle involved. Though the bill is a simple one, it means that from now on teachers are to be regimented; they must conform; absolute preference goes to those who are members of the approved union, the Teachers Federation. This is happening at a time when regimentation and conformity are being frowned upon by educationists, when it is the task of an educationist, in accordance with new education methods, to get away from the discipline and regimentation of a bygone era. There may be a reason other than reaction against discipline and regimentation, but that can be left to another occasion.

So far the debate has been a model one. The Minister gave the traditional unionist attitude. On the other hand, Opposition members have pleaded the cause of freedom, self-determination and the right of choice. I pay tribute to the excellent thesis on the subject which was given by the honourable member for Hornsby, the cogent contributions by the honourable members for Lismore, Vacluse, and Tamworth, and the fine exposition by the honourable member for Northcott. However, the United Nations charter is not the foundation of our rights but merely an interpretation of them, for our rights are as old as the human race. The Minister will recall that the preamble to Magna Carta clearly stated that it was not a mere declaration of rights but a confirmation of rights always existing. It confirmed the inalienable rights of man which have been traditional to our society and have been identified over the struggles as man emerged from barbarism to the relative civilization of that time. So the rights we are talking about tonight are not to be found in the beginning of a United Nations charter. Clauses of the United Nations charter are illustrations of a codification of some of the rights which we enjoy as human beings.

The reasons for my opposition to this bill can be expressed in one word—regimentation. The struggle to emerge from a regimented society in which man had to conform, or else, is the struggle of our heritage and our civilization. We had to get away from a society in which people did what they were told, or else. A society in which people have to do what they are told, or else, or they have to conform, promotes the informer, the spy, the secret tribunal, the undisclosed, backstage, under-cover organizations whose purpose is to bring recalcitrants into line. That is the state of a regimented society in which people live in constant fear not only of being molested but also of being **victimized** for standing up for what they think are their rights. And what are their rights? The right of choice, self-determination and conformity or non-conformity indelibly impressed upon the minds of men.

The emergence of our parliamentary system solved the problem of regimentation by kings and emperors. It took centuries to do it. With our parliamentary institution, where freedom is a compromise between choice and responsibility, we have all kinds of checks and balances, including the free press, the right of public meetings, the right of constituents to accost their local member and, overshadowing all, the fear that if the local member did not do the right thing there would be an early **election**.

Parliamentary institutions from their very emergence have been in danger of being conquered by the elements in our society who simply love power and dictatorship, who like to control and to organize people, who dream of a **mankind** mechanized by some **kind** of **system** which dictates what people should do and think and how they should obey. Over recent years we have seen the collapse of many parliamentary systems caused by those people who believe in regimentation and have somehow or other gathered together the forces of power to destroy those institutions. One of the greatest responsibilities we have as a parliament—even greater than the task of dealing with the expediency of the moment or introducing legislation to improve justice—is to preserve the institution of parliament. In recent weeks, months and years we have seen many instances when parliament and its institutions have been defied or challenged by regimented organizations or groups of people who are power-hungry and **power-possessive** which have grown up amongst us. We know **the** life of our Parliament as an institution can go on only if we can, as Parliament, resist these pressures and **pressure** groups and the never-ceasing desire of people to regiment society and to decide for other people what they should do. They foster the obnoxious corollaries of regimentation, dictatorship, the spy system, the informer, victimization and so forth.

Having expounded as a basic theory that any legislation which comes before Parliament must not have any content of regimentation, I should like to talk about the trade union movement. I was born, bred and reared in a trade union movement atmosphere. My parents believed that a man had the right to join an organization if he wanted to, and that trade unions fostered and protected the welfare of employees.

Mr Ryan: That is all right so long as an employee does not get pay increases if he does not join a union.

Mr DARBY: I shall come to that in a moment. It took a century or more of constant struggle and agitation before the trade union movement became a legal entity that was recognized by society and appreciated by workers and employers alike. I am a liberal and proud of it. My dedication to the virtues of the trade union movement is not impaired one iota because I sit in opposition to a political party that fostered an organized trade union movement which now owns and controls it. I am not against trade unions. I could not be. I was born and bred to be in favour of trade unionism. But I have watched the trade union movement carefully, and over

the past generation in particular I have detected a number of flaws that I think should be deplored. One is the regimentation by trade unions. This aspect has become almost sinister in some trade union activities.

It is unfortunate that trade unionism, having been accepted and written into our legislation and award system, has tended to run riot. This is the opinion of many thinking people. Time and time again the trade unions, instead of concerning themselves with the welfare of members, have tried to change the policies and directions of governments. The increasing impertinence of those in control of trade unions is a problem that everybody must try to counter. I have indicated quite clearly the checks and balances inherent in our parliamentary system. They ensure that Parliament can never—at least I hope it will never—become dictatorial. Even though a government can bring in legislation that would lead to regimentation, the system of regular elections acts as a check and balance on such excesses. This does not apply to a trade union, which controls its own propaganda machine, its trade union journal.

A trade union that is deliberately and carefully organized can have a tyrannical function which a parliament can never possess unless it hands over its powers to a dictator, or is swamped as the parliament of Czechoslovakia was in 1948 by communist bashers. The trade union movement has that inbuilt fault, which is a danger that must be recognized by trade unionists. Those who attain office in a union can stay there indefinitely with their groups if the union does not bring checks and balances into play. It is unfortunate that many trade unions are controlled not by responsible, democratically-minded Australian, but by men and women whose sole ambition is to destroy our society and enforce upon us a regimentation that is just as tyrannical as any that we have known in history.

One of the greatest struggles in the trade union movement today is the attempt by communist wreckers to gain permanent control of the unions and wreck our society. I had my first quarrel with the trade union movement many years ago when it adopted the socialist objective. I do not know of any society that has ever succeeded economically by handing over the means of production, distribution and exchange to the State. Unfortunately, if a society is to have socialism, it must have regimentation, and it is the regimentation of socialism to which I strongly object. I hate to see the capitalist riding round in his Rolls Royce while the workers cannot afford a pushbike, but I have a stronger dislike of the inequality that flows from the regimentation of society that must follow acceptance of socialist principles. Once that regimentation is established it can be carried on and on until we become a regimented socialist society. If the trade union movement had the checks and balances available to parliaments, and if a trade union could be influenced and have its direction changed by its rank-and-file members as easily as they can change the direction and composition of parliaments, well and good; but trade union institutions have declined in their social purpose and faltered in their help to society in general and to the working man in particular, causing us all to be frightened of the consequences. Members on the Government benches who are intimately associated with trade unions know the truth of this statement.

Mr McGowan: It is not true of the teachers.

Mr DARBY: I remind the honourable member that the Teachers Federation has reached such a stage in its regimentation that, as the honourable member for Northcott pointed out, the Minister for Education is willing to say amen, amen, amen to the suggestions of the executive of the federation. He is willing to say to the Teachers Federation, "If you want worker control, you can have it". The ambition of the socialist is to share things equally and to get worker control of the industry, the enterprise or the occupation. As a result, the Government of New South Wales, properly elected by the people, is not to control the education system. This will be done

by the teachers themselves, not organized in the way Parliament is organized, but in the hands and the lap of a cabal of people who have got themselves into power by skilful training and by trading on the knowledge that most teachers are so entranced and occupied with their profession that they are not concerned with the agitation and scouting round to get votes to be elected to committees and so forth. This is the disease of apathy and complacency from which the trade union movement is suffering more than any other movement in our society.

Mr McGowan: That is a terrible attack upon the profession. It is not true.

Mr DARBY: I make no attack upon the teaching profession. Rather am I trying to defend the teaching profession, and to say to the teachers: "You are professional men and women. You have a responsibility that is pre-eminent of all the responsibilities in our society. It is your job to give to the children the equipment to become citizens and a taste of how idealism can be carried into practice. You have the mental and physical equipment to carry out those ideals, so that the world of the future will be a better one as the new generation emerges."

Teachers are well trained and dedicated but do not have the working conditions that are enjoyed by many other people of equal intelligence. They are excellent people generally but for the reasons I have explained, the Teachers Federation does not interpret their desires en masse. The Teachers Federation has become, like many other trade union organizations, a little coterie of those in control. It is very difficult to change it from inside the movement. Are we to give that movement, controlled as it is, ever more and more power? Are we to say to these people, "You can decide what the future progress of a teacher is to be"? Or are we to say to them, in another bill that I suppose will come forward in due course, "You can decide the policy and content of the whole of our education system"? If we do that, we are betraying our trust to provide a teaching service that will achieve the best results in the training of our children.

Mr McGowan: That is the very thing you did in a small school.

Mr SPEAKER: Order!

Mr DARBY: The control has to be tempered with recognition that those organizing a school or a society have to observe the law and order of society, without anybody feeling that his right of individual choice and individual freedom is assailed. That is the task of democracy. I have tried to point out how difficult it is to realize and to maintain it, and how difficult it has been to change tyranny into democracy, involving sacrifices and struggles over hundreds of years. When thinking about the regimentation aspects of the bill, I contend that it is reactionary, and is taking us back to the time when a man had to do what he was told, or else—he had to conform, or else. No matter how competent, efficient or enthusiastic a teacher might be and no matter how much gratitude may be expressed to him by the children or their parents, if he is not a member of the Teachers Federation he will not progress.

If honourable members opposite want the trade union movement to prosper, it will prosper only on its worth and the service it gives to those in employment. If the trade union movement has to get there by having 100 per cent membership by regimentation, that trade union movement becomes a tyranny, and it will destroy itself with its own rottenness. I believe that the coup in this debate is the question of regimentation. It seems a pity that so many members of the Government have not realized that by repealing this wise legislation of the Liberal-Country party Government a few years ago, they are in a reactionary way increasing the regimentation of our community, and one of these days, if this bill goes through, those who sponsored it will be very sorry indeed.

Mr BEDFORD (Fairfield), Minister for Education [7.58], in reply: I remind the honourable member for Manly that we are not repealing any sections of **Magna Carta**; the bill relates to the repeal of the Teaching Services (Amendment) Act. I compliment the honourable member for Manly on his 31st anniversary today as a member of this Parliament. It may be that, because of his number of years here, he was a member when **Magna Carta** was put through.

My colleagues have taken the opportunity to rebut many of the arguments that have been raised by members of the Opposition. I have been singularly surprised by the fierce onslaught against this repeal measure. Though I knew that the attitude of Liberal Party and the Country Party members would be immense reaction to what is proposed, some of their arguments have been, to say the least, very muddy. I thought they might have saved some of their ammunition for an occasion when it might be used more effectively. Indeed, they tended to contradict themselves during the debate.

I am particularly thankful to my colleague the honourable member for Gosford for his contribution to this debate. As a new member of the House he adds strength to the debating line-up in the Government ranks. We are fortunate to have him here at this time, for he was a teacher in the service in the time of dreadful turmoil engendered purposely by the former Government.

Great play has been made on the Universal Declaration of Human Rights, which was dealt with in some detail by Opposition members. I refer to one or two aspects conveniently overlooked by them. They argued, for instance, that no person should be compelled to belong to an organization. I remind them that their federal colleagues, the Prime Minister and his Cabinet, are compelling all Australians to join Medibank at a huge cost to citizens.

Mr Cameron: Everybody does not have to join Medibank.

Mr BEDFORD: Everybody has to join a health fund. Article 23 of the Universal Declaration of Human Rights provides as follows:

(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work, and to protection against unemployment.

Where do members of the Opposition stand in regard to unemployment?

Mr Mutton: The Government is compelling people to join a union if they want employment.

Mr SPEAKER: Order! The honourable member for Yaralla does not have the call.

Mr BEDFORD: The federal Government, in its obsessive determination to get the inflation rate below 10 per cent, has purposely thrust thousands of Australians into unemployment, and yet members of the Opposition are mealy-mouthed enough to get up and object to the repeal of what must be one of the most obnoxious provisions on the statute book of this State. As the federal Liberal-Country party Government is purposely plunging the nation into worsening unemployment, members of the Opposition in this House should not dare to stand up and, in their mealy-mouthed way, talk about what should be done in relation to the industrial arbitration laws of New South Wales. Clause (4) of Article 23 of the Universal Declaration of **Human** Rights goes on in the following terms:

Everyone has the right to form and to join trade unions for the protection of his interests.

That is what trade unions are all about. Members of the Opposition in this place simply do not understand that. They have no conception of what the trade-union movement is all about. We must drive this message home: trade unions exist to protect the interests of people in the industries they cover. As was stated so eloquently by the Minister for Local Government, each trade union provides a service for its members, and protects them from exploitation. By what right does a person enjoy the fruits of somebody else's labours in his industry, enjoy the benefit of funds contributed to a trade union by its members in the way of fees, and take advantage of **improvements** in wages and working conditions, when he is **too** mean to join, or as a matter of conscience cannot become a member of a union?

Every worker gets an advantage out of the activities of the trade union covering his industry, and if he finds that he does not like being in the organization, he can always get out of it. That would be preferable to staying outside the union and accepting all of the benefits earned by his colleagues who contribute to its work. If it had not been for the efforts of the Teachers Federation in the late 1950's and the 1960's, women teachers would still probably be waiting for equal pay with men. **As** a result of the efforts of the federation the move for equal pay was hurried along and the system was changed. That cost a lot of people a lot of money, but they were **willing** to pay to fight for the rights of all their members.

Members of the Opposition continue to suggest that trade unions are undemocratic organizations. The honourable member for Manly argued that the noble and hallowed institution of Parliament is much more democratic than a trade union. The fact of the matter is that if people, having the right to join a trade union, feel that its leadership is not acting in the best interests of the members, they should do something about it. Parliament should not be the one called upon to act; the Government should not be urged to change laws in order to make it simple for one group of persons in a union to overthrow the democratically elected executive, or to change the direction of trade union affairs. I repeat, trade-union members have an inalienable right to interest themselves in and to vote on union affairs. The Government, and Parliament as a whole, should be doing everything possible to make sure that knowledge of and in the trade-union movement is developed, and in this respect I pay tribute to my federal Labor Party colleagues who, when in government, established the trade-union colleges.

Mr Cameron: Will the Minister deal with the issue of voluntary association and the monopoly position of unions?

Mr SPEAKER: Order! The honourable member for Northcott has already addressed the House. The Minister for Education is now replying.

Mr BEDFORD: All unions in New South Wales are at liberty to apply for the application of section 129B of the Industrial Arbitration Act to the terms of employment of their members. What did the Opposition do when it was in Government? It purposely selected one union and sought to make it different from all others. It selected the New South Wales Teachers Federation. I am not sure why. It may well have been that the former Government chose that course because the Teachers Federation was the biggest union dealt with by it as an employer. The Government may have thought that because the Teachers Federation was powerful and well-organized, the Liberal and Country parties could move similarly through the whole spectrum of trade unions if the Teachers Federation could be brought to its knees. Or, as one of my colleagues reminds me by way of interjection, it may have been that the members of the Opposition hated the Teachers Federation.

Honourable members heard in this House today and yesterday the words communists and anarchists pouring from the mouths of Opposition members. We heard also teaching referred to as a noble profession. I suppose that was intended to soften

the blow. Individual members of the Teachers Federation, who are and have been the elected leaders of the members of that organization, have been referred to in the vilest terms in this House by members of the Opposition, who are the very ones to **cry** murder when the Attorney-General, for instance, names persons who are fleecing the good people of this State through company deals.

Mr Mutton: They may be his own members.

Mr SPEAKER: Order! I call the honourable member for Yaralla to order for for the first time.

Mr BEDFORD: Members of the Opposition have taken points of order to the effect that the Attorney-General should not say these things about Australian businessmen, yet they feel free to say anything they like about trade unionists. The hatred is there; honourable members opposite cannot hide it. One of my colleagues referred to it as paranoia, and that seems to sum up the position perfectly. That must be the conclusion when one hears it argued that the Government is attempting to compel judges to obey the laws of this State. I should hope the judges would obey the laws of this State. Members of the Opposition argue that the Government is compelling judges to interpret the laws in a way that could bring down the whole system.

Reference has been made in this debate, in the debate on the motion for the adoption of the Address in Reply, and in questions asked by members of the Opposition, to the fact that I am the mouthpiece—and a number of other terms have been used—of the Teachers Federation. Members of the Opposition do not seem able to believe the truth in respect of my dealings with the Teachers Federation. For instance, they say that I have had regular meetings with the Teachers Federation without officers of the Department of Education being present, and that in that way I get my **riding** instructions. The suggestion simply is not true, but even if it were I suppose it would be better for the horse to make some effort at going around the track rather than have done to it what happened when the Liberal-Country parties were in government, and that was for it to be left at the barrier. In any event, I shall put the record straight. I do have regular meetings with the Teachers Federation once a month. I also have irregular meetings with the Teachers Federation when any matter arises that we believe to be of mutual importance, and one about which we can speak.

Officers of the Department of Education, the Ministry or the Board of Higher Education are also present at those meetings if it is necessary for me to have expert advice associated with the matter under discussion. The federation might send me a note or a letter asking could its representatives speak with me about a certain subject. Without the presence of departmental officers it would be impossible for me to give an intelligent response to most matters that might be raised because usually I would have no real or exact knowledge of them.

Mr Cameron: That is a shameful admission.

Mr BEDFORD: I am not frightened to make that admission. I do not pretend that after four and a half months or that even four and a half years hence I shall know all that goes on in this huge department. I readily admit that I am happy to have officers present to advise me. From time to time I am in contact with the federation by telephone and, of course, I have discussed matters with them on social occasions. I do not need the director-general with me when I talk to the federation about things such as education week or other matters which do not require expert information from

within the system. In fact, I have social meetings with other people, too, but never have I found it necessary to have departmental officers with me on those occasions. I should like to put the record straight on that matter.

I shall now refer to some points raised individually by members opposite. We heard suggestions from a number of Opposition members that the proposals the Government is now bringing forward by the repeal of this section of the Industrial Arbitration Act will mean absolute preference throughout the system. Some members even thought that preference would apply to promotion matters. Of course, that is quite wrong. My colleague the honourable member for Gosford pointed that out though it does not seem to have got through yet to members opposite. He said that absolute preference would apply only to entry to the service and on leaving the service and it has nothing to do with anything in between.

Further, there seems to be some confusion about the term absolute and I shall come back to that later. We were told also that after the fees for the Teachers Federation had been cut off at the source membership numbers plunged down to only a few thousand. This was supposed to be an example of how teachers did not really want to be members of the federation. I can offer a number of reasons why membership fell at that stage. I might point out that now, though the legislation about which we are talking has not yet been repealed, something like 90 per cent of teachers are members of the Teachers Federation. Obviously that argument put forward by the Opposition is quite spurious. If numbers fell previously it could have been for other reasons, perhaps organizational ones. Membership is now up.

The honourable member for Tamworth was just as confused as his colleagues. He spoke of the appointment of the most suitable applicant. Let us look at the situation at the beginning of each year. Out of the colleges of advanced education and the other teacher training institutions come many thousands of newly qualified teachers. They are accepted as qualified entrants into the system and are recognized as such by the director-general. Once they are found to be qualified and recognized as teachers they may then become members of the Teachers Federation. Obviously honourable members opposite have put the cart before the horse. First of all these people have to be accepted by the Department of Education as qualified teachers and then they may join the federation.

Mr Doyle: Why should they have to join?

Mr BEDFORD: Nobody said they have to join. It is a matter of choice. **The** honourable member for Northcott put **forward** much the same line of argument. From time to time he referred to quality and I have already spoken about that. I hope he now understands the situation. Some members opposite have pointed out that one applicant might be a doctor of philosophy with a long background in education and another applicant might be a bachelor of arts with two years' teaching experience. If the position to be filled requires qualifications higher than those of the lesser qualified applicant there is no argument about who will be appointed. The department would not fill a position of language master in a high school with someone trained for the upper primary level. It is a different ball game altogether. The Government is saying merely that when two applicants for the same job have the same qualifications the unionist will get preference in accordance with section 129B of the Industrial Arbitration Act.

The honourable member for Hornsby said quality **will** be sacrificed to mediocrity. That is a lovely statement and perhaps it even might find its way into the *Sayings of the Week*. Of course, the answer is that here there is **an** implicit assumption that quality

teachers are not members of the Teachers Federation. There is no basis whatever for that assumption. Membership or non-membership of a union is not an indicator of teacher expertise or academic excellence. Furthermore, teachers employed in schools are qualified and approved by the director-general as meeting the requirements laid down. The preference provisions affect only approved and qualified teachers. I hope that this matter is no longer a mystery. The honourable member mentioned also, perhaps a little out of order, that an education commission and an employing authority would administer the preference clause. Is the honourable member implying that one employer will obey the law and another will not? The position is that there is a law and whoever does the employing must obey that law.

I turn now to the comments made by the honourable member for Lismore who referred to the fact that after the one state-wide strike of teachers over the preference issue there have been no strikes or complaints, because no teachers were victimized or penalized by his Government's amendment to the Industrial Arbitration Act.

Mr Duncan: What about the strike over the Medibank issue?

Mr BEDFORD: That was not the first strike to do with Medibank. The first strike about Medibank was when doctors in hospitals in my electorate withdrew their services and refused to accept the fee laid down by law by the federal Labor Government.

Mr Duncan: What has that got to do with this preference clause?

Mr BEDFORD: The honourable member raised the matter and I am answering it. On 14th May, 1975, the Minister for Education, now the Leader of the Opposition, announced:

The Minister for Education, Mr Eric Willis, today announced that the Government had now decided to implement the Teaching Service (Amendment) Act along with new administrative procedures which should meet most of the wishes of the New South Wales Teachers Federation in regard to new teaching appointments.

These new administrative procedures were quoted from the same press release by my colleague the honourable member for Gosford. They were as follows:

Cabinet was prepared to agree that where all other things are equal (e.g., where in the opinion of the Director-General two or applicants for appointment are equally qualified and equally suitable), preference in appointment will be given to federation members as a matter of administrative policy.

The Government had decided to take on the Teachers Federation as the first union to be brought down under section 129B of the Industrial Arbitration Act but it got cold feet and backed off. The Teachers Federation mounted a massive campaign and made it quite clear that it would not wear it at all.

Mr Duncan: Prove it.

Mr SPEAKER: Order! I call the honourable member for Lismore to order for the first time.

Mr BEDFORD: I shall deal with the point made by the honourable member for Lismore. No complaint was made after the strike that occurred on 25th March, 1975. The Act was not implemented until 14th May, 1975, when preference for unionists was virtually accepted policy. Clearly, the amendment had not been necessary.

That is why the Government believes that the sooner the Act is repealed, the better. Before concluding my remarks I should like to make one more observation. When the legislation was being introduced the Teachers Federation insisted that preference should apply to casual teachers even when they were employed on emergency relief service, and agreement on this point was reached between the Public Service Board and the federation. Before 1975 the previous Government refused to employ hundreds of casual teachers although they had served the department faithfully for many years. It was against this background that the former Government introduced the iniquitous piece of legislation known as the Teaching Service (Amendment) Act. I regret that the Opposition has retreated, almost in headlong fashion, to the bastions of conservatism in its approach to this matter. Having regard to the many arguments that have been put forward on why it is important to repeal the earlier legislation, I commend the motion to the House.

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

The House divided.

Ayes, 48

|                    |                     |                   |
|--------------------|---------------------|-------------------|
| Mr Akister         | Mr Haigh            | Mr Petersen       |
| Mr <b>Bannon</b>   | Mr <b>Hatton</b>    | Mr Quinn          |
| Mr Barnier         | Mr Hills            | Mr <b>Ramsay</b>  |
| Mr Bedford         | Mr Hunter           | Mr Renshaw        |
| Mr Booth           | Mr <b>Jackson</b>   | Mr Rogan          |
| Mr Cahill          | Mr Jensen           | Mr Ryan           |
| Mr Cleary          | Mr <b>Johnson</b>   | Mr Sheahan        |
| Mr R. J. Clough    | Mr Johnstone        | Mr <b>Stewart</b> |
| Mr Cox             | Mr Jones            | Mr F. J. Walker   |
| Mr <b>Crabtree</b> | Mr Keane            | Mr <b>Whelan</b>  |
| Mr Day             | Mr <b>McGowan</b>   | Mr <b>Wilde</b>   |
| Mr <b>Durick</b>   | Mr Maher            | Mr Wran           |
| Mr <b>Einfeld</b>  | Mr <b>Mallam</b>    |                   |
| Mr Face            | Mr Mulock           |                   |
| Mr <b>Ferguson</b> | Mr Neilly           | <i>Tellers,</i>   |
| Mr <b>Flaherty</b> | Mr <b>O'Connell</b> | Mr Brereton       |
| Mr Gordon          | Mr Paciullo         | Mr Degen          |

Noes, 46

|                   |                    |                        |
|-------------------|--------------------|------------------------|
| Mr Arblaster      | Mr Healey          | Mr Punch               |
| Mr Barraclough    | Mr Jackett         | Mr Rofe                |
| Mr Brewer         | Mr Leitch          | Mr Rozzoli             |
| Mr Brown          | Mr Lewis           | Mr Schipp              |
| Mr Bruxner        | Mr <b>McDonald</b> | Mr Singleton           |
| Mr Cameron        | Mr <b>McGinty</b>  | Mr Taylor              |
| Mr J. A. Clough   | Mr <b>Mackie</b>   | Mr Viney               |
| Mr <b>Coleman</b> | Mr Maddison        | Mr N. D. Walker        |
| Mr <b>Cowan</b>   | Mr Mason           | Mr Webster             |
| Mr Darby          | Mrs <b>Meillon</b> | Mr West                |
| Mr Dowd           | Mr <b>Moore</b>    | Sir <b>Eric Willis</b> |
| Mr <b>Duncan</b>  | Mr Murray          | Mr Wotton              |
| Mr Fischer        | Mr Mutton          |                        |
| Mr Fisher         | Mr Osborne         | <i>Tellers,</i>        |
| Mr Freudenstein   | Mr Park            | Mr Boyd                |
| Mr Griffith       | Mr Pickard         | Mr Doyle               |

**Pair**

Mr Wade

Mr **Morris**

Question so resolved in the **affirmative**.

Motion agreed to.

Bill read a second time.

In Committee

Clause 2

Mr CAMERON (Northcott) [8.31]: What I want to say in Committee on this measure can be summed up in a few concise statements. The Minister in his reply intimated that the Opposition was retreating into conservatism. That is an accusation from which I should not normally retreat. I am only too happy to acknowledge that in terms of conservation of the treasure store of this society I am basically conservative and proudly so. However, on this occasion the Minister is completely wrong; those who are standing for the *status quo* in the real sense are undoubtedly the socialists on the Government benches. They are standing for compelled, monopoly unionism.

The Opposition, or those of the Opposition who espouse the particular viewpoint I am putting, stand for free, voluntary, competitive unionism. That is the **choice**—between competitive unionism or monopoly unionism. We on the Opposition benches are those who are proudly proclaiming that the future of this society lies in the development for workers of a choice between unions, rather than the imposed monopoly which today is the only choice available to them. That is the simple **issue**—**free**, voluntary, competitive unionism **or** compelled, monopoly unionism.

The Government's retreat to its own position of absolute preference for unionism, coupled with the disastrous automatic deduction of union fees from teachers' salaries will aid and abet the growing politicalization of education. That is a matter of such major concern to so many parents in the community that, notwithstanding adverse economic conditions they are accepting intolerable financial hardships to get their children out of the State system into private schools. If the Government imposes monolithic, compelled unionism on the system, it will drive more and more parents to that alternative. The real **principle** is not conservatism, but rather change, the movement to an opening up of the union system and making it competitive, and choices where at the moment they do not exist. For all of those reasons I strongly oppose the repeal of section 24A.

Question—That the clause stand—put.

The Committee divided.

Ayes, 48

Mr Akister  
 Mr **Bannon**  
 Mr Barnier  
 Mr Bedford  
 Mr Booth  
 Mr Brereton  
 Mr Cleary  
 Mr R. J. Clough  
 Mr Cox

Mr Crabtree  
 Mr Day  
 Mr Degen  
 Mr Durick  
 Mr Einfeld  
 Mr Face  
 Mr Ferguson  
 Mr Flaherty  
 Mr Gordon

Mr Haigh  
 Mr Hatton  
 Mr Hills  
 Mr Hunter  
 Mr Jackson  
 Mr Jensen  
 Mr Johnstone  
 Mr Jones  
 Mr Keane

|              |                 |                 |
|--------------|-----------------|-----------------|
| Mr McGowan   | Mr Quinn        | Mr Whelan       |
| Mr Maher     | Mr Ramsay       | Mr Wilde        |
| Mr Mallam    | Mr Renshaw      | Mr Wran         |
| Mr Mulock    | Mr Rogan        |                 |
| Mr Neilly    | Mr Ryan         |                 |
| Mr O'Connell | Mr Sheahan      | <i>Tellers,</i> |
| Mr Paciullo  | Mr Stewart      | Mr Johnson      |
| Mr Petersen  | Mr F. J. Walker | Mr Kearns       |

## Noes, 46

|                 |                 |                 |
|-----------------|-----------------|-----------------|
| Mr Arblaster    | Mr Freudenstein | Mr Park         |
| Mr Barraclough  | Mr Griffith     | Mr Pickard      |
| Mr Boyd         | Mr Healey       | Mr Punch        |
| Mr Brewer       | Mr Jackett      | Mr Rofe         |
| Mr Brown        | Mr Leitch       | Mr Rozzoli      |
| Mr Bruxner      | Mr Lewis        | Mr Schipp       |
| Mr Cameron      | Mr McDonald     | Mr Taylor       |
| Mr J. A. Clough | Mr McGinty      | Mr N. D. Walker |
| Mr Coleman      | Mr Mackie       | Mr Webster      |
| Mr Cowan        | Mr Maddison     | Mr West         |
| Mr Darby        | Mr Mason        | Sir Eric Willis |
| Mr Dowd         | Mrs Meillon     | Mr Wotton       |
| Mr Doyle        | Mr Moore        |                 |
| Mr Duncan       | Mr Murray       | <i>Tellers,</i> |
| Mr Fischer      | Mr Mutton       | Mr Singleton    |
| Mr Fisher       | Mr Osborne      | Mr Viney        |

## Pair

Mr Wade

Mr Morris

Question so resolved in the affirmative.

Clause agreed to.

## Clause 3

Mr PARK (Tamworth) [8.40]: Mr Chairman——

Mr Petersen: Our famous military hero.

Mr Doyle: That is something you will never be.

The CHAIRMAN: Order! The Committee will come to order.

Sir Eric Willis: On a point of order. The sarcasm of the honourable member for Illawarra is most inappropriate to level at a most distinguished and gallant military officer. Few members in this Parliament have served with such distinction as to be awarded the Distinguished Service Order. We have the privilege of having such a person in this House.

The CHAIRMAN: Order! I ask the Leader of the Opposition to come immediately to the point of order.

Sir Eric Willis: My point of order is that I, and I am sure all decent people in the community, find it most offensive to have a remark passed——

The **CHAIRMAN**: Order! No point of order is involved. The only member who can object to the remarks of any honourable member is the person directly involved.

Mr PARK: I have always had a high regard for the Minister for Education. I appreciate his ability and his dedication. As I said earlier today, the measure will make his job more difficult. I can only hope that he will be able to cope with the additional burden.

*[Interruption]*

The **CHAIRMAN**: Order! The honourable member for Tamworth has the call. There is too much audible conversation in the Chamber. If honourable members wish to have private meetings they should hold them outside the Chamber.

Mr PARK: I hope also that the Minister will be able to retain the initiative and that he will be able to meet the responsibility to ensure that in every case the most suitable applicant is appointed to each teaching position. The same initiative and responsibility has by this measure been taken away from the Director-General of Education.

I am concerned also about one other matter. This afternoon I mentioned the 219 000 students **who** in 1975 attended non-government schools in New South Wales. The Teachers Federation has demonstrated that it is prepared to dictate to the Minister and to the Parliament of New South Wales. That is undemocratic. What further area will the federation move into and what effect will it have on the future of our non-government school system? Most members would recognize that if our non-government school system were to break down tomorrow the government school system would not be able to cope with the additional students. I am afraid that if the provisions of the measure permeate into the non-government school system it could well be the last straw for many of our non-government schools. The crux of the measure is parliamentary responsibility. The Government has demonstrated that it is willing to be dictated to by a body outside the Parliament. For that reason the Opposition will vote against the clause.

Mr PICKARD (Hornsby) [8.47]: I was interested to note the Minister's remark that the absolute preference statement was not relevant, and that in fact what the previous Government had done was no more than what he intended to do by this repeal. If preference means only preference when all other things are equal, why then is it necessary to use the word absolute? What does absolute depend upon? Does it depend upon all other factors being equal? I contend that it depends upon the holding of a piece of paper for fear of being judged not qualified. This is notwithstanding that everything else might be equal. I think of all ex-students graduating from universities to whom the federation has made quite clear that they cannot be guaranteed a position with the Department of Education unless they are members of the Teachers Federation.

It seems that throughout Australia one can look to a surplus in the supply of teachers. This fact must psychologically put pressure upon these ex-students to start joining the federation. The Minister has claimed that all teachers have academic qualifications. What is it then that makes one more acceptable than the other? Is it the piece of paper acknowledging membership of the Teachers Federation? I recall that in the advertisements in January and February of 1975 the federation was asking teachers in schools to report to them members of the teaching staff who were not members of the federation so that at the appropriate time action could be taken against them. One can assume only that when a member of the federation presents himself for employment in the position held by another with equal qualifications, the piece

of paper to which I have referred would be the thing that would set apart the federation member. The federation member would have preference also notwithstanding that the other person may have better qualifications.

I can only assume that the word absolute means what it says and that Mr Justice Dey felt that it means what it says. Absolute preference must mean that employing authorities will be allowed to choose inferior employees in preference to those who are superior. That is another point. I assume that absolute, total and complete preference will be given, regardless of all other factors, to the persons who arrive—whether they be two or ten seeking a position—with the piece of paper in their hands saying: "I am a federation member."

As I said earlier, if that is not an absolute denial of the freedom of the individual to obtain a job regardless of the association to which he belongs, I do not know what is. I should say further that if in fact we deny people the right to a job, all the things that members of the **Opposition** were saying about this bill in relation to clauses in the Universal **Declaration** of Human Rights must **automatically** follow. The highest percentage increase in unemployment within any three years, apart from the depression, took place under the Whitlam Government's regime. Because the coalition Government in Canberra embarked on a policy of economic recovery to get the economy back on its feet it is totally fallacious to say that the people who are trying to stop unemployment with new economic policies must be against the charter of the United **Nations**. That is the way Government supporters argue. **Who** caused **the** vast **pool** of unemployment before December last year? We are not for unemployment. Anyone who has been unemployed knows all about it. He does not want to be unemployed again.

Mr F. J. Walker: Fraser has not helped a bit.

Mr PICKARD: The Attorney-General would not know about being on a dole queue.

Mr F. J. Walker: *Yes* I would.

Mr PICKARD: He is a whiz kid. He knows all about dole queues, but he does not know about freedom. Members opposite laugh when I say that if we take one freedom away we attack all of them. That point must be driven home. Here is a Government that claims to be concerned with freedom, crying out that it must give liberty to the little man, and in doing so brings in as one of its first bills a measure containing a denial of freedom. It casts an oppression upon people and puts fear into the minds of many good, honest, professional persons who do not belong to the federation. If the Minister is collecting the fees in future, perhaps we shall be told the exact figures once more and we shall know how many, because they have not joined the federation, still stand in fear. The term absolute must mean an absolute denial of the freedom of the individual; it engenders fear in the mind of a person that he may be without a job, and therefore it does nothing but regiment, coerce and psychologically compel teachers to join a union.

Mr O'CONNELL (Peats) [8.54]: I rise to speak on this clause because of what I believe is the hypocrisy of the Opposition. It is obvious to me, as it must be to all honourable members present, that the honourable member for Hornsby owes his position in this House to the fact that he belongs to an organization. It is obvious to anyone who had heard him speak tonight and yesterday that he could not owe his position to merit. I am confident that if other people in the **same** organization had they put themselves forward in the way he did, he would not have been elected to this House. He is here because he is a member of the Liberal Party.

He was given preference because he belonged to an organization. He has accepted a situation himself but he is not willing to see a similar situation accepted by other people in the community. I submit also that a person who, as the Minister for Local Government said today, accepts the fruits of someone else's labour in obtaining conditions and rates of pay but refuses to contribute to the organization responsible for those benefits, is nothing but a bludger. This is the situation that the Opposition just cannot comprehend. I repeat that those who owe their position in this place to the fact that they belong to an organization should not condemn others who belong to an organization and are given preference because of it.

Mr VINEY (Wakehurst) [8.56]: I am opposed to this clause because, I regret to say, the Government is closing its options. It says that in future those who become ticket-holders will receive preference. The trouble today—and I am sure that a great many teachers will agree with me—is the unknown factor of the quality of training between the acceptance of a teachers' college scholarship and employment in the department. The trainee teacher can be lucky—or unlucky—enough to go to a particular college of advanced education. The Government is closing off the options open to the department to ensure that the products of the various colleges of advanced education are virtually of equal quality. The Government is removing the right of the director-general to assess the product. Back there the Government gave a scholarship; in between it committed the body and soul of the student to one of the various colleges of advanced education and then we have as the end product a teacher—sometimes brilliant, sometimes mediocre.

This Minister, for whom I have the greatest respect because he is one of the few members on the other side of the House who has integrity and has always lived by and will continue to live by **integrity**—

*[Interruption]*

Mr VINEY: I am sorry that the leader of the colony of the apes sitting there with the little birds on **his tie**—

Mr Cleary: You could not tell the truth even in the confessional box.

Mr VINEY: I do not have to; I am not a member of the Catholic faith.

The CHAIRMAN: Order! The honourable member will come back to the clause in the bill and ignore interjections. I shall deal with them.

Mr VINEY: I am delighted to accept the proposition that you will deal with the interjections. By the acceptance of this clause the Government is closing its options to bringing back a quality in education. The clause means that those who are not **card-carrying** members of the Teachers Federation lose their priority of employment. The Attorney-General sat with me on a committee that looked into what was happening in teacher training as related to health education and personal development. There was a wide variation in the quality of teachers coming out of the teachers colleges and entering the stream of teaching—all of whom the Minister has to accept under the bonding system. The moment they have a piece of paper in their hand they get priority of employment, irrespective of being tested in a classroom situation and irrespective of quality.

I believe the majority of dedicated teachers are resentful of the fact that the quality of teacher training has declined in the past ten of fifteen years. Ten or fifteen years ago the training establishments were not so grandiose, but the standard of training was higher and teachers were more responsible. The standard has declined with the

proliferation of colleges of advanced education. They are a mixed bag: some of them are extraordinarily good but others are only mediocre. The Minister and his professional officers are being denied the right of assessment—

Mr Quinn: On a point of order. The Committee has already agreed to clause 2, which deals with the subject about which the honourable member is speaking. Clause 3 merely seeks to repeal the Act which introduced section 24A into the principal Act. The Committee, having adopted the principle of clause 2, that is, of the omission of section 24A, has already agreed to the principle about which the honourable member is speaking. I submit that the only argument he can now put forward on clause 3 is on whether that Act can be repealed, seeing that the Committee has already agreed to the omission of that section from the principal Act. The honourable member cannot now put arguments that the Act which introduced section 24A into the principal Act should stand, or that that Act, which now has no effect at all, ought not to be repealed.

Mr Viney: On the point of order. Clause 3 merely states that the Teaching Service Act is repealed. I remind the honourable member that even at this late stage I am entitled to seek the Government's clemency in this matter. I submit that debate on this clause gives members of the Committee a last opportunity to make up their minds whether or not the Act should be repealed. I cannot see that I am out of order in any way.

The CHAIRMAN: Order! I have listened to both honourable members giving their views on the point of order raised by the honourable member for Wentworthville. It has been ruled on a number of occasions that in Committee the second-reading debate may not be canvassed and that discussion shall be limited to the clause in question. Actually, debate on clause 3 is almost a repetition of debate on clause 2. Although previous rulings limit the debate on this particular clause, I feel that in this instance the honourable member has been in order up to this stage, though I ask him to confine himself strictly to clause 3.

Mr VINEY: Thank you, Mr Chairman. Clause 3 provides that the Act is repealed. I put the proposition that it ought not to be repealed for the reason I have given. To allow debate on this clause is not doing a favour to the Opposition; it gives the Minister and his professional officers an opportunity to do what they should do as dedicated people. In spite of the mealy mouthings of some supporters of the Government, I believe the Minister and his officers want progressive education in this State. I am putting the proposition that clause 3 should not be agreed to. If it is, I believe the Government will be inhibited in its efforts to foster education.

Mr Cleary: You have said that three times.

Mr VINEY: I shall say it fifty times if that is necessary to get it through your thick heads. I believe the Minister, who was formerly a professional teacher, is dedicated to education.

*[Interruption]*

Mr VINEY: The Attorney-General gets a little sick in the stomach when a member on this side pays tribute to a member on his side.

The CHAIRMAN: Order! I draw the honourable member's attention to Standing Order 157, which in particular relates to continued irrelevance or tedious repetition. I think the honourable member is sailing very close to the wind in respect of this standing order. I ask him to return to clause 3.

Mr VINEY: **Thank** you, Mr Chairman. I thought the Attorney-Generat also was **sailing** very close to the wind in his disorderly conduct. I rest on my belief that this clause should not be agreed to.

Mr MALLAM (Campbelltown) [9.5]: I compliment the Minister on his courage in seeking the repeal of this obnoxious amendment that was put in by the previous Government. Anyone who knows anything about unionism knows that it was an unnecessary piece of legislation. Mealy-mouthed members of the Opposition talk of freedom of the teaching profession. Teachers have been under the bonding system for years. This is one of the most obnoxious systems that I know. The former Government did not bond doctors, civil engineers and other professional men. How much does it cost to train a doctor? It takes \$6,000 of the taxpayer's money. How much did it cost the public to train the honourable member for Northcott to become a lawyer? It cost thousands of dollars. I have grave doubts whether he has proved a success in the profession. However, he cost the taxpayers of this country thousands and thousands of dollars. He was not bonded. He could go out and practice anywhere, charging poor simpletons exorbitant fees.

*[Interruption]*

Mr MALLAM: He is a nice man, a good family man, although he is off the beam in a lot of his statements in this Chamber. For some unknown reason, earlier governments were always miserly when it comes to educating the public. They never wanted to give people a decent education. Sons of workers did not get a good education, such as that received by the honourable member for Northcott and the honourable member for Hornsby, until a young boilermaker named McGowan introduced in this Parliament——

Mr Pickard: I paid my way through university.

Mr MALLAM: You did not pay your own way through anywhere. You probably took it off the plate.

*[Interruption]*

The CHAIRMAN: Order! I call the honourable member for Wakehurst to order.

Mr MALLAM: I will tell you something. The honourable member for Hornsby would not be where he is today, nor would the honourable member for Fuller, if it had not been for a boilermaker named McGowan.

Mr Webster: On a point of order, Mr Chairman. You gave a ruling a few moments ago and quoted a standing order referring to irrelevance. I put it to you that the honourable member for Campbelltown is being absolutely irrelevant.

The CHAIRMAN: Order! The honourable member for Campbelltown is not breaching that standing order anywhere near as much as a number of honourable members have already done. I think it only fair to give him a reasonable chance to comment on the clause. I shall listen intently to what he has to say.

Mr MALLAM: This is a matter that is dear to my heart. All these mercenaries on the Opposition benches come from working-class families, but they stand for other interests because they are paid by the Liberals.

Mr Mutton: Tell us about the time——

Mr MALLAM: You are not even mutton at times, you are so thickheaded. They are where they are today only because of a boilermaker called McGowan.

The CHAIRMAN: Order! The honourable member will return to clause 3.

Mr MALLAM: I am leading up to clause 3. With your indulgence——

Mr Pickard: On a point of order. I have sat and pondered a remark made, and due to the implications and the fact that it has gone into *Hansard*, and therefore a number of people will learn of it but not understand the context in which it was made, and will have no knowledge of the person who made the remark, I ask that this remark, which is offensive to me, in that it accused me of taking money out of collection plates, be withdrawn.

The CHAIRMAN: Order! The honourable member for Hornsby should have taken exception to the remarks when they were uttered and not at some later stage.

Mr Pickard: With all due respect, Mr Chairman, I am able to do so during the debate. The standing orders allow me to ask for a withdrawal.

The CHAIRMAN: Order! It has been ruled on numerous occasions that when an honourable member wishes to take exception to any remarks passed, he must do so immediately. I am simply confirming the ruling that has been given in the past.

Mr MALLAM: Clause 3 deals with a subject that is dear to my heart—preference to unionists.

Mr Viney: Of what union are you a member?

Mr MALLAM: The Transport Workers Union, of which I was the president. I did not scab like you have scabbed on your people.

Mr Viney: On a point of order. The word scab, as used by members of the Government, is a filthy epithet, and I ask that the honourable member for Campbelltown to substantiate the remark or wholeheartedly withdraw it and apologize.

The CHAIRMAN: Order! The honourable member for Wakehurst takes exception to a remark made by the honourable member for Campbelltown. I ask the honourable member for Campbelltown to withdraw the remark.

Mr MALLAM: I withdraw it, because the truth probably hurts.

Mr Viney: On a point of order, Mr Chairman. The honourable member for Campbelltown, with his guttersnipe tactics, while you were occupied with the Clerk-Assistant, made a qualified withdrawal. He said that he apologized, and then he murmured something else. It was again an offensive remark, and I ask that he repeat in front of you the qualification to his withdrawal.

The CHAIRMAN: Order! The honourable member for Wakehurst has taken exception to a remark made by the honourable member for Campbelltown. I direct the honourable member for Campbelltown to withdraw the remark without qualification.

Mr MALLAM: I withdraw, but I also ask that the honourable member for Wakehurst withdraw the remark he made about my being a guttersnipe.

Mr Viney: But that is true.

The CHAIRMAN: Order! As the honourable member for Campbelltown has complained of remarks made by the honourable member for Wakehurst, I direct him also to withdraw the words complained of.

Mr Viney: Mr Chairman, I withdraw.

The CHAIRMAN: Order! I ask the honourable member for Campbelltown to confine his remarks to clause 3.

Mr MALLAM: I am, Mr Chairman. This measure to restore the rights of unionists to be given preference is very dear to my heart. I have been a member of the trade union movement for many years; I am still a member of it and I am very proud to be a member of the Transport Workers Union. I was a delegate to the Trades and Labor Council, too. I am unlike honourable members opposite, who sold out for their thirty pieces of silver. My view on trade unionism is that the teachers who enjoy the benefits that are gained for them by the union should stand up and be counted. An honourable member sitting behind me has just said that non-unionists should knock back the pay rises. People should subscribe to an organization. I shall digress to tell honourable members a bit of history and about the importance of this clause. About seventy years ago a little man who was credited with selling umbrellas around Sydney, William Morris Hughes, organized the most illiterate people in Sydney, the wharf labourers as they were called.

Mr Pickard: He was a teacher.

The CHAIRMAN: Order! I ask the honourable member for Campbelltown to return to clause 3.

Mr MALLAM: I do not want to flout your ruling, Mr Chairman. I will not do that sort of thing in this Chamber, but what I was leading up to was an explanation why those people, because of what happened seventy years ago, today enjoy the rights they now have. After seventy years the Teachers Federation, representing the most educated people in the community, is only now getting the benefits that were sparked off seventy years ago. After seventy years they decided to hold a strike in 1969. I was thrilled that they held it because the teachers gain a lot of things——

Mr Viney: On a point of order. The honourable member has been asked to confine his remarks to clause 3, and now he is talking about what happened in 1969, and describing how happy he was when the teachers went on strike then. I ask that he be directed to return to clause 3.

The CHAIRMAN: Order! I again ask the honourable member for Campbelltown to return to clause 3.

Mr MALLAM: I was mentioning these facts because clause 3 relates to preference to unionists. Because they were unionists and because of preference to unionists they were able to go on strike. If honourable members opposite had their way, they would have in this profession only the teachers who did not want to join the union, and they would put the others out. I believe that the Minister is doing something dramatic when he says that he will give preference to those who are willing to band together and see that their organization gets a fair and just deal, and are subscribing to it.

Mr Coleman: The honourable member should be on this side.

Mr MALLAM: I should not like to be on your side after your starting-price shemozzle lately.

Mr Coleman: I have no interest in it.

Mr MALLAM: You have collected money from them for a long time.

The CHAIRMAN: Order! The honourable member will address the Chair.

Mr **MALLAM**: I am sorry, Mr Chairman. I was telling the truth then.

Mr **Coleman**: What did you say?

The **CHAIRMAN**: Order! I call the honourable member for Fuller to order for the first time.

Mr **MALLAM**: As a result of this clause being repealed, the Department of Education will be giving preference to unionists. I see a great future for an organized teaching profession, for it will lead to better teachers, who will see that there is a better type of education handed out to the pupils. That is why I congratulate the Minister, who has taken a courageous step, which few other people would like to take because of the press and the other news media, and all the other things against unionism today. They are all trying to make out that unionists are bad for the community. However if people band together to rob others, as the **Bartons** and others of their ilk, that does not matter. If it is sought to give better conditions to workers—and that is all this clause does, by giving preference—it is quite another thing.

I commend the Minister and the Government. I am happy to serve with a government that will recognize the trade union movement. But for the movement, not one of us would be sitting over here, and there would be chaos in this country. Anyone who knows anything about unionism knows that had it not been for unionism, people would be exploited everywhere. With the teaching profession, which is one of the best educated professions in the community, coming into this field seventy years after the wharf labourers, what a great future the Department of Education has to look forward to. It has a great future because we know that these people are combined and banded together. Why would they be in a union and want this preference? It is not for their own selfish ends. Teachers banded together will spread this principle right through the community, insisting on better conditions for the schools, better classes and higher standards of education. We should be proud of them.

I am proud of the Minister and the Government that has the courage so soon to come straight out and repeal this obnoxious section, which never should have been brought into this Parliament. It was introduced by a senile, stupid government that was running to the end of its course, and by a Minister who did not understand—one of **Willis's** goodies. Since we have all seen the annihilation of their government. Now they cannot take it in Opposition. They will have to take it, whether they like it or not. Today unionists are on the march, and the people who band together have better working conditions.

Mr **Mutton**: They are out of step.

Mr **MALLAM**: The honourable member for **Yaralla** is the one who is out of step.

Mr **Mutton**: And they are all left-footers.

Mr **MALLAM**: I do not care whether they are left-footers or right-footers. I believe in union and I believe in the good they can do for the community.

Mr **Pickard**: We all believe in trade unions.

Mr **MALLAM**: The honourable member for **Hornsby** does not believe in trade unions: he supported the insertion of this provision in the principal Act and opposes its repeal. The honourable member for **Hornsby** talked about the Universal Declaration of Human Rights. He got that far away from the bill that we thought he was in Geneva. I wholeheartedly support the bill, and this clause in particular. The members of the **Labor Party** support it and I know that the Teachers Federation will be a better

organization as a result of its passage. When we get rid of some of the silly people like the honourable member for Wakehurst and one or two others, it will be seen that the Government is trying to do something not only for the teaching profession but indeed for schoolchildren.

Mr COLEMAN: Mr Chairman—

Mr FLAHERTY (Granville), Government Whip [9.21]: I move:

That the question be now put.

The Committee divided.

Ayes, 49

|                 |                |                 |
|-----------------|----------------|-----------------|
| Mr Akister      | Mr Gordon      | Mr Neilly       |
| Mr Bannon       | Mr Haigh       | Mr Paciullo     |
| Mr Barnier      | Mr Hatton      | Mr Petersen     |
| Mr Bedford      | Mr Hills       | Mr Quinn        |
| Mr Booth        | Mr Hunter      | Mr Renshaw      |
| Mr Brereton     | Mr Jackson     | Mr Rogan        |
| Mr Cleary       | Mr Jensen      | Mr Ryan         |
| Mr R. J. Clough | Mr Johnson     | Mr Sheahan      |
| Mr Cox          | Mr Johnstone   | Mr Stewart      |
| Mr Crabtree     | Mr Jones       | Mr F. J. Walker |
| Mr Day          | Mr Keane       | Mr Whelan       |
| Mr Degen        | Mr Kearns      | Mr Wilde        |
| Mr Durick       | Mr L. B. Kelly | Mr Wran         |
| Mr Einfeld      | Mr McGowan     |                 |
| Mr Face         | Mr Maher       | <i>Tellers,</i> |
| Mr Ferguson     | Mr Mallam      | Mr O'Connell    |
| Mr Flaherty     | Mr Mulock      | Mr Ramsay       |

Noes, 45

|                 |             |                 |
|-----------------|-------------|-----------------|
| Mr Arblaster    | Mr Griffith | Mr Rofe         |
| Mr Barraclough  | Mr Healey   | Mr Rozzoli      |
| Mr Boyd         | Mr Leitch   | Mr Schipp       |
| Mr Brewer       | Mr McDonald | Mr Singleton    |
| Mr Brown        | Mr McGinty  | Mr Taylor       |
| Mr Bruxner      | Mr Mackie   | Mr Viney        |
| Mr Cameron      | Mr Maddison | Mr N. D. Walker |
| Mr J. A. Clough | Mr Mason    | Mr Webster      |
| Mr Coleman      | Mrs Meillon | Mr West         |
| Mr Cowan        | Mr Moore    | Sir Eric Willis |
| Mr Darby        | Mr Murray   | Mr Wotton       |
| Mr Dowd         | Mr Mutton   |                 |
| Mr Doyle        | Mr Osborne  |                 |
| Mr Duncan       | Mr Park     | <i>Tellers,</i> |
| Mr Fisher       | Mr Pickard  | Mr Fischer      |
| Mr Freudenstein | Mr Punch    | Mr Jackett      |

Pair

Mr Wade

Mr Morris

*[In Division]*

Mr Cameron: On a point of order. As the House is witnessing a novel departure from its practice in that Mr Speaker is voting in the division, would it be appropriate that a special chair be set aside for the honourable gentleman to enable him to vote on the question?

The CHAIRMAN: Order! No point of order is involved. The procedure that is being adopted tonight has been adopted on many previous occasions.

Resolved in the affirmative.

Question—That the clause stand—put.

Clause agreed to.

## Adoption of Report

Bill reported from Committee without amendment.

Mr SPEAKER: Order! As the House, at almost 9.30 p.m., is so near its rising tonight, it is clear that the use of Standing Order 392 to deal with disorder would involve little significant penalty. Accordingly, I warn honourable members that disorder at this stage is likely to attract the use of Standing Order 387, which would deprive the House of the offender's company tomorrow as well as for the rest of this evening.

Report adopted on motion by Mr Bedford.

## CHURCH OF ENGLAND TRUST PROPERTY (AMENDMENT) BILL

## Second Reading

Mr F. J. WALKER (Georges River), Attorney-General [9.31]: I move:

That this bill be now read a second time.

As its title indicates, the purpose of this bill is to amend the Church of England Trust Property Act of 1917. Honourable members will be aware that the strictly correct procedure in introducing a measure of this character would be for it to be taken as a private bill, which, in accordance with standing orders, would be examined by a select committee. For several decades it has, of course, been the policy of governments in this State to introduce legislation such as this by way of a public bill, and by this means to enable the church concerned to avoid the substantial outlay of funds which would otherwise be involved. I am sure all honourable members will agree that these moneys should more appropriately be applied to the good endeavours of the church, and hence to the benefit of the wider society, and will therefore concur in the course which has been adopted here.

Before directing attention to the substance of the bill, I wish to assure honourable members that its provisions have the unreserved support of the church and have been the subject of adequate publicity amongst all sections of the church. I have available to me copies of the necessary diocesan legislation and I am entirely satisfied as to the church's compliance with all procedural requirements of the relevant church legislation.

I turn now to the provisions of the bill. It will be seen that it is directed to achieving three principal objects. The first of these, which is the subject of item (1) of the schedule, is to enable the synod of a diocese within New South Wales to prescribe

the term of office of the **members** of the corporate body of trustees for that particular diocese. *Ex officio* members are excepted from this provision. Any retiring member will, however, be eligible for re-election as a trustee. At present, all members of the corporate body of trustees are elected for life. By providing for periodical retirement it is intended to enable the synod of each diocese to exercise a more ample control in the appointment of members.

The bill's second main objective, which is to be effected by the insertion of new section 27A, is essentially a simplifying procedure which will enable directions with respect to the mortgaging of property to be given by resolution of the synod of a diocese or by its standing **committee**, rather than requiring all such directions to be given by ordinance. However, any such resolution must not contravene or fail to comply with any pre-existing ordinance which applies to mortgaging. In the case of the diocese of Sydney, such a direction may also be given by resolution of the Sydney Church of England Finance and Loans Board, which will further facilitate the administration of church affairs.

It is envisaged that the synod of a diocese will retain an overseeing role in relation to the making of these resolutions, and to this end subsection (4) empowers the synod to restrict or regulate the right of its members to move such a resolution or to prescribe the form it may take. Any resolution made under proposed section 27A may be certified either by the registrar of the particular diocese, or by a secretary of the synod of that diocese, or by someone acting in the capacity of registrar or secretary.

Item (2) of the schedule might be described as a provision ancillary to new section 27A in that it is designed to ensure that a direction for the mortgaging of church trust property may be given, as it were, in anticipation of specified property becoming subject to the trusts of the church. This is to cater for the situation in which a contract is drawn up, for example, for the purchase of land subject to a direction by the synod for mortgaging. Without new section 26A, a direction may only be given in **respect** of church trust property whilst the land which is the subject of the provisional contract cannot become trust property until the condition of giving a direction is fulfilled.

The bill's third objective is to empower the synod of the diocese of Sydney to transfer certain church funds in that diocese to other dioceses in the Commonwealth of Australia. In effect, this provision will permit the more affluent to assist those dioceses which are weaker financially. Although at this stage this power is to be confined to the diocese of Sydney, the bill provides for its adoption by any other diocese within New South Wales on the passing of an ordinance to that effect. In this regard, it might be noted that the provisions of which I have spoken in relation to periodic retirement and the giving of directions with respect to church trust property will also be applicable in the first instance to the diocese of Sydney, with power being conferred on other dioceses to adopt them by way of ordinance. The amendments to the **1917** Act appearing in the remainder of the schedule are merely consequential to the purposes that I have detailed.

**Mr Coleman:** On a point of order. The House is dealing with a bill affecting one of the most important institutions in this State and, indeed, in Australia. In the circumstances it ill becomes the Attorney-General to snigger like an obscene school-boy. I ask you to direct the Attorney-General to behave in a becoming way when discussing this measure.

**Mr SPEAKER:** Order! No point of order is involved. The honourable member is aware of the standing orders. If he believes the Attorney-General is conducting

himself in a way not befitting his office, the honourable member should move a substantive motion. So far as I have listened to the debate, the Attorney-General is in order.

**Mr F. J. WALKER:** Thank you, Mr Speaker, for putting down that most frivolous point of order. The honourable member is well aware that I was endeavouring to control a sneeze. It ill behoves him to take such a point in those circumstances.

**Mr Coleman:** The Minister is still sniggering.

**Mr F. J. WALKER:** I am not. I am being as serious as I can in the light of these frivolous interjections.

**Mr Mutton:** You sniggered three times.

**Mr SPEAKER:** Order! I call the honourable member for Yaralla to order for the second time.

**Mr F. J. WALKER:** As I have already mentioned on another day, this bill is the third in a trilogy sought by the church, the first two measures having been shepherded by the present Opposition with the blessing of the members of this Government when in Opposition. No doubt honourable members on both sides of the House will want to give this measure, which is earnestly desired by the church, their utmost support. I should have hoped that members opposite would have allowed this measure to be passed earlier in the night instead of detaining the House as they have. I trust that now my second-reading speech has been delivered they will ensure the measure is passed with the utmost expedition. I commend the bill to the House.

**Mr CAMERON (Northcott) [9.38]:** The Opposition totally supports this bill. **As** honourable members have heard from the Attorney-General, it was drafted by the previous administration. As honourable members will appreciate, the history of the Anglican Church in Australia is as old as the settlement of our country and therefore it is inevitable that in that time changes have become necessary in the statutes which govern its operations. An outline of the history of the church in Australia, to which I shall refer only briefly, records that the dispatch of convicts to Botany Bay to establish a settlement in the newly discovered land of New South Wales led to the appointment of a young Evangelical priest, the Rev. Richard Johnson, as the colony's first chaplain.

It was on 3rd February, 1788, under a great tree at Sydney Cove, that the first church service in Australia was held, with the chaplain preaching from Psalm 116:12, "What shall I render unto the Lord for all His benefits towards me?" For a long time Chaplain Johnson had no church building and services were held in the open air, under a tree or in an open-ended boatshed. In a letter to Governor Phillip in the early part of 1792 Chaplain Johnson pointed out that conditions were worse then than when he first landed. Though his parish extended some twenty miles inland from Sydney Cove, it was not until 1793 that he had the luxury of a church, a wattle and daub building which he erected at his own expense at what is now the corner of Bligh Street and Hunter Street in Sydney.

Some years later, on the recommendation of Governor Hunter, the Government refunded him the cost of the building—£67 12s. 11½d. He was a tireless pastor, and one of the busiest men in the colony, as the records of his many enterprises show. The arrival in 1794 of a young Evangelical colleague, the Rev. Samuel Marsden, must have brought a welcome relief to the hard-pressed first chaplain. All honourable members know of the great work performed by the Rev. Samuel Marsden.

This is the third of a triumvirate of bills, the first two changing the name of the church from the Church of England in Australia to the Anglican Church of Australia. I presume those bills have not formally commenced; that would be the only explanation for this bill being still referred to as the Church of England Trust Property (Amendment) Bill.

The bill proposes in the first place to give power to a synod of a diocese within New South Wales to provide by ordinance in respect of the corporate body of trustees that the members of the body corporate shall retire periodically, provided that a retiring member should be eligible for re-election. At present, members of the corporate body of trustees are appointed for life. It is intended by this amendment to give the synod of a diocese wider control in appointing members of the corporate body. Honourable members will be interested to know that advice was rendered by the Archbishop of Sydney and by Mr J. G. Denton, registrar of the diocese of Sydney and of the province of New South Wales, that in anticipation of the necessary legislation, each life member of the church property trust, diocese of Sydney, has, by letter addressed to the secretary of the trust, resigned life membership, effective from the day on which new members are elected for a three-year or six-year term pursuant to the legislation requested by the provincial synod of New South Wales.

Second, it is sought to amend the Church of England Trust Property Act of 1917 to empower a synod of a diocese within New South Wales to provide by ordinance that a synod of a diocese or its standing committee or, in the case of the diocese of Sydney, its finance and loans board, may give a direction for the mortgaging of church trust property where such a direction might have been given under section 26 or 27 of the existing legislation. Having regard to the volume of work in the diocese of Sydney, it is considered that the proposed amendment would enable mortgage transactions to progress more speedily.

Third, it is desired to enable the synod of the diocese of Sydney to transfer certain church funds in the diocese of Sydney to other dioceses. It is thought that it would be desirable for an affluent diocese to have power to assist a weaker diocese within the Commonwealth of Australia. Though the amendment proposed would at this stage apply only to the diocese of Sydney, the legislation would enable any other diocese in the province of New South Wales to adopt its provisions by passing an ordinance.

I should like to pay tribute to the tremendous amount of preparatory work that has been done in respect of these bills by two learned justices of the Supreme Court of New South Wales, Mr Justice Richardson, a former member of this House, and Mr Justice Jenkyn. The Opposition will be doing everything in its power to achieve the speedy passage of the bill because it is known that His Grace the Archbishop of Sydney is particularly anxious that everything should be completed before the start of synod on 5th October. It is proposed that the next synod will bring in an ordinance to prescribe methods of election of trustees under the new Act.

The specific provisions of the bill do not need elaboration. Proposed section 26A, dealing with the mortgaging power, directs itself to a situation in which a church or a parish may want to buy land with a view to erecting a church or a hall upon it. There are some doubts about the existing power in this respect. It is felt that in most of these cases the relevant church or parish may want to approach a bank in respect of a mortgage to enable it to obtain money to erect a hall or a dwelling upon certain land. Some fears are held that where the land is not already owned but is only in the process of being acquired, the mortgaging power, as it stands at the moment, may be defective.

*Mr Cameron*

The basic movement of the new legislation away from the old procedure of ordinance, towards simple resolution, will be greatly welcomed by the Anglican Church. The existing procedures of ordinance are complex in their nature; they are somewhat akin to the elaborate processes of legislation in this House. It is felt that the more simple process of resolution is much more appropriate to the modern needs of the church. In the case of the diocese of Sydney, it is desired that not only the synod itself but also its finance and loans committee should have this power of moving by way of simple resolution rather than the more elaborate procedure of ordinance.

It is recognized, as I have indicated, that in some respects the new legislation may not be entirely necessary. It may be that the existing legislation would, if tested, suffice, but for greater caution and to put all of its fears at rest, the church has been **seeking** the introduction of this legislation. For all of those reasons, I assure the House that the Opposition approaches the bill with considerable enthusiasm.

Mr F. J. WALKER (Georges River), Attorney-General [9.47], in reply: I shall refer to only one point. The honourable member for Northcott was somewhat critical of the title of the bill. I point out to him that the first two bills to which he referred have not yet commenced; they will do so only when they are proclaimed by the archbishop.

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 F. J. Walker.

### TOURIST INDUSTRY DEVELOPMENT BILL

#### Second Reading

Mr BOOTH (Wallsend), Minister for Sport and Recreation and Minister for Tourism [9.50]: I move:

That **this** bill be now read a second time.

This bill is designed to provide for the development and promotion of the tourist industry throughout the State and to give the Minister for Tourism administrative control over funds expended in his area of responsibility. As I intimated at the introductory stage, assistance is now provided to the tourist industry in rural areas from funds held in the country industries assistance fund. That fund is administered by my colleague the Minister for Decentralisation and Development, with the scheme of assistance to tourist projects being operated conjointly by the Department of Tourism and the Department of Decentralisation and Development.

Applications for assistance are dealt with in the first instance by the Department of Tourism, which reports on the future tourist potential of the project. The Department of Decentralisation and Development then examines the economic viability of the project and makes a recommendation to its Minister. Funds are then made available to eligible projects either by way of grant or loan; subject to certain conditions in each case. However, the State Development and Country Industries Assistance Act, under which

the country industries assistance fund was established, does not apply to the County of Cumberland or the area of the city of Newcastle, or the city of Greater Wollongong. This bill will allow assistance to be provided to projects throughout the State, including those areas.

Since the present scheme was introduced in November, 1972, a total of thirty-three projects have received approval for assistance, twenty-five by way of grants totalling \$1,138,625 and eight by way of loans totalling \$609,610, involving a total commitment of \$1,748,235. As I mentioned earlier, all of those commitments are for projects situated in rural areas of the State because of the provisions of the State Development and Country Industries Assistance Act. The Government is aware of the need to continue the development of the tourist industry on a statewide basis, including the heavily populated areas of Sydney, Newcastle and Wollongong and this function will continue well into the future.

As the expertise needed for the development and promotion of the tourist industry exists in the Department of Tourism and because of the need to expand the industry in future years, it seems desirable that the finances which will go towards that development should be the responsibility of the Minister charged with the administration of the tourist portfolio. The bill provides, therefore, for assistance from the country industries assistance fund to cease from the date of commencement. The responsibility for payment of existing commitments against that fund in respect of tourist proposals will, however, be taken over by the tourist industry development fund in the special deposits account at the Treasury. Thus the bill provides for the transfer of funds to meet those commitments and to meet expected costs of proposals presently under consideration. In addition, there is provision for an initial allocation from consolidated revenue. Thus the Minister will have direct access to the money to be expended on the development and promotion of the tourist industry throughout the State, including the heavily populated areas of Sydney, Newcastle and Wollongong.

Although the State is conscious of the need to effect as many economies as possible, it is expected that the moneys available will meet the demands of the tourist industry during the current financial year. In future years the financial requirements of the tourist industry development fund will, of course, be met in the main through the normal state budgetary processes with augmentation of funds being provided with moneys borrowed by the Minister. As is the position with the country industries assistance fund, the tourist industry development fund will be operated in such a way that it will be a self generating fund in that repayments of loans made from the fund will be available for relending. In this way additional money will be available for the development of the tourist industry.

Clause 5 of the bill provides for the Minister to be incorporated as a corporation sole with the corporate name of Minister for Tourism. This is a desirable requirement in that it will give perpetual succession to the corporation in its dealings with land transactions and in taking securities in respect of loans made from the fund. In layman's terms it means that a change in the holder of the office does not require a change in ownership of property. Clause 6 contains the general provisions of the bill in relation to the Minister's power to delegate.

Clause 7 provides for the establishment of a tourist industry development fund, mentioned earlier as being financed initially from the transfer of funds from the country industries assistance fund and an allocation from the Consolidated Revenue Fund. Other money which shall be paid into this fund will be that appropriated by Parliament, principal money repaid in respect of loans made from the fund, the proceeds of any transaction affecting real or personal property acquired with money

*Mr Booth*

from the fund and money borrowed by the Minister under this part. Money in the fund may be expended by the corporation for the purpose of discharging commitments of the country industries fund that were outstanding immediately before the transfer of the aforementioned funds; for paying administrative costs associated with the collection and expenditure of money in the fund; for promoting and assisting the development of the tourist industry in the State; for making grants or loans in aid of projects for developing the tourist industry in the State and becoming a member of a company, where in the opinion of the Minister, the company's objects provide principally for projects of that kind; and for repaying money borrowed, paying interest on money so borrowed, discharging any liability of the corporation under a guarantee given pursuant to this part and paying any amount for which the Minister is liable under the Capital Debt Charges Act of 1957.

Clause 8 of the bill provides that the corporation may from time to time, with the concurrence of the Treasurer and the approval of the Governor, borrow money for the purpose of exercising or performing the powers, authorities, duties and functions of the corporation; and to renew loans, or to discharge or partially discharge any indebtedness of the corporation. The necessity for the corporation to establish a reserve for a loan repayment fund is provided for in clause 9. This clause explains how the reserve is funded and how those funds may be utilized. Clause 10 provides that, for securing repayments of the principal and interest on any money borrowed, the corporation may issue debentures, bonds, inscribed stock or other prescribed securities. Clause 12 sets out the action to be taken by the corporation in the event of a debenture or bond becoming lost, destroyed or defaced and clause 14 provides for all debentures, bonds, stock or other securities to rank equally.

The general powers of the corporation to make loans and grants and to execute guarantees for the purpose of promoting or developing the tourist industry are contained in clause 15. This clause also sets out the purposes for which money may be expended, including the acquisition of land or buildings, the construction, improvement or alteration of buildings, or the acquisition of plant, machinery or equipment. Provision is also contained for the corporation to execute a guarantee, either alone or jointly with some other person. Clause 18 provides for the corporation to enter into an agreement with a council to make to the council a grant or loan for purposes connected with the development of the tourist industry in the State. This includes erection or alteration of buildings, the erection of dwelling-houses or the acquisition or improvement of land. However, this clause does not apply to land that is a public road or a public reserve or land held in trust.

Amendments to the Local Government Act, provided for by this legislation, will enable councils to participate with the Government in providing assistance towards tourist projects in the same manner as they presently participate in providing assistance to those manufacturing or processing industries that have decided to decentralize their activities to the rural areas of the State. This is considered desirable because assistance provided towards tourist projects on a basis of government and council involvement is indicative of community confidence and approval, thereby providing stimulus to the project. Clause 20 provides for the Treasurer to determine the rate of interest on loans made by the corporation and, if the Treasurer so determines, for loans to be made without interest in exceptional circumstances. This is an important provision of the bill because it is essential for project developers, where the need arises, to be given the opportunity to obtain loans for capital development at low interest rates. It is the Government's intention to continue to grant a holiday from repayment of principal and interest, or merely interest, on loans made to the private sector of the industry where it is evident that a project requires sufficient time in which to be established and reach the stage of earning income from tourist visitation.

Clause 21 is intended to relieve the Minister and his department of detailed administrative work and permits the Rural Bank to undertake certain legal work, valuations, progress payments, and so on, relating to transactions involving the development of the tourist industry. It is not intended that private banking arrangements between persons and other banks will be affected in any way. Part III of the bill provides for the acquisition of land and clause 22 authorizes the corporation to acquire land for the purpose of providing a site for a tourist project. This may be done by lease, purchase, exchange or by resumption or by appropriation in accordance with the bill. Clause 23 permits the Governor, under the Public Works Act of 1912 to resume land or appropriate land vested in Her Majesty and such resumption or appropriation shall be deemed to be for an authorized work, with the corporation the constructing authority.

Sections 34, 35, 36 and 37 of the Public Works Act of 1912 do not apply to expenditure on works constructed pursuant to this Act. However, section 38 of the Public Works Act of 1912 is applicable. Honourable members will be aware that section 34 of the Public Works Act of 1912, which is excluded by clause 23 of this bill, requires *inter alia* that works exceeding \$400,000 be first submitted and explained to the Legislative Assembly by the Minister and subsequently for report by the Parliamentary Standing Committee for Public Works for submission to the Legislative Assembly for acceptance or rejection.

Section 35 of the Public Works Act, which requires notification of the Legislative Assembly's resolution in the *Government Gazette*, is also excluded. Section 36, **again excluded**, requires that a rejected work shall not be resubmitted to the Legislative Assembly within one year unless the Governor feels this desirable. Section 37, also excluded, requires the Minister, in respect of works approved by the Legislative Assembly, to introduce a bill authorizing the work and, following the passage of the bill, the constructing authority shall carry out the work, and permits the Minister to enter into contracts. Section 38 of the Public Works Act, 1912, shall apply to expenditure on any works constructed pursuant to the Tourist Industry Development Bill and permits the corporation to enter into contracts in writing under seal, similar to that between private persons, and permits it to vary or discharge the contract. Subcontracts are required to be binding on the constructing authority and the corporation, and on default, the corporation is liable to action or suits as might be made between private parties.

Clauses 24 and 25 of the measure will allow the corporation to subdivide land and improve land to make it suitable to be used as a site for a tourist project, or for a dwelling house for a person employed, or to be employed, on or about any such project. The corporation is to be permitted also to dedicate any such land as a reserve for public recreation, or for other public purposes and to vest the reserve in the council of the area or in trustees. Where any reserve is so vested the provisions of the Crown Lands Consolidation Act, 1913, shall apply to land dedicated and vested under that Act. Clause 26 provides that the corporation is deemed to be a constructing authority under the Public Works Act, 1912. Clause 27 will allow the corporation to erect on land acquired by it buildings suitable for the development of the tourist industry and will allow it to alter or extend any buildings acquired by it to make the building suitable for the development of the tourist industry. Clause 28 will enable the corporation to sell, lease, exchange or otherwise deal with or dispose of any real or personal property acquired by it and to grant an easement or a right-of-way over any land or part thereof that has been so acquired.

Part IV contains the general provision for the making of regulations by the Governor. Part V contains amendments necessary to the Local Government Act, 1919, the Government Guarantees Act, 1934, the Capital Debt Charges Act, 1957, and the State Development and Country Industries Assistance Act, 1966.

*Mr Booth*]

At the introductory stage the honourable member for Bligh, who led for the Opposition, indicated his support of the measure generally, but then went on to imply that the accommodation sector of the industry is in dire economic straits. He cited particular instances of motels being forced to close and advanced the main cause of the alleged problem as being high wages and operating costs. He was supported by the honourable member for Mosman in these general remarks. He claimed also that high penalty rates are the major factor in the loss of profitability in the accommodation industry generally. I fail to see what relationship those remarks have to this legislation. Both honourable members know, as indeed all honourable members would know, that matters pertaining to the wages and conditions of employees in any industry are the province of negotiation between employer and employee before the various industrial courts set up for those very purposes. The suggestions of both members that this legislation should contain provision to overcome these alleged industry ills, displays either a complete lack of appreciation of the arbitration system or an obvious and ill conceived intention to make a political issue out of what is a genuine attempt by the Government to assist the industry. However, as the matter has been raised I will take the opportunity to place a few facts before the House.

During the latter half of last year, officers of the Department of Tourism conducted an examination of the alleged critical financial state of the accommodation sector of the industry. They spoke to industry representatives, trade unions and other State and federal Government departments. As a result of their inquiries, the officers reported that although some accommodation houses in the major capital cities which specialize in providing the type of service sought by international travellers were experiencing financial difficulties, the majority of establishments throughout the State were not. These findings were subsequently substantiated by the Industries Assistance Commission in its investigation as to whether short-term assistance was warranted.

In a press statement issued on 21st April, 1976, Senator the Hon. Robert Cotton, federal Minister for Industry and Commerce and the Hon. John Howard, Minister for Business and Consumer Affairs, said:

The Commission had found that although profitability in the industry as a whole has fallen in recent years (with losses being incurred in some cases) some establishments are receiving high to very high profits and the majority are receiving at least satisfactory profits.

The two Ministers went on to say:

The Government has therefore accepted the findings of the Commission that selective short-term assistance for the tourist accommodation industry cannot be justified.

Both the honourable member for Bligh and the honourable member for Mosman also referred to the decline in travel and the comparative cheapness for Australians to travel to New Zealand, Fiji, and so on, as opposed to travelling within Australia. All honourable members will appreciate that this problem is confronting all States, but no one State has the capacity to find the solution to a nationwide problem. Although it is obvious that this legislation cannot overcome the problems of the high cost of travel, the injection of the funds for which this legislation provides will hopefully encourage the development of better facilities, amenities and tourist attractions, thereby generating greater travel within the State.

I was pleased to receive the support of the honourable member for South Coast but I should like to dispel one of the fears he expressed. It will be recalled that the honourable member stated that money was being taken from the country industries

assistance fund to provide for an initial input to the tourist industry development fund. Might I assure him that this measure is simply transferring money which has already been committed to tourist development from one fund to another. There will be no diminution of funds available in the country industries assistance fund to assist manufacturing industries wishing to establish or expand their operations in rural areas of the State. I should like to stress also that all of the money in the tourist industry development fund will be available to assist the development of the tourist industry throughout the State. There is no intention to apportion the money in the fund between country and city areas. The money will be used where necessary throughout the State.

The honourable member for Blue Mountains, though supporting the bill, asked whether provision could be made for local government to receive some level of financial assistance to offset the high costs of maintaining local tourist attractions. I point out to him and all members that the bill does provide for the Minister to assist local councils, and each request for assistance will naturally be considered on its individual merits in relation to the needs of the tourist. I was pleased to hear the honourable member for Wagga Wagga support the measure. I am aware of his interest in ensuring that assistance is continued to the rural areas of the State. In that regard I refer him to my earlier comments to the honourable member for South Coast. I am encouraged by the support this measure has received from the Opposition. Of course, I know it has the support of the industry generally.

In summary, this bill is principally designed to give the Minister for Tourism control over money expended in his area of responsibility and to allow financial assistance to be provided to the large population centres of Sydney, Newcastle and Wollongong, in addition to rural areas of the State. Neither of those highly desirable requirements is contained in the existing scheme of assistance from funds held in the country industries assistance fund. I should like to extend my thanks and those of my officers to the Parliamentary Counsel for the guidance and assistance he gave in the preparation of the bill, which I commend to the House.

Debate adjourned on motion by Mr Barraclough.

## ADJOURNMENT

### Land Acquisitions at Minto and Leumeah

Mr BOOTH (Wallsend), Minister for Sport and Recreation and Minister for Tourism [10.9]: I move:

That this House do now adjourn.

Mr MALLAM (Campbelltown) [10.9]: I wish to raise a matter that is concerning the ratepayers of Campbelltown, and I am pleased that the Minister for Local Government is in the House to hear what I have to say. During the past few weeks an inspector of accounts of the Department of Local Government has supplied the Minister with a report on council dealings in Minto and Leumeah. I had spoken previously to the Minister about this matter because I felt that the council had acquired land in that area by threat of resumption or of putting roads through certain areas. [*Quorum formed.*]

I am glad to have an audience here. The Campbelltown council, which is Liberal-controlled, has been playing politics for a long time, with adverse effects to the Campbelltown community. Members of the council have used council funds and the

authority of council to play politics and push up the rates, with resultant hardship to ratepayers. The report that has been brought down concerning this council's affairs justifies the attacks that I have made on it over the years. Because of the lateness of the hour and the limited time at my disposal, I ask the Minister for Local Government to study the report and give detailed answers to the following seventeen questions that I shall ask quickly.

When did the council acquire the land? How many parcels of land are in the block? How many deeds are involved? Where were the deeds? If some of the deeds were missing, could the council still enter into a contract to sell the land to the private developer? Which council committee was responsible for the transaction? Why was the matter not brought up as outstanding business? Which council officer handled the transaction? What correspondence, meetings and conferences took place in regard to this land between 5th October, 1973, and 13th February, 1975? If the council was not holding the deeds, who was? Why was there inserted in the contract a clause stipulating that the land would be sold only when the deeds were sighted? Is there a time limit on the current amended contract? Was any adjustment made to the selling figure as a result of the concessional settlement arrangements? What variations were made between the original agreement and the amended one? Why is there a difference between the sum of \$745,068 less deposit of \$37,253.40, which is \$707,814.60, and the sum of \$587,814 which is now claimed as the amount outstanding? The House should bear in mind that Neeta Homes paid a deposit of only 5 per cent instead of the usual 10 per cent. Were any other offers made for the land in February, 1973? If there was five months' delay between May, 1973, and October, 1973, in the exchange of contracts, why was there a delay in settlement from 5th October, 1973, to 13th February, 1975?

I claim that the Campbelltown council has been acquiring land and selling it to friends of council members. A former town clerk was working for Neeta Homes. The council sold this land to that firm at 5 per cent deposit, and apparently the firm has welshed on the contract to a certain extent, not having paid up in accordance with the original agreement. The council has buried the agreement. A returned soldier named Harrington owned five blocks of land which were mixed up in the parcel of land that the council acquired. The council decided to zone Harrington's land as parkland and paid him only \$15,000 for his five blocks, although ordinary building blocks adjacent to Harrington's land have been selling for \$15,000 each. I assert that the council has been working in cahoots with the developer. Originally, the land was to be open space. Finally it was sold to the developer, Neeta Homes, which employs a former town clerk. The council then zoned the land for town houses so that Neeta Homes could build more homes there.

Apparently, with times being a bit tough, the developer cannot find the money now to pay for the land. [*Quorum formed.*] I want to bring these matters to the notice of the Minister, who may be able to give an answer. I am asking these things in the interests of the ratepayers. This was done in the interests of the Liberal Party, which ran a candidate last year. The council has been acquiring land from various people out there. No rates were paid on the land while the council owned it, and interest has to be paid on the money that was borrowed. So the ratepayers have been done in the eye all the way around—to suit the friends of the councillors. I should be grateful to the Minister if he could give a quick reply to the report by the local government inspector, so that the citizens of Campbelltown who have been disturbed for some years will know what has happened about this land deal at Minto. Apparently the local government inspector went in. I should like a detailed reply on the reason why the inspector went in, and why this land was sold to a certain developer at this price. I want to know why it was zoned afterwards as a town-house area.

Mr JENSEN (Munmorah), Minister for Local Government [10.17]: The honourable member for Campbelltown has raised a number of complex matters involving a report made by the inspector of the Department of Local Government, of which I have no knowledge. It affects the **Campbelltown** council and **Neeta** Homes. Until I have had an opportunity to examine the seventeen points the honourable member has raised and listed, I am quite unable to give any indication to the honourable member or the House of the facts of the matter. However, I assure him that the things he has said will be the subject of investigation.

Motion agreed to.

House adjourned at 10.20 p.m.

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## QUESTIONS UPON NOTICE

The following questions upon notice and answers were circulated in *Questions and Answers* this day.

### FINANCE TO NON-GOVERNMENT SCHOOLS

**Mr MAHER** asked the **Treasurer**—

What financial aid was received by each non-government secondary school in New South Wales during the financial years (a) 1974–1975 and (b) 1975–1976?

*Answer*—

Financial aid from State sources to non-government schools covers a wide variety of assistance including subsidies towards interest on loans raised for approved building projects, allowances for pupils (per capita grants), payments for the conveyance of children to school, text book allowances, living away from home allowances, allowances to bursars and subsidies towards the cost of supervision and travel of children attending handicapped children's centres.

The information sought is not readily available in relation to individual schools. Compilation of the information would require an extensive analysis not only of the payments made to schools but also of those made to parents of children attending the schools and of the indirect concessions provided for the children. In some cases it would not be possible to obtain an accurate breakdown of expenditure and the figures obtained could not be guaranteed as being accurate. The extraction and collation of the information would be a lengthy and therefore expensive exercise and the expenditure of public funds for this purpose would not be warranted.

It is regretted, therefore, that it would not be practicable to provide the information sought.

FUNDS TO TERMINATING BUILDING SOCIETIES

Mr MAHER asked the Minister for Consumer Affairs and Minister for Co-operative Societies—

- (1) Was an amount of \$10 million made available to Terminating Building Societies in September or October, 1975?
- (2) Which Societies received allocations and what amount of money was allocated to each Society?
- (3) Which Societies received portion of the \$20 million allocation to Terminating Building Societies in July?
- (4) What amount was passed on to each Society out of the July allocations?

*Answer—*

- (1) An amount of \$9,166,000 was made available from Home Builders' Account during October, 1975
- (2), (3) and (4). The following schedule details the Building Societies and the amounts allocated to each society in July and October, 1975.

Allocations to Terminating Building Societies from the Home Builders' Account—  
New South **Wales**

| <b>METROPOLITAN</b> | <i>Society Name</i>  | <i>Allocations</i>            |                                  |
|---------------------|--|-------------------------------|----------------------------------|
|                     |  | <i>July,</i><br>1975<br>\$000 | <i>October,</i><br>1975<br>\$000 |
|                     | Adriatica Housing Co-op. No. 15 Ltd .. ..                      | —                             | 200                              |
|                     | Austral Co-op. Bldg Soc. No. 8 Ltd .. ..                       | 120                           | 60                               |
|                     | Bankstown Co-op. Bldg Soc. No. 39 Ltd .. ..                    | 280                           | 140                              |
|                     | Beacon Hill—Forestville Co-op. Bldg Soc. No. 6<br>Ltd .. ..    | 200                           | 100                              |
|                     | Beverley Hills Co-op. Bldg Soc. No. 29 Ltd .. ..               | 200                           | 100                              |
|                     | Chatswood—Willoughby Co-op. Bldg Soc. No. 20<br>Ltd .. ..      | 152                           | 76                               |
|                     | Civic Co-op. Bldg Soc. No. 10 Ltd .. ..                        | 152                           | 76                               |
|                     | The Culwulla Co-op. Bldg Soc. No. 14 Ltd .. ..                 | 300                           | 150                              |
|                     | Dee Why Co-op. Bldg Soc. No. 26 Ltd .. ..                      | 200                           | 100                              |
|                     | The Dulwich Hill & Dist. Co-op. Bldg Soc. No.<br>18 Ltd .. ..  | 120                           | 60                               |
|                     | Earlwood—Canterbury Dist. No. 26 Co-op. Bldg<br>Soc. Ltd .. .. | 152                           | 76                               |
|                     | Elizabeth Co-op. Bldg Soc. No. 10 Ltd .. ..                    | 600                           | 300                              |
|                     | French's Forest—Belrose Co-op. Bldg Soc. No.<br>12 Ltd .. ..   | 120                           | 60                               |
|                     | Greater Fairfield Dist. Co-op. Bldg Soc. No.<br>11 Ltd .. ..   | 152                           | 76                               |
|                     | *Hills Dist. Co-op. Bldg Soc. No. 15 Ltd .. ..                 | 280                           | 140                              |
|                     | Holroyd Co-op. Bldg Soc. No. 14 Ltd .. ..                      | 280                           | 140                              |
|                     | Home Building Co-op. Soc. No. 27 Ltd .. ..                     | 300                           | 150                              |
|                     | The Homeseekers Co-op. Bldg Soc. (No. 13)<br>Ltd .. ..         |                               |                                  |

Allocations to Terminating Building Societies from the Home Builders' Account—  
New South Wales—continued

| METROPOLITAN—continued<br>Society Name                                 | Allocations            |                           |
|--|------------------------|---------------------------|
|  | July,<br>1975<br>\$000 | October,<br>1975<br>\$000 |
| Hornsby No. 15 Co-op. Bldg Soc. Ltd ..                                 | 120                    | 60                        |
| Independent Co-op. Bldg Soc. No. 13 Ltd ..                             | 152                    | 76                        |
| Kildare—Blacktown No. 3 Co-op. Bldg Soc. Ltd                           | 152                    | 76                        |
| Kogarah & Dist. Co-op. Bldg Soc. No. 27 Ltd                            | 152                    | 76                        |
| Ku-ring-gai Co-op. Bldg Soc. No. 16 Ltd ..                             | 152                    | 76                        |
| Kurranulla Co-op. Bldg Soc. No. 5 Ltd ..                               | 152                    | 76                        |
| Lidcombe Co-op. Bldg Soc. No. 34 Ltd ..                                | 120                    | 60                        |
| Manly Co-op. Bldg Soc. No. 20 Ltd .. ..                                | 152                    | 76                        |
| The Narrabeen Mona Vale Co-op. Bldg Soc. No.<br>13 Ltd .. .. .         | 120                    | 60                        |
| Newport Co-op. Bldg Soc. No. 9 Ltd .. ..                               | 152                    | 76                        |
| Newtown, Marrickville & General Co-op. Bldg<br>Soc. No. 12 Ltd .. .. . | 200                    | 100                       |
| Northern Dist. Home Bldg Co-op. Soc. No. 51<br>Ltd .. .. .             | 280                    | 140                       |
| Paddington—Woollahra No. 3 Ltd .. ..                                   | 120                    | 60                        |
| Padstow & East Hills Dist. Co-op. Bldg Soc.<br>No. 13 Ltd .. .. .      | 280                    | 140                       |
| Penrith Dist. Co-op. Bldg Soc. No. 31 Ltd ..                           | 280                    | 140                       |
| Phillip Co-op. Bldg Soc. No. 9 Ltd .. ..                               | 152                    | 76                        |
| Port Hacking Co-op. Bldg Soc. No. 13 Ltd ..                            | 300                    | 150                       |
| *S. & C. No. 86 Co-op. Bldg Soc. Ltd .. ..                             | 600                    | 300                       |
| Seaside Co-op. Bldg Soc. No. 15 Ltd ..                                 | 152                    | 76                        |
| Southern Dist. Co-op. Bldg Soc. (No. 9) Ltd                            | 200                    | 100                       |
| Sydenham—Bankstown Dist. No. 23 Co-op. Bldg<br>Soc. Ltd .. .. .        | 280                    | 140                       |
| *Sydney & Suburban Co-op. Bldg Soc. No. 3 Ltd                          | 200                    | 100                       |
| Timber Homes Co-op. Bldg Soc. No. 14 Ltd ..                            | 120                    | 60                        |
| Waitara Dist. No. 10 Co-op. Bldg Soc. Ltd ..                           | 280                    | 140                       |
| Welfare Co-op. Bldg Soc. No. 23 Ltd .. ..                              | 200                    | 100                       |
| West Ryde No. 12 Co-op. Bldg Soc. Ltd ..                               | 120                    | 60                        |
| <b>TOTAL METROPOLITAN .. .. .</b>                                      | <b>8 996</b>           | <b>4 622</b>              |
| <b>COUNTRY</b>   |                        |                           |
| Society Name   |                        |                           |
| The Albury & Dist. Co-op. Bldg Soc. No. 21<br>Ltd .. .. .              | 160                    | 80                        |
| (Albury) The Murray Valley No. 16 Co-op.<br>Bldg Soc. Ltd .. .. .      | 120                    | 60                        |

Allocations to Terminating Building Societies from the Home Builders' Account—  
New South Wales—*continued*

| <i>COUNTRY—continued</i>   | <i>Allocations</i>   |                         |
|--|----------------------|-------------------------|
|  | <i>July,</i><br>1975 | <i>October,</i><br>1975 |
| <i>Society Name</i>  | \$000                | \$000                   |
| Armidale Co-op. Investment & Bldg Soc. No. 24<br>Ltd .. .. .           | 200                  | 100                     |
| Ballina Co-op. Build. Soc. No. 18 Ltd ..                               | 80                   | 40                      |
| (Bathurst) The Mitchell Home Bldg Co-op. Soc.<br>No. 30 Ltd .. .. .    | 160                  | 80                      |
| Berrima Dist. Co-op. Bldg Soc. No. 8 Ltd ..                            | 80                   | 40                      |
| (Broken Hill) Co-op. Bldg Soc. of Broken Hill<br>No. 11 Ltd .. .. .    | 100                  | 50                      |
| (Camden) Macarthur Co-op. Bldg Soc. No. 6<br>Ltd .. .. .               | 160                  | 80                      |
| *Campbelltown Co-op. Bldg Soc. No. 26 Ltd                              | 240                  | 120                     |
| Coff's Harbour Co-op. Bldg Soc. No. 17 Ltd                             | 100                  | 50                      |
| Condobolin Co-op. Bldg Soc. Ltd .. ..                                  | 40                   | 20                      |
| Cootamundra Co-op. Bldg Soc. No. 6 Ltd ..                              | 40                   | 20                      |
| Deniliquin Co-op. Bldg Soc. No. 10 Ltd ..                              | 40                   | 20                      |
| Dubbo Co-op. Term. Bldg Soc. No. 15 Ltd ..                             | 48                   | 24                      |
| Finley Co-op. Bldg Soc. Ltd .. .. .                                    | 40                   | 20                      |
| (Gosford) Central Coast Co-op. Bldg Soc. No.<br>12 Ltd .. .. .         | 200                  | 100                     |
| Glen Innes Co-op. Bldg Soc. Ltd .. ..                                  | 40                   | 20                      |
| Grafton & South Grafton Co-op. Bldg Soc. No.<br>27 Ltd .. .. .         | 120                  | 60                      |
| Gosford & Dist. Co-op. Bldg Soc. No. 15 Ltd                            | 80                   | 40                      |
| (Gunnedah) Namoi Co-op. Bldg Soc. No. 8 Ltd                            | 40                   | 20                      |
| (Inverell) Macintyre Co-op. Bldg Soc. Ltd ..                           | 40                   | 20                      |
| (Kempsey) Mid North Coast Co-op. Bldg Soc.<br>Ltd .. .. .              | 48                   | 24                      |
| Kiama Dist. Co-op. Bldg Soc. Ltd .. ..                                 | 60                   | 30                      |
| (Lismore) Richmond River & Dist. Co-op. Bldg<br>Soc. No. 9 Ltd .. .. . | 80                   | 40                      |
| Lismore Co-op. Bldg Soc. No. 13 Ltd .. ..                              | 80                   | 40                      |
| Leeton Co-op. Bldg Soc. Ltd .. .. .                                    | 60                   | 30                      |
| Macksville & Dist. Co-op. Bldg Soc. No. 12 Ltd                         | 48                   | 24                      |
| (Murwillumbah) Tweed Dist. Co-op. Bldg Soc.<br>No. 19 Ltd .. .. .      | 52                   | 26                      |
| Narrabri & Dist. Co-op. Bldg Soc. No. 13 Ltd                           | 40                   | 20                      |
| (Orange) The City of Orange Co-op. Bldg Soc.<br>No. 14 Ltd .. .. .     | 200                  | 100                     |
| Nowra No. 9 Co-op. Bldg Soc. Ltd .. ..                                 | 100                  | 50                      |
| (Parkes) The Lachlan Co-op. Bldg Soc. (No.<br>6) Ltd .. .. .           |                      |                         |

Allocations to Terminating Building Societies from the Home Builders' Account—  
New South Wales—continued

| COUNTRY— <i>continued</i><br>Society Name                                   | Ailocations            |                           |
|---|------------------------|---------------------------|
|   | July,<br>1975<br>\$000 | October,<br>1975<br>\$000 |
| (Picton) Wollondilly Co-op. Bldg Soc. No. 10<br>Ltd .. .. .                 | 140                    | 70                        |
| The No. 14 Port Macquarie Co-op. Bldg Soc. Ltd                              | 80                     | 40                        |
| Queanbeyan Co-op. Bldg Soc. No. 14 Ltd ..                                   | 200                    | 100                       |
| Springwood & Dist. Co-op. Bldg Soc. No. 11<br>Ltd .. .. .                   | 140                    | 70                        |
| Calala Co-op. Bldg Soc. No. 2 Ltd .. ..                                     | 60                     | 30                        |
| The West Tarnworth Co-op. Bldg Soc. No. 20<br>Ltd .. .. .                   | 140                    | 70                        |
| Taree No. 18 Co-op. Bldg Soc. Ltd .. ..                                     | 160                    | 80                        |
| Ulladulla & Dist. Co-op. Bldg Soc. No. 3 Ltd                                | 60                     | 30                        |
| The United Co-op. Bldg Soc. of Wagga Wagga<br>No. 3 Ltd .. .. .             | 200                    | 100                       |
| (Wagga) Murrumbidgee Co-op. Bldg Soc. No. 5<br>Ltd .. .. .                  | 80                     | 40                        |
| Wauchope Co-op. Bldg Soc. No. 12 Ltd ..                                     | 60                     | 30                        |
| Wellington Co-op. Bldg Soc. No. 10 Ltd ..                                   | 60                     | 30                        |
| Woy Woy & Dist. Co-op. Bldg Soc. No. 13<br>Ltd .. .. .                      | 80                     | 40                        |
| Wyong & Dist. Co-op. Bldg Soc. No. 4 Ltd                                    | 100                    | 50                        |
| <b>TOTAL COUNTRY</b> .. .. .  | <b>4 516</b>           | <b>2 258</b>              |
| <br><b>NEWCASTLE—MAITLAND—CESSNOCK DISTRICTS</b>                            |                        |                           |
| Belmont Dist. Co-op. Bldg Soc. .. ..  | 48                     | 24                        |
| Greater Cessnock Co-op. Bldg Soc. .. ..                                     | 80                     | 40                        |
| Hamilton Co-op. Bldg Soc. No. 60 Ltd ..                                     | 160                    | 80                        |
| Newcastle Co-op. Bldg Soc. No. 58 Ltd ..                                    | 200                    | 100                       |
| Newcastle & Northern Dist. Co-op. Bldg &<br>Invest. Soc. No. 28 Ltd .. .. . | 240                    | 120                       |
| Maitland Dist. Co-op. Bldg Soc. No. 18 Ltd                                  | 200                    | 100                       |
| <b>TOTAL</b> .. .. .  | <b>928</b>             | <b>464</b>                |

Allocations to Terminating Building Societies from the Home Builders' Account—  
New South Wales—continued

|   | Allocations            |                           |
|---|------------------------|---------------------------|
|   | July,<br>1975<br>\$000 | October,<br>1975<br>\$000 |
| <b>WOLLONGONG—PORT KEMBLA DISTRICTS</b>   |                        |                           |
| Illawarra Co-op. Bldg Soc. No. 11 Ltd ..  | 200                    | 100                       |
| Illawarra Legion Co-op. Bldg Soc. No. 16 Ltd  | 200                    | 100                       |
| Keira No. 24 Co-op. Bldg Soc. Ltd .. ..   | 260                    | 130                       |
| Kembla & Dist. Co-op. Bldg Soc. No. 8 Ltd ..  | 200                    | 100                       |
| (Port Kembla) General Co-op. Bldg & Invest.<br>Soc. No. 23 Ltd .. .. .  | 44                     | 22                        |
| The Port Kembla No. 30 Co-op. Bldg Soc. Ltd   | 200                    | 100                       |
| Coast Wide Co-op. Bldg Soc. No. 9 Ltd ..  | 120                    | 60                        |
| <b>TOTAL</b> .. .. .  | <b>1 224</b>           | <b>612</b>                |
| <b>PROJECT SOCIETIES</b>  |                        |                           |
| Society <i>Name</i>   |                        |                           |
| Campbelltown No. 26 Co-operative <b>Building</b><br>Society Ltd (Lend Lease at <b>Campbell-</b><br>town) .. .. .    | —                      | 190                       |
| Hills District No. 15 Co-operative Building<br>Society Ltd (Lend Lease at Macquarie<br>Fields) .. .. .              | —                      | 170                       |
| Parramatta No. 51 Co-operative Building Society<br>Ltd (John Hitter at <b>Quakers Hill</b> ) ..                     | 800                    | —                         |
| S. & C. No. 86 Co-operative Building Society<br>Ltd (Leslie Homes at Rooty Hill) ..                                 | —                      | 150                       |
| Metropolitan Homes No. 24 Co-operative Build-<br>ing Society Ltd (Suburban Construction at<br>Quakers Hill) .. .. . | 750                    | —                         |
| Sydney District No. 44 Co-operative Building<br>Society Ltd (Ryde Homes at Rooty Hill)                              | 500                    | —                         |
| Penrith No. 31 Co-operative Building Society<br>Ltd (Scott Sullivan at <b>Werrington</b> ) ..                       | —                      | 120                       |
| <b>TOTAL PROJECT SOCIETIES</b> .. .. .  | <b>2 050</b>           | <b>630</b>                |
| Funds for country areas for allocation through<br>Rural Bank .. .. .  | 1 160                  | 580                       |
| <b>GRAND TOTAL</b> .. .. .  | <b>18 874</b>          | <b>9 166</b>              |

(\*Amounts shown are additional to ordinary allocations shown previously.)

#### DISQUALIFICATION OF PERSONS FROM LOCAL GOVERNMENT

Mr MAHER asked the Premier—

(1) Does Ordinance 4 in force under the Local Government Act, 1919, contain provisions which disqualify (i) aliens and (ii) Australians with dual nationality from appointment to various local government positions?

(2) Are amendments being recommended to remove possible discrimination against migrants?

Answer—

(1) Ordinance No. 4 under the Local Government Act was recently amended to remove the provisions which previously disqualified, on grounds of nationality, persons from holding certain positions in the local government service.

The Ordinance was amended by—

- (a) omitting from clause 36 (1) the word "nationality"; and
- (b) omitting clause 39 and the heading thereto.

(2) See (1) above.

#### CAR SEAT BELTS

Mr MAHER asked the Minister for Transport and Minister for Highways—

Are persons aged 70 years and over exempt from wearing a seat belt when a passenger or when driving a motor vehicle?

Answer—

Persons aged 70 years and over are exempt from wearing a seat belt when travelling as a passenger in a motor car. However, such persons are required to wear a seat belt when driving.

When the wearing of seat belts was made compulsory it was considered that persons capable of driving would be readily able to fit and adjust a seat belt.

#### REVIEW OF CARAVAN PARKS

Mr LEWIS asked the Minister for Lands—

(1) When will the review of caravan parks in New South Wales be finalized?

(2) Will the results of the review be made public?

Answer—

(1) No review of caravan parks is being undertaken.

(2) All restrictive action resulting from the previous Government's review of coastal caravan parks has been stopped. The areas that were to have been affected by the review will be individually re-examined as the need arises or an opportunity presents itself.

"1080" POISON BAITS

Mr LEWIS asked the Minister for Lands—

- (1) Who is conducting the inquiry into the use of "1080" poison baits and the conservation of wildlife in New South Wales?
- (2) When does he expect to receive a report?
- (3) Will it be made public?

*Answer—*

A public seminar under the chairmanship of the Hon. D. Day, M.L.A., Minister for Decentralisation, Development and Primary Industries, was held on Thursday, 5th August, 1976, in order to assess the efficacy of the use of "1080" poison baits and evidence obtained is under examination.

The conservation of wildlife is the subject of a continuing programme being conducted by the National Parks and Wildlife Service of New South Wales.

LEGALIZED CASINOS

Mr LEWIS asked the Premier—

- (1) Has he stated he would hold an official inquiry into gambling before legalizing casinos?
- (2) When will the inquiry be held?
- (3) How long does he expect the inquiry to take?

*Answer—*

(1) On the 7th September, the Government announced the appointment of Mr E. A. Lusher, Q.C., to conduct a full inquiry into the legalizing of gambling casinos in New South Wales.

The Terms of Reference for Mr Lusher's inquiry are as follows:

'To inquire:

1. Into the social attitudes in New South Wales towards the introduction and operation of legalized casinos in New South Wales.
2. Into the methods and means of operation, control and supervision of legalized casinos in New South Wales.
3. Into the facilities to be provided by legalized casinos.

And to report thereon.

And in the light of the findings to recommend:

1. What action should be taken by the Government.
2. What legislative or administrative steps should be taken to effectuate it."

His Excellency the Governor and the Executive Council have approved of the inquiry being undertaken and notification to this effect has been published in the *Government Gazette*.

(2) The inquiry **has** already begun and advertisements are being published in the press on the nature of the inquiry inviting submissions from all interested parties.

(3) Sufficient time will be allowed for a full inquiry into **all** the issues involved and it is envisaged that the Government will be in a position to examine the resulting report within a few months.

