Legislative Assembly

Wednesday, 13 *May, 1981*

Petitions--Questions without Notice—Disabled Persons (Urgency)—Industrial Arbitration (Amendment) Bill and Cognate Bill (Int., second reading)--Colleges of Advanced Education (Amendment) Bill (third reading)—Clean Air Cognate Bills (third reading)—Industrial Arbitration (Amendment) Bill and Cognate **Bill** (second reading)--Bills Retuned—Apprenticeship Bill and Cognate Bill (second reading)—Bills Returned—Joint Committee upon Public Accounts and Financial Accounts of Statutory Authorities (Report)—Motor Vehicles (Taxation) Amendment Bill (Int., second reading)—Police Regulation (Amendment and Validation) Bill (Int., second reading, third reading)—Valuers Registration (Amendment) Bill (second reading, third reading)—Farm Water Storages and Bores Subsidies (Amendment) Bill (second reading, third reading)—Real Property (Amendment) Bill (second reading, third reading)—Industrial Arbitration (Amendment) Bill and Cognate Bill (third reading)—Banana Industry (Amendment) Bill (second reading, third reading)—Parliamentary Committees Enabling Bill (second reading, third reading)—Allocation of Time for Discussion—Adjournment (Hunter Valley Development)—Questions upon Notice.

Mr Speaker (The Hon. Lawrence Borthwick Kelly) took the chair at 10.30 a.m.

Mr Speaker offered the Prayer.

PETITIONS

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

Rainforests

The humble Petition of the undersigned citizens of New South Wales, respectfully sheweth:

That rainforests maintain a greater diversity of vegetation and animal life than any other forest type. There is worldwide concern for their preservation. The logging policies of the New South Wales Forestry Commission do not protect the ecological integrity of our rainforests. At the present rate of logging the State's remaining rainforests will be exhausted within fifteen years. Workers employed in the logging of rainforests will become unemployed from 1982 onwards.

Therefore we humbly request that there be an immediate cessation of logging in all the remaining rainforests in New South Wales and that steps be taken to ensure that employment schemes, such as reafforestation and use of alternative timber supplies, be implemented for displaced workers.

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

Petitions, lodged by Mr Anderson, Mr Gabb and Mr A. *G.* Stewart, received.

Prevention of Cruelty to Animals Act

The Petition of certain residents of New South Wales respectfully sheweth that:

Section 20 of the Cruelty to Animals Act may prevent the conduct of properly organized and supervised bushmen's carnivals and rodeos.

Your Petitioners therefore humbly pray that your honourable House will take action to repeal section 20 of the Cruelty to Animals Act.

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

Petition, lodged by Mr Brewer, received.

Dam for Tillegra

The Petition of landholders, environmentalists, heritage and national trust, producers of primary products, consumers and geographers respectfully sheweth:

That a proposal to erect a dam at Tillegra on the Williams River is under consideration by the Hunter District Water Board.

Your Petitioners therefore humbly pray that your honourable House will totally oppose the erection of a dam at Tillegra on the Williams River.

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

Petition, lodged by Mr Arblaster, received.

Shopping Centre for Newtown

The Petition of the undersigned citizens respectfully sheweth:

That the proposed shopping centre development in the Alice Street area of Newtown will cause demolition of houses and increase traffic flow in residential streets, thus worsening the housing shortage and making the streets dangerous for the children who are forced to use them. Alternative sites are available nearby which will not cause the same disruption to residential areas.

Your Petitioners therefore humbly pray that your honourable House:

Refuse to allow the proposed development of a shopping centre complex in the Alice Street area of Newtown to proceed.

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

Petition, lodged by Mr Cahill, received.

Community Health Programme

The Petition of certain citizens respectfully sheweth:

That community health services have already suffered cutbacks in staffing, and now appear to be under threat again in relation to funds being made available.

Your Petitioners therefore humbly pray that your honourable House:

Take steps to ensure that, at the least, the community health programme continue at its present level.

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

Petition, lodged by Mr O'Neill, received.

Colleges of Advanced Education

This Petition of the undersigned citizens of New South Wales respectfully sheweth:

(1) The proposed incorporations and amalgamations of colleges of advanced education would serve to restrict access to education for women, part-time, mature age and external students, and would further restrict access to education for students and potential students in country areas.

(2) The proposed amalgamations cannot be effectively and properly completed in the period to 1st January, 1982, and that any attempts to force such amalgamations in that time will result in decisions that are educationally unsound.

(3) The proposed amalgamations have no clear follow-through planning, and there remain significant questions about the future of staff and students presently enrolled at such colleges and about the future of the buildings of colleges.

Your Petitioners therefore humbly pray that your honourable House:

(1) Make every attempt to preserve the autonomous nature of colleges of advanced education.

(2) Will not further consider amendments to the Colleges of Advanced Education Act, 1975, until the rights of students and staff can be guaranteed and until such time as the full ramifications of such amendments can be ascertained and discussed from within an educational framework.

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

Petition, lodged by Mr Caterson, received.

QUESTIONS WITHOUT NOTICE

COUNTRY RAIL FREIGHT CENTRES

Mr COX: I am now in a position to reply further to the question that the honourable member for Sturt asked of me on 25th March, 1981, about the location of regional freight centres in southern New South Wales at Cootamundra, Wagga Wagga and Griffith. In my previous response, I told the honourable member that the assessment of the location of these centres was based on growth in the areas and freight going in and out of the centres. At that time I undertook to provide the honourable

member and the House with freight movement figures from the Wagga Wagga, Cootamundra, Junee, Griffith and Leeton areas. These figures are now to hand and are as follows:

	L.C.L. Traffic (Tonnes) 1979–80	*Parcels Traffic* (Items) 1979–80
Wagga Wagga		
In	3374	124 578
Out	1492	30 631
Cootamundra		
In	2 507	57 424
Out	2 168	25 416
Junee		
In	2 126	7 250
Out	85	2 573
Griffith		
In	7937	57 780
Out	3 645	15 088
Leeton		
In	1651	34 309
Out	81	6 267

PENSIONER DIABETES SUFFERERS

Mr K. J. STEWART: On 28th April the honourable member for Wagga Wagga asked me a question regarding pensioner diabetes sufferers and I undertook to give him a reply at a later date. I am now advised that the matter comes within the administration of my colleague the Minister for Youth and Community Services. I have referred the honourable member's question to my colleague.

PAROLE OF PRISONERS

Mr MASON: I direct my question without notice to the Minister for Corrective Services. What action has the Government taken to implement recommendations contained in the Muir committee report on the parole system of New South Wales that was handed to the Government in February 1979? Did the report recommend some drastic changes, including that a prisoner serve a minimum of 40 to 50 per cent of his sentence before being considered for parole? Is the Minister aware of growing public horror at the early parole of criminals convicted of serious sex offences against very young children, such as David Henry Horton who was convicted of a vicious sexual assault on a 3-year-old girl and sentenced to 10 years' gaol but is eligible to be released on parole after serving only 7 months? Will the Minister explain why the Government has failed to act on this report and allowed these scandalous situations to continue?

Mr HAIGH: The Leader of the Opposition referred to two matters. One was the inquiry initiated by this Government, headed by His Honour Judge Muir, to report on the parole system in New South Wales. The other was a matter that the

Leader of the Opposition continues to raise publicly in a confused way that epitomizes his general attitude. The Leader of the Opposition drew attention to the power of the courts to determine sentences of persons convicted of a crime. The Muir committee report deals with the Parole of Prisoners Act and contains recommendations for its amendment. The right of the courts to impose sentence is not covered in the report.

Mr Dowd: Absolute nonsense.

Mr Mason: I shall give the Minister a copy of the report.

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

Mr HAIGH: I invite the attention of the two honourable members who interjected to the fact that the Muir report referred specifically to retaining the principle of the setting of non-parole periods by the courts. In future, before those honourable members interject they should study the recommendations that Judge Muir and his committee made. The Parole of Prisoners Act was introduced into this Parliament by a former Minister of Justice, the Hon. J. C. Maddison, during the term of the Liberal Party-Country Party Government. On numerous occasions the Opposition has eulogized that legislation. Now, because the present Government took the initiative and ordered a review of the parole system, the Opposition has seized the opportunity to gain some political advantage by criticizing the provisions contained in the Act. Those provisions deserve criticism, for their review was overdue. Following the review that the Government ordered, the necessary amending legislation has been prepared. It will be presented to Cabinet for consideration shortly.

NEIGHBOURHOOD CENTRES

Mr JOHNSON: I address a question without notice to the Minister for Youth and Community Services. Soon after taking office did the Government commence the development of a large network of neighbourhood, community aid and information centres throughout the State? Will the Minister ensure that the needs of residents in the Mount Druitt area are taken into consideration when funding for the centres is being allocated?

Mr JACKSON: Immediatefy on coming to office the Government gave effect to a promose made prior to the elections, as it has done with all of its election promises, and commenced the establishment of neighbourhood centres and the funding of community information and community welfare centres. The programme has been so successful that Ministers and departmental heads responsible for welfare in other States have visited New South Wales to study our neighbourhood centres and the mechanism that was devised to establish them.

In its first Budget the Government made available a sum of $250,000 for the centres. Applications were called for and 147 were received, of which 32 received funding. In the next financial year that amount was doubled. Of the original 32 centres 30 were again funded and another 29 established. I inform members of the Country Party that 18 of the 29 centres were established in country New South Wales. Therefore, as part of a progressive policy we have increased the number of centres. By now $1.3 million has been allocated to the neighbourhood centre programme. It has resulted in the funding of a total of 118 neighbourhood information centres and community centres.

There is an interesting neighbourhood centre programme in the Mount Druitt area, and I am pleased to note that three centres are providing services for the constituents in that area. This year the Mount Druitt community college, which was established three years ago, has received a sum of $12,683. The north Mount Druitt community activity centre has this year received funds for the first time. The Government has under consideration also strong representations put to it by the honourable member for Mount Druitt for a foundation funding for the Mount Druitt–Rooty Hill community centre. The honourable member may be assured that this successful programme will continue and the needs of that area will be given every consideration in the allocation of funds for these magnificent projects.

DROUGHT ASSISTANCE

Mr PUNCH: I direct a question without notice to you, Mr Speaker. Did I ask the Premier and Treasurer a question yesterday about the need for financial assistance for small businesses in drought areas and the effect of the drought on breeding herds? As the Premier and Treasurer failed to mention even once either small businesses or breeding stock but instead launched into yet another unjustified personal attack, will you refer to the Standing Orders Committee a proposal that a privilege committee be established to report upon and penalize those members who abuse parliamentary privilege, particularly in view of the Premier's repeated vilification of Opposition members? Second, in view of the practice of the Premier and some of his Ministers not even to refer to the content of some questions asked, will you recommend any changes that may be necessary to ensure at least some relevance in Ministers' answers to questions?

Mr SPEAKER: I shall consider the question put to me by the Leader of the Country Party.

COPYRIGHT

Mr CAVALIER: I direct a question without notice to the Attorney-General and Minister of Justice. Will the new copyright legislation enacted by the Commonwealth Parliament and to be proclaimed on 1st July, 1981, have a significant impact upon the provision of research material to honourable members by the New South Wales Parliamentary Library? Will the Attorney-General investigate the potential impact of the new Act upon the privileges of New South Wales parliamentarians and report his findings to the House?

Mr WALKER: I thank the honourable member for his question, which is of great significance to all parliamentarians. It is expected that new federal legislation concerning the photocopying of copyright material in libraries will come into force on 1st July, 1981. The legislation clarifies the extent to which publications may be photocopied in whole or in part without breach of copyright and introduces the requirement to file and retain records of all requests for photocopying.

I am informed that the federal parliamentary library has advised members and senators that the following procedures will have to be adopted when this new Act commences:

1. Members will be required to make a request in writing for each photocopy required.

2. Members must sign a declaration at the time of making the request to the effect that:

(a) the material is required for the purposes of their parliamentary duties, and

(b) that they have not previously been supplied with a copy by the library.

3. Members will not be able to request multiple copies or a quantity which exceeds a "fair dealing".

4. Ministers and members will not be able to ask their staff to request copies on their behalf. Nor will the library staff be permitted under the Act to supply photocopies to a person other than the person signing the request and declaration.

5. The Library must add a notation to every photocopy made indicating the relevant section of the Act under which the copy was made.

6. The Library must file all the requests and declarations in chronological order for a period of three years. These records are to be available for inspection by copyright owners or their agents.

7. The Library will not be able to send photocopies in response to reference or research requests unless a request and declaration is first received from the Member.

Such procedures constitute a major attack upon the confidentiality with which parliamentary libraries have traditionally served honourable members. They are an unnecessary and unjustified infringement of parliamentary privilege. I shall be seeking **the** advice of the State's Crown Law officers as to what impact the legislation **will** have on the rights of honourable members in this House. As soon as I am in a position to do so, **I** shall inform the House of that advice.

SOUTH SYDNEY COUNCIL

Mr BARRACLOUGH: **I** direct a question without notice to the Minister for Local Government and Minister for Roads. On 24th March **I** asked the Minister **a** question about the management of the South Sydney municipal council. In that question I raised the matter of the serious financial difficulties being experienced by that council and the Minister undertook to obtain a report. Has the Minister obtained a report, and, if so, when does he intend to release it?

Mr JENSEN: It is true that the honourable member for Bligh asked me **a** question about the affairs of the South Sydney municipal council. It is true also that in the course of my reply I stated that there was one aspect of the council's affairs raised by the honourable member with which I was not familiar, namely, whether the council was in serious financial difficulty. My inquiries have established that the information conveyed by the honourable member for Bligh in his question was not in all respects accurate and that the degree of difficulty experienced by the council in arranging its affairs so as to avoid a heavy deficiency in its balances was not as had been stated. The council has introduced numerous economies and has under investigation a different method of conducting its affairs. Consideration of this alternative method of operation is at an advanced stage. The information supplied to me is that the council is unlikely to finish this financial year in the position stated by the honourable member in his question.

Mr Barraclough: Will it be worse?

Mr JENSEN: It will be a big improvement. Had certain corrective measures not been taken, at the end of the financial year the council's balance would have been deficient. However, the council has set in motion a method whereby the suggested deficit to which the honourable member referred will be avoided.

PESTICIDES

Mr O'CONNELL: I direct a question without notice to the Minister for Health. Do recent revelations of the indiscriminate use of pesticides in the Northern Rivers area of New South Wales and the cotton growing areas of the north west of the State reveal a *laissez-faire* attitude to the use of dangerous chemicals by some farmers and pest control operators? Has the Minister investigated these alleged incidents? If so, will those investigations result in a more assiduous application of controls or the promulgation and implementation of even more stringent control measures?

Mr K. J. STEWART: The pesticides regulations under the Public Health Act are to protect agricultural workers from possible contamination. These regulations are quite strict and inspectors thoroughly examine the methods used and conduct educational programmes for all people concerned in agricultural spraying, whether on the ground or from the air. In 1979 an incident occurred when a large number of chippers in the cotton fields at Wee Waa were apparently contaminated by a substance from an aircraft. The Division of Occupational Health investigated that incident. According to the records, the chippers were sprayed not with a pesticide, but with nitrogenous leaf fertilizer. The incident was reported to the division by the community health sister in the area. I have not been informed of any other serious contamination by aerial spraying during the past three to four years.

The Division of Occupational Health conducts annual evaluations of the health of agricultural workers. This is a limited survey as it requires the voluntary attendance of people at the centre for evaluation. The evaluations are well publicized locally. I am informed that few Aboriginal persons attend for checking, to obtain information, or be educated. The federal Air Navigation Act lays down strict rules concerning the spraying of chemicals by air and could override New South Wales pesticides regulations, which also deal with aerial spraying.

In addition to this routine work of monitoring agricultural health, the division of occupational health has a large research programme into the contamination of people living in areas such as Wee Waa to determine how much pesticide has been absorbed by the general population. These results are being compared with a similar population in a country town where such spraying does not take place. I hope that the results of this study may become available in two to three months. With the tightening of the regulations over the past few years, contamination and poisonings have markedly decreased, indicating that the programme has been successful and that users of pesticides are being more careful. This programme will continue indefinitely. Officers of the Health Commission can, and will, examine and report on persons who claim adverse health effects as a result of exposure to pesticides or herbicides. With regard to certain findings of the parliamentary committee, I inform the House that DDT will be in use until 1st July, 1981. It is being replaced by synthetic pyrethroids of low toxicity. The use of these and the effects on human health will be monitored.

ROAD DEATHS

Mr DUNCAN: My question without notice is directed to the Minister for Transport. Did the deaths on New South Wales roads last weekend bring the road toll far the year to 452, and is this 32 more than for the same period last year?

While in Opposition did the Minister call for the establishment of a road accident prevention squad? Now that he is a member of the Government, will he say whether he intends to proceed with the establishment of this squad, or what other initiatives he proposes to take to overcome this grave social problem?

Mr COX: The statement by the honourable member for Lismore about road fatalities last weekend is correct. I regret that this year thirty-two more people have been killed than were killed in the same period last year. Regrettably, the same position applies in Victoria. This year the two most heavily populated States in Australia have had increased road fatalities. The honourable member for Lismore would be aware of the actions taken by the Government by way of road safety measures. Penalties for drink driving offences have been increased from $400 to $1,000 and for other serious offences from $200 to $500. The point score system has been completely reviewed. Further, penalties for traffic offences have been increased. The maximum prescribed concentration of alcohol in the blood has been reduced from 0.08 to 0.05. Although I am not happy with the level of road accidents, in a period of ten years the number of fatalities occurring on the State's roads has been reduced from 10 to 5.4 per 10 000 vehicles registered in New South Wales.

It is true also that when I was a member of the Opposition I stated that the former Government should consider establishing an accident prevention centre. The Government has given more responsibility to the traffic accident research unit. It is carrying out a lot more research into the causes of traffic accidents. I am reasonably happy with the activities of that unit, which has become most specialized. In fact, it is probably the most specialized body on road safety in the Southern Hemisphere. Although I regret that there has been an increase in road fatalities, I am taking every possible action to try to reduce the number of deaths on our roads. I am sure that all honourable members are aware of the terrible carnage on our roads, which causes much sorrow to families, particularly when young people are killed. Shortly the Traffic Accident Research Unit will launch a programme to cost $50,000 to reduce drink driving and associated problems. I hope that that will have an impact on road accidents.

SALES BY TELEPHONE

Mr WHELAN: Is the Minister for Consumer Affairs aware of the problems of consumers who are contacted by telephone and asked to buy various publications? Do consumers have difficulties when attempts are made to collect money that is allegedly owing? What action does the Minister propose to take to ensure that consumers are not disadvantaged or prejudiced by companies selling publications by telephone?

Mr EINFELD: The honourable member for Ashfield has always shown a special interest in consumer protection and a special perspicacity in opposing exploitation of citizens. That being so, I am not surprised that he should ask this question which is interesting and effective. Telephone selling is being used by a number of organizations, which mainly offer publications for purchase. That form of selling is becoming increasingly popular. One company that has used this type of marketing is the Grolier Society of Australia Pty Limited of 1 Campbell Street, Artarmon. The society is a worldwide publisher whose headquarters are in New York. Unfortunately officers of my department and I have received a large number of complaints from consumers who have had recent dealings with the Grolier Society. It is significant

that few complaints are received about other companies using similar marketing techniques. Grolier has a longstanding reputation among consumer protection agencies throughout Australia for its activities in door-to-door selling and mail order selling.

The New South Wales Consumer Affairs Council first named Grolier and its associated organizations in its report of **1971.** The council found it necessary to criticize the operations of the Grolier Society again in **1975** when the Department of Consumer Affairs required the society to cease all door-to-door selling. In addition, in **1971** and again in **1972** Grolier and its associates were censured by consumer protection authorities in South Australia; in **1972** and **1974** in Tasmania; in the Northern Territory in **1973;** and in **1974** in Western Australia.

In the main, Grolier does business by telephone soliciting, though at various times the company operates magazine campaigns, which include a coupon to be used for placing an order. In its telephone selling, the staff of the society, who are casual employees, conduct their business using pages of the telephone directory and a sales talk that is provided by the company. Employees receive a bonus for confirmed sales. The sales talk is either for copies of the ***Australian Encyclopaedia*** or a set of children's books called ***Disney's Wonderful World of Knowledge.*** Persuasive phrases are used to entice people to make a positive response. Both sets of books are offered on a trial basis, but even if a consumer on the telephone declines to accept the books for inspection, the staff of Grolier have been provided with a list of possible standard objections and suggested ways to overcome them.

One of the major causes for complaint arises when people who decide that they do not wish to retain the books return them to the sender. In those circumstances, when Grolier states that it has not received the goods it is extremely difficult for the consumer to substantiate that the books have in fact been returned. In most cases it is at that stage that consumers contact either me or the Department of Consumer Affairs with a plea for help because they are being bombarded with final notices, demands from the Mercantile Rating and Recovery Service—which, incidentally, is a subsidiary of the Grolier Society of Australia Pty Limited—and finally a document called a notice of intention to instruct solicitors to issue a summons.

The company continues to deny that goods have been returned. In one case books were returned on three occasions by certified mail. The company's denials are hard to accept. Many people are bullied into paying for books which either they did not order or had been returned. One might be forgiven for having the impression that the company does not care about its customers, or indeed about anyone else. In a number of cases when the department has intervened on behalf of some person, officers of the Department of Consumer Affairs have been told by the company that recovery action would be suspended until the matter was resolved. However, the department has then received further pleas for assistance from that consumer who has been served with further notices about the same matter. That attitude demonstrates to me the contempt with which the company views its customers.

[Interruption]

Mr SPEAKER: Order! There is far too much audible conversation in the Chamber.

Mr EINFELD: Although the Grolier organization operates within the law, it persistently shows scant concern for the legitimate interests of consumers. Anyone who receives a telephone call from Grolier--or indeed from any similar organization—offering things that they do not want, is well advised to hang up the telephone. I am delighted that the honourable member for Ashfield has continued his general campaign

against the exploitation of consumers by asking this question. I assure him, his constituents, and the citizens of New South Wales that Grolier Australia is bad news for consumers.

HOME INSURANCE

Mr SCHIPP: I ask the Minister for Housing, Minister for Co-operative Societies and Assistant Minister for Transport a question without notice. Under the terms of borrowing home loans from terminating building societies, is it a compulsory requirement that home insurance be taken out through a nominated insurance company? Does this not lead to a local monopoly situation so far as home Insurance is concerned? In many instances does it lead to sharply increased premiums — even 50 per cent and higher? As this policy is disadvantaging many low-income homebuyers, will the Minister review the policy with the object of allowing cover to be effected with any reputable insurance company, thus giving insurers the advantage of competition in the marketplace? If not, why not?

Mr Walker: The honourable member for Wagga Wagga does not sound like a deputy leader.

Mr SHEAHAN: I agree with the Attorney-General: the question does not suggest that the honourable member for Wagga Wagga is deputy leader material for he shows his ignorance of the situation. It is true that a number of terminating building societies have rules that specify that the lender can nominate the insurer with whom the insurance on the security property should be taken. On a number of occasions some borrowers have made complaints about this matter to my department, to me and to other honourable members. Several honourable members have written to me about this matter in recent times, pointing out that premiums paid to some insurance companies are slightly higher than those paid to other companies. I have not seen a policy with a 50 per cent differential. I assure the honourable member for Wagga Wagga that any report made in regard to these matters is investigated.

In Cunnedah last week I had discussions with a building society regarding a number of complaints in that area. The complaints concerned some nominated insurers. Many persons fail to understand that the tie between the insurer and the building societies can lead to a reduction in administrative charges on a loan, and therefore repayments. I have raised that aspect in the past both in Opposition and as a Government backbencher. Now that I have had the opportunity to study the results of detailed investigations into the matter, I am satisfied in general that the principle is sound. However, any specific complaint about a particular insurance company or building society is investigated in detail.

The honourable member Wagga Wagga should realize that in some cases the tied insurer — if one might use that term — generates deposit funds in the building society for on-lending to borrowers. In the Gunnedah case something in excess of a quarter of a million dollars has been lent by the building society as a result of money corning from the insurance company. I think the society concerned was a co-operative building society in the Namoi area. The particular insurance company concerned has provided moneys that have been lent out by the building society over a period of years. That situation has been made possible as a result of the close association between the insurance company and the building society. I assure the honourable member for Wagga Wagga — indeed all honourable members — that if they have specific cases in which it is considered that there is a disproportionate premium difference, they should raise those matters for they will be investigated closely to ensure that no person has been overcharged.

PRISON SECURITY

Mr HUNTER: I ask the Minister for Corrective Services whether the honourable member for Eastwood has distributed in his electorate a pamphlet entitled, "Can You Sleep Soundly at Night?".

[*Interruption*]

Mr SPEAKER: Order! It is difficult to hear the question. I ask honourable members to remain silent. Will the honourable member for Lake Macquarie please repeat the question?

Mr Clough: On a point of order——

Mr SPEAKER: Order! I ask the honourable member for Eastwood to resume his seat. I want to hear the question. I cannot rule on a point of order until I have heard the question.

Mr HUNTER: Is the Minister aware that the honourable member for Eastwood is distributing in his electorate a pamphlet entitled "Can You Sleep Soundly at Night?". Does that pamphlet purport to give information on prisons and prisoners? Can the Minister tell the House whether the information given in this unofficial pamphlet is accurate?

Mr J. A. Clough: On a point of order. The answer is, yes.

[*Interruption*]

Mr SPEAKER: Order! The honourable member for Eastwood caused some mirth by taking his point of order. I wasn the honourable membcr that if he continues to conduct himself in this manner, I shall name him. In that event he will be out of the House for two days.

Mr HAIGH: I thank the honourable member for Lake Macquarie for asking this question.

Mr J. A. Clough: This Minister should send a copy of the pamphlet to the honourable member for Lake Macquarie.

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

Mr HAIGH: I thank the honourable member for Eastwood for admitting that he has distributed this pamphlet, which is misleading and inaccurate; it contains assertions that are based on fantasy and fiction, and it is designed to create fear and terror in the minds of the public. The honourable member for Eastwood has referred to a lack of security in gaols. His pamphlet states, "The closure of Katingal, the maximum security wing of Long Bay gaol, epitomizes the relaxation of security standards in New South Wales." I draw the honourable member's attention to the fact that Mr Justice Nagle condemned Katingal; he described it as an electronic zoo and strongly recommended its closure. From the time Katingal was opened until it was closed, damage caused by prisoners in the unit cost an average of $2,000 a month to repair. Katingal was nothing more than a farce, and as a maximum security prison it did not provide necessary or adequate facilities and amenities.

At any time the maximum number of prisoners held in Katingal was twenty-two. When this Government came to office there was a shortfall of 500 cells in maximum security institutions. The prisons were grossly overcrowded. The suggestion made by the honourable membcr for Eastwood in his pamphlet is that if Katingal were

operating at its maximum holding capacity—that is, if it held twenty-two prisoners—it would solve the problem of overcrowding caused by a shortfall of 500 cells. We should not forget that the Government inherited those problems from the former Liberal Party-Country Party Government.

I emphasize the inadequacy in the design of Katingal. I agree with Mr Justice Nagle's description of the unit as an electronic zoo. By its nature, Katingal was not an effective maximum security unit, and it was closed on 3rd June, 1978. I remind honourable members of the circumstances that prevailed prior to the closure of Katingal. On Sunday, 14th May, 1978, five of the most desperate criminals in this State's history engaged in a sit-in in an exercise yard at Katingal. That evening, gas was used to drive those prisoners back into the main unit. It is interesting that on 30th May, approximately two weeks later, attempts were made to break into the same exercise yard and the main unit.

The reason the escape attempt nearly succeeded was that no perimeter security or alarm systems were provided throughout the unit. The two persons ultimately charged and convicted with the attempted break-in had carried oxyacetylene equipment 250 yards to the unit, climbed on to the top of the exercise yard and cut a path into it. Their intention was to cause a mass outbreak of inmates from Katingal. Opposition supporters say continually that Katingal was a secure unit.

Mr Mason: That would not have happened if the Liberal Party and Country Party had been in power.

[Interruption]

Mr SPEAKER: Order!

Mr HAIGH: The Leader of the Opposition says it would not have happened if the coalition parties had been in power. The former Government built this monolith because it was incompetent and did not plan properly. This electronic zoo was responsible for the prisoner Cox's escape from Katingal. Officers at Katingal were witnessing his escape from the exercise yard but could not get to him because the electroaic contrivances prohibited their moving quickly to apprehend him as he made his escape across the open spaces of Long Bay. I hope that all the matters I have referred to will put to rest the suggestion that Katingal was a secure unit.

The Liberal Parties never learn. A unit, Jika Jika, was built in Victoria with electronic control measures, but it had similar problems to those encountered at Katingal. Security is established by increasing staff and effecting proper man–management control. I shall draw attention to the increases in staff that the Government has effected in the maximum security gaols in New South Wales since June 1976 as the increases show that the Government has provided the necessary security measures for maximum security gaols and to engender public confidence in the prison system.

In 1976 the staff employed at Goulburn gaol totalled 110 but today there are 162 staff members. Grafton gaol formerly employed 27, but today employs 39. Maitland gaol employed 73 persons and now employs 124. The Malabar complex now employs 580 people. Formerly it had 432 employees. Parramatta gaol formerly employed 155 persons, but now employs 245. The honourable member for Eastwood condemned day leave for prisoners, leave to attend educational institutions and work release programmes. All these schemes were introduced by the previous Government in 1966 at the initiative of the former Minister of Justice, the Hon. J. C. Maddison. On no fewer than two occasions the honourable member for Eastwood has acclaimed these initiatives and said that the rehabilitative programmes should be supported.

On many occasions the acclaim expressed by supporters of the previous Government has been reported in the press. However, when in opposition they have been willing to assassinate and annihilate the man who initiated the rehabilitative programmes.

The report of the Royal commission into New South Wales prisons contained 252 recommendations. This was the only matter of acclaim for the previous Government by Mr Justice Nagle. Every other recommendation represented a condemnation—which the previous Government richly deserved. The honourable member for Eastwood deserves condemnation because of the sinister manner in which he is trying to raise concern and undue worry in the minds of citizens.

DISABLED PERSONS

Urgency

Mrs FOOT (Vaucluse) [11.16]: I move:

That it is a matter of urgent necessity that this House should forthwith consider Notice of Motion No. 1 of General Business on the Notice Paper for today, viz.:

(1) That a Select Committee be appointed to inquire into and report upon the necessity for legislative changes and the provision of facilities to enable disabled persons to live as integrated a life within the community as their disabilities permit.

(2) That such Committee consist of Mr Anderson, Mr Brereton, Mr Face, Mrs Foot, Mr Greiner, Mr Neilly and Mr West.

(3) That the Committee have leave to sit during the sittings or any adjournment of the House, to adjourn from place to place, and to make visits of inspection within the State of New South Wales and within the other States and Territories of Australia.

As honourable members will be aware, the motion seeks that a select committee be appointed to inquire into, and report upon, the necessity for legislative changes, and the provision of facilities, to enable disabled persons to live as integrated a life within the community as their disabilities will permit. As I understand that today is the second-last sitting day of the session, the matter is extremely urgent. Since the 1978 election six select committees have been established to inquire into and report upon matters affecting Aborigines; the registration of pecuniary interests of members of Parliament; the New South Wales school certificate assessment procedures; public accounts and financial accounts of statutory authorities; parks for mobile homes and caravans, and public funding of election campaigns. The only committee that remains to sit during the parliamentary recess is the one concerned with the school certificate. Honourable members heard early this week that the recommendations—which have been leaked—are not the unanimous findings of the select committee.

If the Premier and Treasurer is sincere about wanting a 4-year term of Parliament so that the State and the people of New South Wales can have the services of members of Parliament employed better throughout the whole year, it would be derelict of the Government not to consider the urgent needs of disabled persons in this International Year of Disabled Persons. The Government should appoint this committee. It has the power to do so. The committee would sit on non-sitting days.

It is well-known that among disabled people there is considerable discontent. As I drove through the city to Parliament House this morning, on radio 2SM I heard a young woman, who had lost her arms through a car accident, interviewed. She was asked by an interviewer whether she believed that the International Year of Disabled Persons was a success and whether anything was being achieved. The young lady said that the average person in the street was more sympathetic than the professional.

I concede that the Government has made an effort through the Handicapped Persons Bureau, through providing consumer information for the disabled, and with the International Year of Disabled Persons steering committee. The Premier and Treasurer set up the Counsellor for Equal Opportunity and the Anti-Discrimination Board, and so on. But, if these professional bodies were really doing their jobs would something like the Handicapped Persons Alliance need to be formed? That alliance was formed only recently. If the statutory bodies were doing their jobs should we read in the *Daily Telegraph* that a self-help conference of the handicapped is to be held on Saturday week? Would I be receiving a 3-page letter, from a gentleman, as I did only a few days ago? This is one of many letters I have received. In his letter the gentleman said:

> Dear Mrs Foot,
>
> We disabled people have tried every possible way in trying to get a better deal for our people but up to now, all in vain.
>
> Mrs Foot, as a woman politician will you try to stir up these governments to act? Mrs Foot, the disabled are in a mess. We have never had a chance. We never have a weekly pay packet. We never have a home of our own. We fight a life of poverty and sickness from birth till death or from injuries till death.

These are the people who should be reporting, and submitting evidence, to a parliamentary select committee. It would be most derelict of the Premier and Trasurer not to take this matter seriously. Those honourable members who are willing to work throughout the year, whether it is an election year or not, should be appointed to the task. I have suggested that four Labor members should be appointed to the committee. They are to be provided with a share of election funds to the tune of $1 million so tbev will not have to be around the hustings gathering money for their election campaigns.

In the terminology of the Premier and Treasurer, these four Lahor members could be referred to as two failed policemen, one failed trade-union official and one failed accountant. I do not see people in the same terms as the Premier and Treasurer. Honourable members enter the House with their successes and failures behind them. When the Premier and Treasurer has referred in that way *to* people who managed to win preselection by two major parties, I wonder how, in the kindness of his heart, he would refer to the disabled persons who have a much less chance than any honourable member ——

[*Interruption*]

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

Mrs FOOT: Disabled persons have much less chance than any honourable member of getting their act together. That is another urgent reason why the House should appoint a select committee. On 27th April, 1976, when the Premier and Treasurer. was Leader of the Opposition, he sent a telegram to the Subnormal Children's Welfare Association at East Maitland. In that telegram he made twelve promises. The telegram was signed by him and by the honourable member for Wallsend, who was then the shadow minister for education. Earlier today the Minister for Youth and Community Services said that his Government had fulfilled all promises made

prior to the 1976 election. If urgency is granted, I shall be able to go through the twelve promises, show how they have not been kept and what needs to be done. It is not simply the professionals who need to hand down their views but input is required from disabled persons themselves.

I shall now refer to the New South Wales Advisory Council on the Handicapped, which comes under the administration of the Minister for Youth and Community Services. This is a large body. I understand from a person who has recently resigned from it that four or five executive persons hold the power. Again we find that the people who sit on the committee and also happen to be presidents of organizations for the disabled or the handicapped feel under threat if they try to buck the system, or buck the secretariat which is the Handicapped Persons Bureau. If they do so they fear that funds of their organizations may well be cut off. That is the sort of threat that they are under in the same way as voluntary organizations or members of the Opposition.

I was a member of a select committee inquiring into liquor trading hours not long after I entered the Parliament. I saw the great benefits resulting from the deliberations of that committee, though its terms of reference did not include penalty rates, whish made the job of the committee more difficult. However, I saw at first-hand how useful it was when the group came together under the competent chairmanship of the honourable member for Wentworthville who is one of the few Labor Party members for whom I have a high respect. The outcome of this committee was very helpful.

As long ago as September 1979 the Leader of the Opposition called for the appointment of a select committee on the handicapped. He said then that in New South Wales there are approximately 250 000 disabled persons. We do not know the exact figure because census statistics on this matter are not available. However, about 10 000 of these handicapped people are under 21 years of age, which means that they have a long and tragic life ahead of them. If there are 250 000 disabled persons, it may be assumed that about one million people in New South Wales belong to their families. They certainly need the assistance of honourable members doing their jobs responsibly by forming a select committee to enable disabled persons to live as integrated a life within their communities, as their disabilities permit.

Late last year I asked each Minister of the Government the following questions. First, how many disabled persons are employed in departments and statutory instrumentalities under your control? Second, what has been done to improve the level of employment in departments and statutory instrumentalities under your control? I have had answers from all Ministers with the exception of—honourable members will be interested to hear the exceptions—the Deputy Premier, Minister for Public Works and Minister for Ports, the Minister for Planning and Environment, the Minister for Lands, Minister for Forests and Minister for Water Resources, and—believe it or not—the Minister for Youth and Community Services.

The many problems that face the disabled should be examined so that we can truly carry out the slogan, "Break down the barriers", and so that in this International Year of Disabled Persons their problems can be resolved. Tomorrow I hope to hear the second reading speech from the Minister for Youth and Community Services on the Community Welfare Bill which he promised to introduce in 1979—the International Year of the Child. Let us have the proposed select committee this year, the International Year of Disabled Persons, and not two years hence when we will be back in government. I should like to get on with the job.

Mr WRAN (Bass Hill), Premier and Treasurer [*11.25:* The Government does not propose to grant urgency, not because it does not recognize the high priority that the Parliament and the community should accord to the problems of handicapped people in this International Year of Disabled Persons, but rather because I regret that the honourable member for Vaucluse, when dealing with a subject that is serious and is attracting the attention of sensitive people throughout the community, has flagrantly injected into her remarks what unquestionably would be injected by the Opposition into a select committee of this kind—that is, a political thrust and a political bias which is quite unbecoming to the subject-matter of the motion.

[Interruption]

Mr WRAN: The honourable member for Vaucluse, by the blatant attacks she made upon my colleagues the honourable member for Heffron, the honourable member for Charlestown, the honourable member for Cessnock and the honourable member for Nepean, has foreshadowed the creation of a vehicle for political conflict and political advantage rather than a vehicle which would be genuinely concerned with the position of the handicapped and the disabled in the community. That does not in any way lessen my view about the importance of this whole matter. I repeat, it is regrettable that in what on the face of it appeared to be a genuine attempt to have a bilateral approach in this Parliament to a serious matter, the honourable member for Vaucluse descended to tactics which are unbecoming in the context of the subject of the motion. However, I accept from the honourable member for Vaucluse the acknowledgment of the contribution that the Government is making in respect of handicapped persons in New South Wales.

It should not be thought that because the Government is not granting urgency it is not, during this International Year of Disabled Persons, reviewing all programmes and reviewing all organizations—both government and voluntary—that exist in the interests of handicapped and disabled persons. The Government is using this year to increase community awareness of the special problems of disabled and handicapped people and by so doing increasing community involvement in the solution of those problems.

It is difficult to gain the attention of the Country Party when one talks on this sort of subject. Its members seem to be more interested in something else. I make it perfectly clear that in no way do I attack the bona fides of the honourable member for Vaucluse in relation to this matter. She has for a long time shown interest in it. But if she is to continue to command the respect which she commands in this Parliament, which has already led political commentators to declare her to be the putative Leader of the Opposition—a post which I have no doubt she will hold for a long time—she must, like all honourable members, remember that when dealing with a serious subject such as the rights of disabled people and underprivileged people, one does not enhance one's case by engaging in political and guttersnipe tactics.

[Interruption]

Mr SPEAKER: Order!

Mr WRAN: I regret that the debate degenerated in that way. However, I make it clear——

[Interruption]

Mr SPEAKER: Order! I call the Leader of the Country Party to order.

Mr WRAN: The Leader of the Country Party has no sensitivity at all to the matter raised by the honourable member for Vaucluse.

[Interruption]

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

Mr WRAN: Indeed, I shall have a word with the president of the Williams and Chichester Rivers water users association and find out what the Leader of the Country Party was up to last weekend. I have never seen him as white-faced as he was earlier this morning. He has not accepted my invitation to go to Dungog. I bet he would not go to the Chichester River.

[*Interruption*]

Mr SPEAKER: Order!

Mr WRAN: I will not be diverted from the subject. I say to the honourable member for Vaucluse that the Government has a range of programmes for this International Year of Disabled Persons. I invite members of the Opposition to participate with the Government in those programmes. After all, we are well aware of the problems of the disabled in this State. Honourable members should adopt a bilateral, not a divided, approach to these issues. I give the honourable member for Vaucluse and other members of the Opposition an assurance that the Government will make available to them any information it has on the handicapped and disabled. The Government invites members of the Opposition to participate in the extensive range of programmes that have been initiated to heighten public awareness of the problems of disabled persons.

One thing on which all thinking persons will surely agree is that in the past the handicapped and the disabled of our community have had a bad deal. They have not been accepted as members of the community, nor have they been given the rights and privileges that able-bodied and able-minded persons enjoy. Therefore, it is incumbent upon all honourable members to forget that we are political adversaries and join together as colleagues in what is unquestionably a wonderful crusade proceeding throughout the world and exemplified in the International Year of Disabled Persons.

Question of urgency put.

The House divided.

Ayes, 33

Mr Arblaster	Mr Freudenstein	Mr Schipp
Mr Barraclough	Mr Greiner	Mr Singleton
Mr Boyd	Mr Hatton	Mr Smith
Mr Brewer	Mr King	Mr Sullivan
Mr J. H. Brown	Mr McDonald	Mr Toms
Mr Bruxner	Mr Mason	Mr West
Mr J. A. Clough	Mr Moore	Mr Wotton
Mr Dowd	Mr Murray	
Mr Duncan	Mr Osborne	
Mr Fischer	Mr Park	*Tellers,*
Mr Fisher	Mr Punch	Mr Caterson
Mrs Foot	Mr Rozzoli	Mr Taylor

Noes, 58

Mr Akister	Mr Gabb	Mr O'Neill
Mr Anderson	Mr Gordon	Mr Paciullo
Mr Bannon	Mr Haigh	Mr Petersen
Mr Barnier	Mr Hills	Mr Quinn
Mr Bedford	Mr Hunter	Mr Ramsay
Mr Brereton	Mr Jackson	Mr Robb
Mr Britt	Mr Jensen	Mr Rogan
Mr Cahill	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Johnstone	Mr Sheahan
Mr Cleary	Mr Keane	Mr A. G. Stewart
Mr R. J. Clough	Mr Knott	Mr K. J. Stewart
Mr Cox	Mr McCarthy	Mr Walker
Mr Curran	Mr McGowan	Mr Webster
Mr Day	Mr McIlwaine	Mr Whelan
Mr Degen	Mr Maher	Mr Wilde
Mr Durick	Mr Mallam	Mr Wran
Mr Egan	Mr Mochalski	
Mr Einfeld	Mr Mulock	*Tellers,*
Mr Face	Mr Neilly	Mr Flaherty
Mr Ferguson	Mr O'Connell	Mr Wade

Question so resolved in the negative.

Motion of urgency negatived.

INDUSTRIAL ARBITRATION (AMENDMENT) BILL

TRADE UNION (AMALGAMATIONS) AMENDMENT BILL

Introduction

Motion (by Mr Hills) agreed to:

That leave be given to bring in the following cognate bills:

(i) A bill for an Act to amend the Industrial Arbitration Act, 1940, in relation to the appointment of members of the Industrial Commission, the reduction of working hours and the validation of certain trade union matters, and for other purposes.

(ii) A bill for an Act to amend the Trade Union Act, 1881 in relation to the amalgamation of trade unions, and for other purposes.

Bills presented and read a first time.

Declaration of Urgency

Mr HILLS (Phillip), Minister for Industrial Relations and Minister for Energy [11.42]: I declare that these bills are urgent.

Mr Dowd: On a point of order, Mr Speaker. The standing orders clearly provide that a Minister may declare a bill to be urgent only if copies of the bill have been circulated. There was no bill until the advent of the first reading because, as a matter of logic, there cannot be a bill until its first reading and the bill has been

handed up. There has been no prior circulation. The procedure is a complete contradiction of the rules of the House. A bill must be circulated to members otherwise a Minister has no power to move this motion. Therefore, my point of order is that the Minister has no power to make a declaration of urgency as the bill has not been printed and circulated.

Mr SPEAKER: Order! I am sure that the honourable member for Lane Cove is aware that a bill cannot be circulated until leave has been given by the House for that to be done. The question, That leave be given to bring in the bills, has been carried. I understand that copies of the bills are in the possession of the Opposition.

Mr Dowd: No.

Mr SPEAKER: I propose to put the question, That these bills be considered urgent bills.

Mr Dowd: Further to the point of order. When you last ruled on the point of order, Mr Speaker, you were obviously under the impression that the bills had been circulated. That is not the case. There are none in this Chamber and no copies have been placed in members' boxes. We have to have them in our hands for them to have been circulated or they have to be in the boxes available to us. At the time the Minister purported to declare them urgent, we did not have them available to us because you, sir, saw them come into the Chamber. Clearly, such a procedure is outside the rules of the House.

Mr SPEAKER: Order! The Chair is satisfied that the bills are in the possession of honourable members. I shall now put the question.

Mr Mason: Disgraceful.

Mr Dowd: The Government is supposed to be responsible for Parliament, not a kids' show.

Mr Mason: The Government had the bill. Why was not it circulated?

Mr SPEAKER: Order!

Question—That these bills be considered urgent bills—put.

The House divided.

Ayes, 57

Mr Akister	Mr Curran	Mr Jackson
Mr Anderson	Mr Degen	Mr Jensen
Mr Bannon	Mr Durick	Mr Johnson
Mr Barnier	Mr Egan	Mr Johnstone
Mr Bedford	Mr Einfeld	Mr Keane
Mr Brereton	Mr Face	Mr Knott
Mr Britt	Mr Ferguson	Mr McCarthy
Mr Cahill	Mr Gabb	Mr McGowan
Mr Cavalier	Mr Gordon	Mr McIlwaine
Mr Cleary	Mr Haigh	Mr Maher
Mr R. J. Clough	Mr Hills	Mr Mallam
Mr Cox	Mr Hunter	Mr Mochalski

Mr Mulock	Mr Robb	Mr Whelan
Mr Neilly	Mr Rogan	Mr Wilde
Mr O'Connell	Mr Ryan	Mr Wran
Mr O'Neill	Mr Sheahan	
Mr Paciullo	Mr A. G. Stewart	
Mr Petersen	Mr K. J. Stewart	*Tellers,*
Mr Quinn	Mr Walker	Mr Flaherty
Mr Ramsay	Mr Webster	Mr Wade

Noes, 33

Mr Arblaster	Mr Freudenstein	Mr Schipp
Mr Barraclough	Mr Greiner	Mr Singleton
Mr Boyd	Mr Hatton	Mr Smith
Mr Brewer	Mr King	Mr Sullivan
Mr J. H. Brown	Mr McDonald	Mr Toms
Mr Bruxner	Mr Mason	Mr West
Mr J. A. Clough	Mr Moore	Mr Wotton
Mr Dowd	Mr Murray	
Mr Duncan	Mr Osborne	
Mr Fischer	Mr Park	*Tellers,*
Mr Fisher	Mr Punch	Mr Caterson
Mrs Foot	Mr Rozzoli	Mr Taylor

Question so resolved in the affirmative.

Second Reading

Mr HILLS (Phillip), Minister for Industrial Relations and Minister for Energy [11.56]: I move:

That these bills be now read a second time.

Mr Speaker——

Mr Dowd: On a point of order. The proper form for printing of bills for presentation in this House has been used invariably. There have been various changes in the forms of bills. The Industrial Arbitration (Amendment) Bill now before the House contains an erasure. In order for a bill to be declared urgent, it is necessary that a proper copy of the bill be circulated. The erasure in this bill eliminating the words "whether or not the proposed award or agreement is based on increases in productivity", prevents this being a proper copy of the bill for circulation. It therefore prevents this House from dealing with the matter. Bills of the form with which this House deals do not contain blanks, and never have done. This is not a proper copy of the bill.

Mr SPEAKER: Order! There is no point of order involved.

Mr Fischer: I raise a point of order separate to that taken by the honourable member for Lane Cove, and I refer to page 11 of the Industrial Arbitration (Amendment) Bill that has been circulated to honourable members. In the circumstances, and as a matter of courtesy to the House, will the Minister inform honourable members whether the master copy of the bill that has been brought up contains exactly the same whited-out erasure as the bill before the House?

Mr Hills: It does, and it has the initials of the Minister against the erasure.

Mr SPEAKER: Order! There is no point of order.

Mr HILLS: Mr Speaker, in recent years much of the time of honourable members in this House and of legislators throughout Australia has been concentrated on amending legislation to meet requirements imposed upon them by technological developments and changing social attitudes. The more significant provisions of the proposed legislation I am introducing are aimed at meeting demands that have lately become apparent in the industrial relations environment and, if endorsed by this House, will contribute greatly to the maintenance of future industrial harmony in this State. Honourable members will be aware that the Industrial Commission of New South Wales, as now constituted, stemmed from an industrial court set up in the year of Federation, 1901. That court consisted of a judge and two lay members. That body had jurisdiction to hear industrial disputes. Subsequently, wages boards were established to make industrial awards.

This system continued to develop and operate with varying success, until the present New South Wales system of industrial legislation was introduced by the passage through this House in 1940 of the Industrial Arbitration Act. That Act provided, among other things, for the establishment of the present Industrial Commission, conciliation commissioners, special commissioners and the industrial magistrates courts, With regard to the composition of the Industrial Commission, it provided that a person, to be qualified for appointment as a member of that commission, shall be a puisne judge of the Supreme Court, a District Court judge, a barrister of not less than five years" standing, or a solicitor of not less than seven years' standing.

The commission was, and is, therefore, locked into a legalistic system that has deprived it of the contributions lay members with specialized knowledge and skills not associated with the discipline of law could have made towards its decision during that time. Notwithstanding this, I acknowledge readily the fact that the Industrial Commission of New South Wales has served the community well in carrying out a difficult task in the forty years of its existence. However, in the latter part of these forty years we have experienced revolutionary technological and sociological developments that now impose unanticipated impositions and stresses on decision makers in industrial law.

I remind honourable members that in the federal sphere, as early as May 1972 action was taken to widen the qualifications of the presidential members to take advantage of the services of persons qualified and experienced in disciplines other than the law. In that year an Act was passed by the Commonwealth Government to add to the criteria for the appointment of presidential members of the commission. Except for the office of president, for appointment to which legal qualifications were retained, it became possible to appoint not only legally qualified members—the equivalent to those I described earlier—but also individuals who had experience at a high level in industry, commerce, industrial relations or the service of a government or an authority of a government. In other words, it was conceded generally, without offence to anybody or any profession. that lawyers do not necessarily possess any total reservoir of human wisdom in the field of industrial jurisdiction. If ever that were held to be the case—and I doubt it—current technological and commercial developments now make such a view obsolete and untenable.

For the sake of industrial harmony and negotiations within the system of industrial relations, it is totally wronq for the commission to be denied access to contributions available by the elevation to the bench of specialists and experienced practitioners in other disciplines or vocations. It is the stated policy of this Government to promote as far as practicable uniformity in industrial law throughout the Commonwealth. Therefore the proposed legislation contained in schedule I to the bill is twice blessed in that it not only advances this policy but will assist the commission immeasurably in its deliberations and the subsequent judgments it brings down.

Having in mind that stated policy of establishing uniformity in industrial relations legislation, I move to the second measure contained in the principal bill. This again is in conformity with the Commonwealth Conciliation and Arbitration Act and will abolish the existing prohibition in the State Act—the Industrial Arbitration Act—which prevents parties from agreeing to reduce working hours. I emphasize that the full import of the amendment to section 63 of the Industrial Arbitration Act as contained in schedule 2 of the bill is to bring the law and practice in relation to reduced working hours in the State industrial jurisdiction into line with the law and practice in the Commonwealth jurisdiction. However, on 7th April this year, in its decision on the inquiry into wage fixing principles, the Australian commission temporarily suspended productivity bargaining exercises seeking reduced working hours.

I do not believe this structure to be in the best interests of New South Wales. In the past this Government has in successive national wage cases before the Australian Conciliation and Arbitration Commission supported the concept of productivity bargaining. In its submission to the national wage case in Melbourne on 7th May, 1981, the New South Wales Government foreshadowed that in the next hearing which will provide a forum for greater debate on the subject, the New South Wales Government will submit that productivity bargaining on shorter hours should be reintroduced by the Australian commission. I advise the House that the Government has not resiled from the view it expressed in its submissions to the 1978 wage fixation principles case before the Australian commission when it strongly supported the concept of productivity bargaining on the shorter working week question—I emphasize, only in proper cases. In proper cases, where increased productivity gains can be demonstrated as a result of productivity bargaining between employers and employees. the Government considers that nothing should stand in the way of such exercises. The only concern which the Government has in this regard is that productivity bargaining be genuine. This can be achieved only if the industrial tribunals retain the role of oversighting these exercises.

Accordingly, I now tell honourable members that in the State wage case before the State Industrial Commission on Monday next, counsel for the New South Wales Government will be submitting that the commission should not adopt the decision of the Australian commission which prohibited, for the present time, genuine productivity bargaining as a means of obtaining reduced working hours. It would be wrong to allow the question of reduced hours to be resolved only on the basis of industrial pressure and disputation outside the jurisdiction of the commission and that would be inevitable if the State commission followed the lead of the Australian commission in this regard. Such a provision will help keep the wage fixing process within the historic jurisdiction of the Industrial Commission of New South Wales providing order and consistency in dealing with these matters. The alternative, the Government believes, would be unnecessary industrial disruption. It would simply result in the question of shorter working hours being resolved by the law of the industrial jungle rather than the ordinary processes of proceedings before the State Industrial Commission.

Schedule 2 of the bill will amend the principal Act to provide the machinery for the making of industrial agreements providing for reduced working hours and has drafted into it the necessary safeguards to maintain good order in its administration. I repeat that this means that the law and practice in the New South Wales jurisdiction will be aligned exactly with the law and practice long established in the Commonwealth.

I now turn to the third measure in the bill which will amend the Act to enable trade and industrial unions to have certain past irregularities validated. Late last year, this Parliament passed the Trade Union (Amalgamation) Special Provisions Act, 1980. to afford protection to unions that had purported to amalgamate under the Trade Union Act, 1881, against challenges on technical grounds relating to failure to comply with

the provisions of the **Act** on amalgamations. The undesirable consequences that flow from technical challenges of that nature are equally applicable in respect to challenges to the existence of trade unions in consequence of invalid actions or past irregularities that may have occurred in their day-to-day operations. Clearly, there is a need to ensure that both trade and industrial unions at present registered are protected from challenges of this type.

Such relief, it goes without saying, applies only to invalid acts or actions that may have occurred in the normal operations of the union and are considered appropriate to be rectified: such acts as have been done in good faith by the collective body or a person holding an office in an organization or branch. Honourable members will know that it has long been recognized that in the conduct of affairs of corporations in the ordinary course of events invalidities do occur. This is recognized and rectified by such provisions as section 366 of the Companies Act, 1961, which provides similar relief. It is manifestly unjust that organizations which by their very nature will be controlled and operated by, in many cases, men and women not skilled in corporation or other law, are denied the benefit of curing invalidities. Especially is this apparent when we recognize that a problem affecting all organizations is that the validity of a particular act will depend on the validity of what has preceded it.

For instance, an alteration of rules some twenty years ago may have been invalidly made and yet the rules have been acted on subsequently until an occasion for a technical challenge arises. What was done twenty years ago and its validity must be examined. Without the provision made by the proposed amendment, the structure of a trade union could resemble a house of cards—disturbance of a card at the bottom could bring the whole edifice tumbling down, resulting in industrial chaos. The proposed legislation is a belated but essential amendment to the Act to ensure stability on the industrial front.

I turn now to the fourth schedule to the bill. This makes provision for the Labor Council of New South Wales as of right to appear in proceedings before the industrial tribunals under the Industrial Arbitration Act to represent the interests of affiliated unions. As it stands, the Labor Council has no right of appearance before industrial tribunals. There have been some instances where objections have been made to the Labor Council seeking to intervene in proceedings before those tribunals. However, the council frequently is required to act on behalf of affiliated unions in disputes between the unions and employers or employer organizations. In other cases the council initiates test cases on behalf of all its affiliated unions on industrial matters before the State tribunals.

On other occasions, in a number of key industries the Labor Council has conducted negotiations on award claims and processed those claims before the Industrial Commission. Over and above this, State governments and employer organizations have asked the Labor Council to intervene in proceedings before the commission. Obviously the council has much to offer in this area and is accepted in proceedings at the present time. However, that has not always been the case, and acceptance depends on the attitude of individual members of the commission and conciliation commissioners if objections are raised. Simply put, the purpose of this measure is to have the Labor Council of New South Wales recognized in the Act to have the right of appearance in proceedings and so make regular what is in fact current practice. I am confident honourable members will agree to common sense prevailing and will endorse this provision.

A further matter included in the proposed legislation is a provision to empower the Governor to make regulations applying to certain private employment agents. The employment agencies legislation and regulations came into force in New South

Wales on 6th January, **1978.** Unfortunately, at that time the regulation-making power in the legislation did not enable the drafting of regulations of the nature required to include babysitting agencies. Since then, that sector of the employment agency industry has been subject to some criticism. As Minister responsible for the administration of legislation covering employment agencies generally, I am responding to the expressed wishes of those responsible people working in the industry, and many using its services, by introducing this measure. It will amend the regulation-making power in the Act to enable a regulation to be made regulating the activities of employment agencies which provide babysitters for clients. The fifth and final schedule of the bill sets out savings and transitional provisions only.

Cognate with the bill I have just introduced is the Trade Union (Amalgamations) Amendment Bill. The Trade Union Act provides that a trade union can amalgamate with one or more trade unions only with the approval of the authority empowered by the rules of the trade union to alter such rules. In many cases this authority is the committee of management or the executive of the union. Accordingly, the individual members need not necessarily participate in such a decision. The purpose of the measure is to require amalgamations of trade unions to be determined by a simple majority of members in a ballot conducted by the Electoral Commissioner.

In summary, the measures before the House will refine and update the present legislation in the following manner. They will widen the resources of the Industrial Commission by providing for the introduction of lay members in line with Commonwealth practice. They will introduce essential validating procedures into the trade union movement. They will confer on the Labor Council of New South Wales the much needed right to intervene in proceedings before the Industrial Commission. They will regularize the operation of certain private employment agents. They will provide for secret ballots of members of trade unions involved in amalgamations. Lastly, they will permit the reduction of working hours by the process of productivity bargaining and other means, which achieve conformity between the State and federal industrial systems.

I commend to the attention of honourable members the detailed explanatory notes provided by the Parliamentary Counsel and attached to copies of the bills, and refrain from tabling similar clause-by-clause explanatory documentation. I repeat that the amendments to section 63 of the Industrial Arbitration Act of New South Wales will bring that legislation into line with the Commonwealth legislation. It will ensure that no greater restrictions will be placed on workers seeking to negotiate with their employers in New South Wales for a reduction in hours than those obtaining in any of the States or in the Commonwealth. I commend the bills.

Mr MOORE (Gordon) [12.18]: Undoubtedly the proposed legislation is being introduced to allow the Minister for Industrial Relations and Minister for Energy, and the Premier and Treasurer, as federal president of the Labor Party, to pay off a deal that was made in June 1980 between the New South Wales Government and the Australian Council of Trade Unions. The deal was that the Government would make it easier for a shorter working week to be forced upon the employing community of New South Wales, if the ACTU backed off with its 35-hour week campaign during the first major review of national wage case guidelines, which took place in the second half of 1980 and during the abortive federal election campaign of the discredited federal Leader of the Opposition.

There is no doubt that the secret deal made at a conference between the Australian Council of Trade Unions and representatives of the New South Wales Government was that the Government would amend section 63 of the Industrial Arbitration Act to make it easier, even if only in a psychological sense, for a shorter working week

to be achieved in New South Wales. That is demonstrated in part by the fact that most of the key industry groupings that have been selected by the ACTU to be the forefront of the shorter working week campaign are being attacked industrially in New South Wales—the brewing industry, the chemical industry, the glass manufacturing industry and sections of the engineering industry. Despite the terms of a telex message sent by the Premier and Treasurer to the president of the Chamber of Manufactures of New South Wales on 3rd April this year, undoubtedly the expectation in the minds of union officials is that it will be easier for a shorter working week to be attained in New South Wales. In his telex message the Premier and Treasurer said:

> I emphasize that the Government is not legislating for shorter working hours in New South Wales and is not opening the flood gates in relation to shorter working hours claims.

That is a total distortion of the position. The deal done between the New South Wales Government and the Australian Council of Trade Unions was a deal to make it easier legally by amending section 63 of the Industrial Arbitration Act, and psychologically because of their own commitment of direct negatiations for shorter working hours in their own instrumentalities and with their own employees, to encourage the union movement to use this State as the hopping off spot for achieving a national break-through with the 35-hour week.

Perhaps the Minister for Industrial Relations and Minister for Energy sees himself as a latter-day Clyde Cameron. The Minister is not as good looking as Clyde Cameron, and I am sure he cannot shear sheep as well as him, even if he can shear the employers just as well. Like Clyde Cameron, he wants to use the public sector and his own legislation as a pacesetting encouragement to other people to seek and obtain a 35-hour week. There is no doubt that the amendments to section 63 of the Act are designed to create a climate leading to a 35-hour week in New South Wales.

The Minister has not advanced a reason for the amendment. Even if one accepts his proposition that the State law is being brought into line with the federal law—which I do not accept, for a special reason which I shall mention later—he has not given a reason why it is necessary now to change section 63, given the attitude of the Commonwealth Conciliation and Arbitration Commission in its review of the wage indexation guidelines handed down earlier this year. The unequivocal statement in the new wage indexation package handed down earlier this year by the federal commission was that productivity deals made for the purpose of reducing working hours or increasing money or wages benefits are to be regarded as being outside the guidelines, and prohibited as matters to be dealt with by that commission.

I would be interested to hear the Minister explain at a later stage in this debate the reason for the deletion of certain words from the proof copy of the bill provided to honourable members. The guidelines that have been set down by the federal commission make it quite clear that, notwithstanding the specific terms of the Commonwealth Act, the interpretative position adopted by that commission is that general alterations to working hours and phoney productivity deals about working hours will not be countenanced. The guidelines make it clear also that the fruits of increased productivity should be shared by the whole national work force and by all the members of the general public whether they be in the work force or not.

That is an attitude to which the Minister paid lip service when he made his pious exhortations about tariff reductions in the electricity industry. That was to be the consumers' pay-off for the shorter hours as part of a productivity deal. That hope is unlikely ever to be fulfilled. That is the attitude the federal commission has said is not only desirable but also necessary for dealing with productivity claims at a national level. This relates back to the reports that were made on the investigations in

the early **1970's** relating to the 35-hour week campaign in the Electricity Commission. Honourable members might recall that some research was done on the matter by a Dr Sutton of the Macquarie University. The workers with the Electricity Commission were asked how they expected to use the five hours that was to be taken from their working hours. They were asked whether they would use it by going fishing, playing golf, spending the time at the pub, at home, conversing with their wives and families, or what. The overwhelming response was that they would work five hours overtime. There is no doubt in my mind that any encouragement to a shorter working week generally in industry, whether it be by legislation or by giving a psychological lift to the campaign, is simply acting to the detriment of not only those who are unemployed but also those who are in employment in marginal industries. For those reasons the Opposition is totally opposed to the amendment of section 63 of the principal Act. I shall return to that subject later in my remarks.

In essence, what the House is being obliged to deal with here is a 35-hour week. This morning's **Daily *Telegraph*** dealt with the working week in other countries. It said that although the Australian union movement is pressing for a 35-hour week, their colleagues in other countries are not even able to obtain the present standard applying in Australia. The unions of our major trading partners have unsuccessfully claimed shorter working weeks, and in some countries the working week is significantly longer than that obtaining in New South Wales and Australia generally. There is no doubt that this will react adversely against Australia's international trading position and Australia's ability to compete and provide employment by export-led economic activity.

The next matter contained in the bill that really falls in the same sort of style of things as the amendment to section 63 relates to another pay-off to the union movement, particularly perhaps to the Minister's friends in the union movement or to some of the members on his own back bench who have aspirations for greater glory in the unlikely event that they win government at the next elections. They are the validating provisions for trade union activities. These can probably be described as either the SDA amendments or the amendments of the shop assistants and warehouse employees amendments. There is no doubt in my mind that the sort of legal challenges that have been made will be made again. I refer to such cases as ***Bodkin*** v. *McQuillan,* dealing with the Builders Labourers Federation, as well as the cases in the early 1950's that gave rise to the successful wresting of the Federated Ironworkers Association from communist control nationally and in this State, and the successful upheaval towards a more responsible leadership in the Electrical Trades Union in New South Wales. I am sure the Minister is familiar with those cases, particularly the latter one. However, had the provisions of schedule 3 of the bill been in effect at the time those cases arose, they would never have been taken before the courts.

Basically, the provisions say that no matter what the legal verbiage is, and irrespective of the forms of the rules at the time of a person's election, or purported election, to office, the person who is elected can say that everything done, including everything done since his election, was done bona fide—whether he was entitled to do it or not. That is to say that he is entitled to hold himself out as having office in the union, and provided he has acted in good faith, whatever he did becomes acceptable. That means that money can be spent in what might be regarded as good faith by the person spending the money. Payments might be made for matters that are not traditionally regarded as being legitimate in the structure of the union. They might include such things as financing a revolutionary movement in the Trobriand Islands, as is alleged to have happened with one of the leftist trade unions in New South Wales some years ago.

Mr Moore]

Under the proposals before the House, actions of and payments by a union made in good faith, whether or not they are in accordance with its rules, objects, or purposes, shall become perfectly legitimate. This provision will operate retrospectively. If such a proposal operated with respect to the activities of the directors of Pan Continental mining and those of objectors to uranium mining in the Northern Territory, there would be a massive demonstration. The main bill proposes an open go on validation, on totally subjective tests applied by various union officials. The Minister has given no basis for introducing these amendments. In the past the New South Wales and federal union movements have been able to handle successfully challenges to the validity, activities, genera1 structure and operations of their member organizations.

The next matter with which I wish to deal relates particularly to employees. It concerns amendments to the Trade Union Act and the provisions of that Act that relate to union amalgamations. In this respect the Minister is implementing, at least in part, the policies of his masters in the Australian Council of Trade Unions. I invite the attention of the Minister to two serious defects in his proposal for union amalgamations. The first defect, which would not be opposed by the union movement, involves the amalgamation of an extremely large union with a small union. Special exemption provisions are made in the Commonwealth Act to deal with such circumstances. I am unable to find, in the short time I have had available to peruse the bills, a similar provision in this legislation. Under the Commonwealth Act, the amalgamation of the Federated Ironworkers Association with the Chemical Workers Union did not require a ballot of members of the dominant union. Such a ballot would have been administratively cumbersome and expensive.

It is absurd to suggest that, if the New South Wales branch of the Federated Coopers and Barrel Builders Association—and the last return to the Industrial Registrar that I saw showed that union as having six members—wishes to amalgamate with the Amalgamated Metal Workers and Shipwrights Union, the taxpayers of New South Wales should bear the cost of conducting a ballot of the 30 000 or 40 000 members of the larger union. The Commonwealth Conciliation and Arbitration Act provides legitimate and functional procedures for exempting from ballot amalgamations between a large union and a small union. If the Minister were concerned to have parallels in State and federal industrial laws—and in my view he is not interested in that—he would have included in the bill a similar exemption provision, instead of the requirement that both unions must conduct ballots to decide whether they will amalgamate.

Another matter related to amalgamations that is not part of the legislation is the provision of an incentive for industrial unions and not craft or general unions to amalgamate. I commend to the House the concept of a different balloting threshold for unions that wish to amalgamate, leaning to either a craft or general union rather than to organizations that seek to form a large industrial union. There is some difficulty with Commonwealth legislative provisions relating to amalgamations, as high thresholds apply to all classes of unions. The Commonwealth Act requirement, that half the members of a union must vote and half those voting must vote in favour, should apply to amalgamations of industry-based unions rather than craft or general unions.

The Minister, in his second reading speech, said that the legislation was designed to create parallels between State and Commonwealth industrial legislation. The Minister might explain why the amalgamation provisions of this legislation are radically different from those obtaining in the Commonwealth Act. He might explain also why his ecumenical and even-handed spirit, which would require unions to operate under similar guidelines at Commonwealth and State levels—a principal inherent in his statement—does not apply to virtually all the amendments proposed by the principal bill.

The next matter to which I shall address myself is the proposed amendment to section 78 of the Industrial Arbitration Act. The amendment seeks to provide that the Labor Council of New South Wales shall have a general right to intervene in any proceedings at any level before the Industrial Commission of New South Wales. I ask the Minister whether the Labor Council is registered as a trade union or an industrial union under the Industrial Arbitration Act or the Trade Union Act. Unfortunately, I do not have that information at my fingertips. I do not have the report of the Industrial Registrar, which would contain this information. If the Labor Council is not so registered, will the Minister explain what judicial cognizance the commission could take of the existence of a non-legal body, not defined in the definition section of the principal Act?

Mr Hills: The Labor Council is registered under the Trade Union Act.

Mr MOORE: I thank the Minister for that information. How then can such a union intervene in proceedings under the Industrial Arbitration Act when it is not defined under that Act? More particularly, why is a general right to intervene not given to those associations of employers that are regarded as federations of smaller organizations of employers? For example, the Chamber of Manufactures, the Metal Trades Industry Association and the Employers Federation of New South Wales have within their structures a series of smaller employer organizations, many of which are registered under the relevant industrial Act. Why should such organizations not have a general right to intervene in matters affecting them or their affiliated associations? One of the advantages of the New South Wales Act is that it purports to treat industrial organizations in an even-handed manner without any consideration as to whether they are industrial unions of employers or employees.

Apart from the Minister, wishing to pay off his mates, there is no reason why there should be any general power given to the Labor Council of New South Wales to intervene with virtually the same rights as the Crown now enjoys under section 78 of the Industrial Arbitration Act. The same right is not to be granted to genuine umbrella employer organizations. In the Minister's ecumenical spirit and in the interests of parallelism, if he is willing to admit that a mistake has been made, the Opposition would be satisfied if the amendment proposed by schedule 4 were withdrawn or if an even-handed approach were adopted towards the right to intervene. If the Minister agreed to that suggestion, it would stop bodgie deals being made against the interests of major umbrella employer organizations. Suspicion that some employers, either voluntarily or under coercion, have made such deals has a detrimental effect on other employers.

It is somewhat sinister that the Minister is introducing this apparently innocuous amendment at the same time as he seeks to amend section 63. The Minister is making it easier for unions to put the screws on employers to gain a shorter working week. The Minister's attitude is that if difficulty is encountered before the Industrial Commission, the heavies of the Labor Council can be brought in. No clamour—not even from the unions—has been made for the proposed changes. My union—the well-known and responsible Federated Clerks Union—is not pressing for these amendments. Newspapers published by unions have not carried editorials claiming that the Labor Council should have the blanket right to intervene before the Industrial Commission. The Minister might be making a retirement gift to the Labor Council. There is no requirement in the bill that the Labor Council needs the consent of a union to intervene in proceedings to which it is a party. The Labor Council can intervene without the union requesting it to do so.

I should be interested to know the views of Mr Black of the Builders Labourers Federation on this provision. Doubtless, he finds it as repugnant as the Opposition finds it. He would not support a special provision being inserted in the Act to place the Labor Council of New South Wales in a privileged position. The Labor Council will have the right to intervene if it can establish a sufficient interest in the proceedings.

Mr Kills: It must establish a substantial interest in the proceedings.

Mr MOORE: Some lawyers use that type of semantic engineering to assist them to make fortunes. They make a great deal out of the difference between substantial and sufficient. I am willing to concede that there will be cases where it is legitimate for the Labor Council to intervene. However, I do not understand why the Labor Council should have a different right from that of major employer organizations in New South Wales.

[Mr Speaker left the chair at 12.45 *p.m. The House resumed at* 2.30 *p.m.*]

Mr MOORE: Before the House adjourned for lunch I warned the Minister that I would pay him a complimentary remark concerning the amendment in schedule 4 of the Industrial Arbitration (Amendment) Bill. That provision deals with the power to regulate the conduct of babysitting or similar services. Babysitting is a matter in which I have an interest. The Bradley Worland case, which gave rise to initial problems, occurred in my electorate. A problem arose because of difficulties experienced by an employment agency that provides babysitting services in my electorate. The Minister and I have exchanged correspondence on that subject, and one of my constituents visited the Minister for Youth and Community Services about that matter some years ago. I am delighted that babysitting is now to be dealt with by regulation. Perhaps it is the only matter in the bill with which the Opposition finds itself in complete agreement.

The provisions of schedule 1 relate to the appointment of a new class of persons to be presidential members of the New South Wales Industrial Commission. The amendments are a reflection of the Minister's self-vaunting attempts at parallelism between State and federal jurisdictions. However, there is a major difference between the creation of judicially-ranking but non-legally qualified members of the New South Wales Industrial Commission and the appointment of such people as deputy presidents of the Commonwealth Conciliation and Arbitration Commission. That difference is to be found in the delineation of functions of tribunals at the federal level, which is inherent in a matter often referred to as the boilermakers' case, which was decided in 1956. In that case the High Court said that the judicial and administrative powers of the then Commonwealth Court of Concilation and Arbitration had to be discrete and given to two separate bodies. The body that now has judicially-ranking but non-legally qualified members, namely the Commonwealth Conciliation and Arbitration Commission, exercises administrative functions within the terms of the 1956 decision of the High Court. That is the present situation, notwithstanding statements by that court in recent years that members of the commission might be willing to again look at the question of having a single tribunal.

The Opposition supports the concept of persons with the qualifications set out in schedule I being appointed to the New South Wales Industrial Commission. I realize that the wording of that provision is somewhat different from that of the Commonwealth Act, which applies to the same classes of people. One specific matter to which I draw the Minister's attention relates to the limitations of the jurisdiction of non-judicial members of the commission, which are set out in proposed new section 14 (8A). I draw the Minister's attention to this aspect although I do not do so in a combative sense. A number of areas of jurisdiction that may be exercised by a non-judicial member pursuant to proposed new section 14 (8A) are judicial in their nature. I draw

attention to the provisions of part X of the principal Act. I do that without expressing an opinion on how unlikely it is that those powers, which would enable the imposition of fines for illegal strikes, will ever be used. Both the Minister and I recognize the industrial reality of the situation.

It is undesirable, in my view, that a non-judicial member should be technically capable of exercising jurisdiction under sections 98 or 100 of the Act. I foreshadow that at the Committee stage the Opposition will propose an amendment to exclude a non-judicial member from having the right to exercise jurisdiction in three specific areas: first, in respect of part X of the Act; second, as to any other area of the Act where a penalty might be imposed—and I confess that those words are used because of the lack of time the Opposition has had to examine the measures before the House—and, third, so as to exclude the right of a non-judicial presidential member of the commission to commit or otherwise punish a person for contempt. That will be included as part of the proposed amendment, no matter how unlikely it is that such jurisdiction will ever be exercised. Clearly, those matters are proper to be exercised only by someone who is judicially qualified in the legal sense.

I ask the Minister to examine those matters. If he finds any sympathy for the proposition I advanced, he might consider having the Government move an appropriate amendment in the other place to deal with the situation. The Act contains powers that are legitirnatcly dealt with by a non-judicial presidential member. They are, within the parameters of the boilermakers' case, legitimate administrative functions. However, it is improper for a non-judicial presidential member to deal with matters that are properly regarded, in the light of the decision in the boilermakers' case, as judicial functions under the Act.

The next matter to which I wish to turn my attention concerns the proposed amendment to section 63. That provision has reference to guidelines set by the Commonwealth Conciliation and Arbitration Commission. They relate to the public interest and the making of productivity awards. I digress for a moment to point out that, for the first time in my experience in this Parliament, I have been presented with a proof copy of a bill containing line numbers without the usual wording being opposite them. Normally the spaces between the paragraphs of a bill are not counted as lines for drafting purposes. Item (1) (e) (7) indicates that some words were inserted and removed at the last minute.

The proposed new section deals with the responsibility of the commission in court session when making an award or registering an industrial agreement on a reduction in working hour.;. There is no mention of the responsibilities of the commission under section 57 of the Act, particularly with respect to general guidelines and wage fixation standards relating to State counterparting, or, to use the Minister's word, parallelism. Section 63 does not require the New South Wales Industrial Commission to be bound by federal wage indexation or wage fixing guidelines, particularly the new guidelines set at the beginning of this year. Those guidelines outlaw productivity bargaining as the basis of an application for a shorter working week for individual employees or classes of employees.

The Opposition is of the opinion that those matters should be caught up in the proposed amendment to section 63. There is a legitimate role for the paralleling of Commonwealth wage determination principles in the proposed amendments to that section. Subsection (7) of section 63 would be improved if it contained a reference to the statutory responsibilities of the commission under section 57. When the Minister is dealing with productivity bargaining he might care to tell the House what has happened

to the Macken report on industrial relations in the Public Transport Commission and upon productivity in the railway workshops. I have a circular issued by the Labor Council, dated 18th November, 1980, in which the council lauds the Macken report.

Mr Mochalski: Did the honourable member say 1880?

Mr MOORE: Perhaps the honourable member for Bankstown is living one hundred years ago. In fact this year is the centenary of the Trade Unions Act; it has been in operation for one hundred years. The thinking of the honourable member for Bankstown is probably back in the era of the troglodytes. I am referring to a Labor Council circular that is dated 18th November, 1980, and I commend the honourable member for Bankstown to read it—that is, if he is capable of understanding it. The circular deals with the report of Mr Justice Macken of the New South Wales Industrial Commission on industrial relations in the Public Transport Commission, as it was then called.

The Macken report dealt with the abysmal failure of the New South Wales Government to address itself to productivity questions. If the Government is genuine when it talks about productivity, which is what the proposed amendments to section 63 deal with—even though the Commonwealth commission has said that productivity is not to be used as a basis for granting shorter working hours—the Opposition would like to know what the Minister for Transport has done about implementing the findings of the Macken report on industrial relations in the Public Transport Commission.

In a number of significant respects the bill does not provide for the paralleling of State and federal industrial law, to which the Minister has referred. The jurisdiction of the proposed new presidential members and trade union amalgamations are different matters, just as the provisions relating to the right to intervene are different. The provisions for dealing with shonkey deals and irresponsible acts by union officials also are different matters; and in substance, the onus of proof relating to shorter working hours is different.

Notwithstanding those matters, the Minister might like to consider the desirability of inserting a requirement with respect to wage fixing principles. The position should be exactly the same. There should be an onus with respect to section 57 of the Act. The New South Wales Industrial Commission should be required to have regard to Commonwealth wage fixing decisions when dealing with applications for new awards or the ratification of agreements on shorter working hours. The other matters that concern the Opposition relate to the general economic effects of the Government's proposal to amend section 63.

If one accepts the proposition in which the Minister is involved, it is a simple paralleling and tidying-up of the State's position with the Commonwealth and that is demonstrably wrong in a number of significant respects. There is no doubt that this change to the New South Wales Act will be a psychological encouragement to members of the trade union movement, particularly the Amalgamated Metal Workers and Shipwrights Union, to get on with the job of pressuring employers until they achieve a 35-hour week regardless of the direct or indirect economic consequences of such action. In his telex to the chairman of the Chamber of Manufactures in April 1981 the Premier and Treasurer was not stating the truth when he said the New South Wales Government had no intention of encouraging a shorter working week. The Government's actions in respect of employees within its own authorities prove that is not the case. No need has been demonstrated for an amendment to section 63. Given the attitude of the Commonwealth Conciliation and Arbitration Commission to productivity bargaining, the public interest tests set out in section 63 may fall short of the threshold standards required. Having done its deal with the Australian Council of Trade Unions in the middle of 1980 for the union movement to go quietly, leading up to the

Hayden debacle at the end of last year, there is no doubt that the New South Wales Government is saying, "Not only are we going to make it easier for you, but we are going to make your members think it is easier. We are going to sap the strength of the employees so they will think it is easier for you. They will have to stand up and say, 'If you want to go for a shorter working week, we encourage you to do so'. We will change the laws of this State to make it easier for you to do that".

Mr Caterson: That is putting a sledge hammer into the hands of the unions.

Mr MOORE: That is right. It is a secret pay-off to the Minister's mates. A deal was done—and denied for six months—leading up to the second 1980 national wage case and the federal election at the end of that year. Suddenly at the beginning of this year there is the terrifying revelation by the Minister that section 63 should be changed. No admission was made that seven or eight months previously a deal had been done. That deal was against the interests of those who are employed and those who are unemployed. It is designed to provide a shot in the arm of a flagging spirit in the rank and file of the union movement who have had a gutfull of this type of campaign imposed on them. If one needs the slightest proof that was the case, one has to look only at the election results of the Amalgamated Metal Workers and Shipwrights Union in Victoria last year. It will be seen that that ratbag Halfpenny, who has just decided the Communist Party has been over-endowed by having his services for all these years——

Mr Ryan: If the honourable member for Gordon is not careful the Minister for Youth and Community Services will deal with him again.

Mr MOORE: Some unionists have joined the mob of the honourable member for Hurstville, and gone back into the Labor Party where they belong—the spiritual home of the mad left, associated with the honourable member for Hurstville. There is no doubt about the results of that ballot, in which Jim Roulston and John Halfpenny went within 400 votes of being knocked off, using a trade union term. It was an extraordinary high ballot turn-out. No fewer than 8 000 rank and file members showed that they had had a gutfull of the union's campaign. Unfortunately they were 400 votes short of getting rid of the so-and-so's. Nevertheless, they demonstrated by their turn-out in a democratic union ballot that they had had enough. The union leaders' campaign was failing. They were not obtaining any significant industrial breakthroughs. Unions were forced to impose fines upon members for not taking directions, and intimidating people who would not take part in strikes. What should one do? Recently we witnessed the Minister for Industrial Relations and Minister for Energy and the Premier and Treasurer, supported by the honourable member for Hurstville and his other mates on the extreme left coming into the Chamber and singing the "Red Flag", the "Marseillaise", the "Internationale", or whatever they were capable of getting their mouths round when intoxicated. They are the people who have said to the unions, "We are going to give you a sudden injection of spirit for your industrial campaign on a 35-hour week. You were not getting ahead fast enough for our case. We are going to change the law to make it easier, and change the law so you will have a selling point when you go out to your members who have had enough of what you are trying to force them to do". There is no doubt that the provisions of these bills are not in the interests of the people of New South Wales. The Opposition opposes the bills.

Mr KEANE (Woronora) [2.37]: I am pleased to have the opportunity to speak to these important bills that will restore the right of employers and employees through the process of negotiation and conciliation to reach agreement on hours of work. This is to be achieved by amending section 63 of the Industrial Arbitration Act. That is the main thrust of my support for the proposals that the Minister has put before the House. Unlike the honourable member for Gordon, whose experience

of trade unions is confined to what he has read, and who has had no practical experience, for many years I was secretary of the salaried division of the water board trade union.

I was interested to hear the honourable member for Gordon indulge in his favourite tactic of union bashing. Though the honourable member for Gordon may be rather impressive so far as his physical appearance is concerned, he is a lightweight so far as debate in this House is concerned. It was obvious that he had not given any study to the legislation and that he was unprepared. He tried to cover up his lack of knowledge by his usual tactics of union bashing. Government supporters are used to those tactics from the honourable member for Gordon. Government supporters are used also to the union bashing tactics indulged in by the Opposition. If the honourable member for Gordon had been a member of the House when the amendments to the principal Act were made by the Askin Government, he would not have been so keen to put forward his conspiracy theory. The Government is doing what it said it would do when the Labor Party was in opposition and the Askin Government brought forward amendments to the principal Act that took away from employers and employees the right to negotiate and conciliate in relation to decreased working hours.

When Sir Eric Willis as Minister for Education introduced the amendments, we opposed them. The trade union movement also opposed the proposed amendments at that time. When in Opposition we said that when the Labor Party was elected to office it would restore the original thrust of the legislation. So much for the alleged conspiracy theory of the honourable member for Gordon, who suggested that the Minister for Industrial Relations and Minister for Energy is in cahoots with the Australian Council of Trade Unions. That is a ridiculous assertion. The honourable member for Gordon was really treading on thin ice when he talked about the federal Leader of the Opposition in most disparaging terms. He should look at the situation in federal Parliament, with the Rt Hon. J. M. Fraser as the leader of the Government. If ever a government was in disarray, it is the Fraser administration. The back-bencher~,led by the honourable member for Kooyong, the Hon. A. S. Peacock, are waiting to move in for the kill. The honourable member for Gordon was treading on dangerous ground when he took up that issue.

Even the Liberal Party leaders in other States, Mr Bjelke-Petersen and Sir Charles Court, do not have a good word to say about their so-called great national leader, the Rt Hon. J. M. Fraser. The sooner they get rid of him, the better it will be for Australia. The federal Government is a divided force. That is the tack that the honourable member for Gordon followed. He is concerned with confrontation. That is the attitude that his national leader has taken. Government supporters in New South Wales are interested in conciliation and negotiation. That is the intention of the proposed amendments. The Government is restoring the Act to its original form so that if employers and employees want to negotiate for reduced working hours, they will be able to do so.

It is interesting to note that the Opposition opposes the well established industrial negotiation process. The Opposition is intent on confrontation. It has been proved that the New South Wales Industrial Arbitration Act works more successfully by allowing negotiations between employers and employees. While I was secretary of the salaried division of the Water and Sewerage Employees Union on many occasions I negotiated with the management of the board and was able successfully to improve the salaries and working conditions of the Water Board's employees through the process of conciliation and negotiation. That was an industry union which was

quite unique, for it represented all workers employed in the service of the Board, irrespective of their calling. Through conciliation and arbitration it was possible to negotiate real gains for the workers. That is proposed in the provisions of the bills before the House.

The Government wants to bring the legislation into line with the provisions of the Commonwealth Conciliation and Arbitration Act. The Labor Party made no secret of the fact that it opposed the Askin amendments when they were introduced. It was deplorable for the former premier Sir Robert Askin to propose that the negotiating and conciliatory processes contained in the Act should be deleted and thrown out. Now that the Labor Party is in office it has an opportunity to restore the original provisions of the Act and is seizing that opportunity with both hands. I am sure the public and the trade union movement will welcome the Government's proposals.

It is interesting to recall that when the original amendments were introduced by the Askin Government the honourable member for Blue Mountains at that time, Mr H. G. Coates, could not stomach the proposals put forward by Sir Eric Willis. Mr Coates spoke against the legislation and voted against it also. That shows that the proposals were completely out of step. Today honourable members have an opportunity to put the record straight. The Government is pleased to have this opportunity. I recall that the Leader of the Opposition at the time when the Askin Government introduced its amendments — now the Premier and Treasurer — spoke against the measure. The honourable member for Wentworthville, the honourable member for Campbelltown and the honourable member for Cessnock also spoke against it in their contributions. Once and for all let us get rid of the suggestion of a so-called conspiracy that has been alleged by the Opposition. No conspiracy is involved. The Labor Party made it plain that when it was elected to office it would restore the original provisions of the Industrial Arbitration Act. That has been done.

By this measure the Government will ensure that once again workers and employees will have the opportunity to negotiate and conciliate on reduced working hours. It is incredible to think that the former coalition Government, which held itself out as the bastion of freedom and the protector of employers, in the legislation that it pushed through the House increased from $100 to $1,000 the penalties that could be imposed on employers. The former government did that to its mates. It brought in legislation that would impose stringent fines on employers. What was the attitude of the employers? They were willing to negotiate on the basis that if it suited their business, they would reduce working hours. Employers are renowned for the fact that if they make moves to reduce working hours they do so on the basis that it will be of some benefit to them. That has proved to be the case.

Invariably when the hours of employment are reduced productivity increases. That is why the employers were willing to negotiate on decreased working hours for increased productivity. The Opposition does not want to accept that. It is against any increase in productivity that might pass on some benefits to the workers. The attitude of the Opposition is to grab all and give nothing. I am sure employers will welcome the proposals also. Employers want to have freedom again to be able to negotiate with their employees on such an important matter. As the Minister said, the Government's proposed legislation will bring it into line with the Commonwealth Act. When he was Leader of the Opposition, the Premier and Treasurer said that the proposal put forward by the Askin Government was obstructive, divisive, and worst of all, it was vague. Certainly it was vague. The Government will put the record straight and restore the original provisions of that legislation.

Over the years there have been many instances of employees and employers being willing to negotiate a decrease in working hours. That has been done successfully where the proposals suit both parties. That is what the Government seeks to do by this legislation; it is restoring to employers the opportunity to negotiate and broadens their horizons of freedom. Do members of the Opposition suggest that that freedom should be taken away from employers? I should like to know the real reason the Opposition is opposing these measures. Of course, it will oppose any measure, irrespective of merit.

The Government is quite sure that the proposals will have the support of employers and employees. The trade union movement will support the proposals, which will be of benefit to New South Wales. In a number of instances reduced working hours benefit society and industries. Increased productivity has been one result. As far as the Opposition is concerned, it is never the right time for workers to have more leisure time, even though a reduction in working hours would mean increased productivity, a widening of the range of leisure activities of workers, the well-being of the service industries, and more employment. As far as the Opposition is concerned, now is never the time; always it wishes to put the clock back, not to progress. It is always the wrong time to improve the conditions of workers. Of course, no one really takes the Opposition seriously any more. The coalition parties are in disarray both in the federal Parliament and this State Parliament. It ill-behoves the honourable member for Gordon to make remarks derogatory of the Leader of the Opposition in the federal Parliament. The honourable member should be more careful than to bring federal politics into this debate. He should bear in mind the position in which his mentor and leader, the Rt Hon. J. M. Fraser, finds himself. I am certain the public and the trade union movement will get from the provisions of this legislation what they deserve.

Mr HATTON (South Coast) [2.53]: At the outset I should say that I support many of the provisions of this bill. In speaking to it, I shall be reflecting the views of a wide cross-section of New South Wales in strongly condemning the Government's bringing this bill in as an urgent bill. As it will have far-reaching effects, it should have been made available to members for some considerable time to allow them to study it, consult with people outside the House who are involved in the complex minefield of industrial negotiation, consult people in business and look at the possible effects of and amendments to the legislation. It is appalling that at the end of the session the House should be required to consider legislation of this importance, introduced hurriedly into the House and declared to he urgent. That is quite disgusting.

Those who have spoken in the debate so far have felt obliged, because of their political leanings, to take an ideological stand. I prefer to look at the realities as a concerned member of the public, with no qualifications in the industrial negotiating field. We could go right back to the days of Locke who equated the value of labour with its contribution to capital. Of course, he provided in his theory a moral justification for people to accumulate capital and at the same time witness in the community those who did not have the means to accumulate capital and in fact suffered considerable hardships under the system. But even with his views, which are now considered extreme right wing, he did consider that as labour is a part of capital, the accumulation of capital must carry with it an obligation to share with the workers that capital gain or the fruits of that capital gain. That is the essence of this debate.

A number of people have followed the line of Professor Milton Friedman. He strongly disagrees with the obligation to share. Of course, he uses Locke's philosophy to support what he puts forward—moral justification for accumulation of capital, and the power that goes with it, at the expense of others in the community and without recognition of enormous inequalities. His type of economic morality says we all have

equal opportunity when in fact some persons have a great deal more opportunity than others. He would not recognize the fact that labour is an intrinsic part of the accumulation of capital and power and therefore should be paid accordingly. The Australian Prime Minister, the President of the United States of America and the Prime Minister of England follow that same line.

If one accepts, as I do, that those who contribute their labour should share the product of that labour, one has a number of alternatives. The first, which I think most honourable members would totally reject, is totalitarian socialism. Under that system a State is set up in which large private enterprise is not tolerated; the State ensures the proper distribution of the fruits of peoples' labour in all sorts of ways. Another alternative is to have a form of worker participation. Here, workers take their place on company boards, assist in the decision-making processes and, in some instances, become shareholders. That capital is fractionalized among workers. That gives them an incentive, an administrative part in their work as well as special incentive payments, and so on.

The point I make about capital and labour's contribution to capital is particularly relevant in the modern day when we look at the accumulation of capital used to improve output through technological expertise. Therefore we have a situation where there is more productivity per person and, in my view, a reduction of hours is not only a reasonable but inevitable solution to that question. How else are we to keep people employed? If, on the one hand, there is a rapid diminution of jobs and on the other hand an increase in quality and production, obviously there must be a sharing.

A number of forces are evident. One is unemployment. I do not accept the view, which some people try to peddle, that automation creates unemployment. I believe that increased automation and technological advances bring about more and more unemployment and in turn unemployment affects those less able to look after themselves. Therefore governments have a definite social responsibility to effect a fair re-distribution of the fruits of increased productivity. As far as the worker is concerned, that social responsibility should be reflected in the granting of shorter working hours and better input. The worker should not consider that he can bludge on his mates. When I say his mates, I speak of his fellow countrymen. But for a worker to say, "The fewer the hours I work, the less work I do", is totally unacceptable. There is a responsibility on the worker to maintain output. There is a responsibility on the employer to reduce working hours, to increase worker participation, and there is a responsibility on government—it is the only organization that can do it—to re-channel that additional largesse.

Government has a responsibility to improve the basic fabric of society. It is hoped that automation will improve the nature of work for the individual and get rid of many repetitive, soul-destroying tasks. That is one set of forces. Another set of forces will be much more difficult to handle. No matter what we do in this State, we shall have to bear the consequences of maintaining our competitiveness against other States and oversea countries. That is where the big problem lies in shorter working hours. If shorter working hours do not enable the unit cost of production to be maintained, we shall lose our competitiveness on oversea markets and we shall thus be exporting jobs.

Another set of forces is quite different; it concerns the maintenance of spending power. If the Government and employers do not ensure redistribution of labour and the fruits of labour and capital, we shall not maintain our spending power. Even in the days of Barry Goldwater there was talk about maintaining a minimum income for the average United States worker so that his spending power might be protected and thus enable him to buy the fruits of automation. One matter that worries the Opposition, particularly members of the Country Party, is the ability of industries that are less able to automate to survive the industrial pressure. How will those industries do that?

Mr Hatton]

How will the small businessman survive? The majority of Australians are employed by small businessmen. How will small businessmen survive increasing pressure and be able to pay an employee more money for a shorter working week? It will be impossible for small businessmen to compete, and unemployment and misery will be the result.

Farmers cannot possibly survive in a situation of increasing trends towards a shorter working week. Although farming is now highly mechanized and it may continue to increase its level of productivity, many farmers will not be able to cope in some labour intensive rural areas. For the majority, the concept of shorter working hours for the same or more money must result in a cost-push situation. Inflation affects the aged, the retired, the infirm and persons on fixed or low incomes. That is another terrible spin-off of shorter working hours. Problems will be created for corporate and economic planners who try to deal with increasing inflation. We shall not be able to maintain our competitiveness, for we are acting in isolation as between State and State and between Australia and oversea competitors. We cannot regard ourselves in isolation. Competitiveness will bring back jobs and assist industry.

Obviously, there will be some real benefits from shorter working hours—for instance, people will have increased leisure time. That will be reflected in the electorate of South Coast by increased tourist spending. A rapid growth in the tourist industry will take up some of the slack in unemployment. The productivity bargaining provided for in this bill will defuse to a large extent pressure and confrontation. It is much better to allow for collective bargaining and agreement rather than causing misery by direct action. I cannot see any sense in the Prime Minister standing like King Canute, as though he was trying to hold back the sea. Negotiations will take place for shorter working hours and changes in conditions. Neither the Prime Minister nor any other person will be able to stop those negotiations despite the fact that, from the view of competition and inflation, there are sensible reasons for trying to do so.

I am concerned about the right of the Labor Council of New South Wales to intervene at the conciliation level. If that right is used to back up unions that have less bargaining power, it may only add to our problems. However, so far I have not had time to think about that matter fully. This bill recognizes the existing situation. The problem is that no one of any political influence in this nation has addressed himself to the real problem of how we shall redistribute the wealth. No one has asked how we can create employment or how we can protect and keep viable the farmer and the small businessman. Any distribution of wealth at the national level must obviously involve a consideration of taking from the industries best able to automate and giving to those less able to automate, and doing this through some governmental structure. There must be a flow of wealth to maintain jobs in the sectors that continue to be labour intensive.

My approach is exactly opposite to that of the Prime Minister, but perhaps that does not surprise anyone. The Prime Minister's view is that we should have less and less government. On a population basis, Australia has less government than the United States of America and Great Britain. Less government brings about a reduction of service areas that can generate jobs, and that aspect should be examined. We need an innovative programme designed to do two things: first, to reduce unemployment; and second, to give the people more meaningful direction in community life. I see such things as vandalism, marriage break-ups caused by economic pressure and problems in the area of housing as a spin off of less government. Other factors are youth unemployment, lack of direction for youth, crime and drugs. All of those things are part of the cost of the policies of Milton Friedman, Malcolm Fraser and Ronald Reagan, whereas they could be the basis for the development of job opportunities.

I see nothing distasteful about the Government's involving itself in a community programme and creating jobs at the same time. The community health programme is a classic example of how people can involve themselves in helping others. It is used also to help keep people out of hospital and to assist youth to become involved in positive recreation, sport and physical fitness programmes. The Government must become more involved in assisting the mentally and physically disabled, in the rehabilitation of drug addicts and the care of the aged and the prevention of vandalism. In all those areas I see our society taking a positive change in direction. However, that change has been set back considerably by the attitude of the federal Government. By having more rather than less government, more positive employment opportunities are created. Let us get away from the idea that, in this automating society, if one does not create something physical that can be seen and felt, one is not creating something positive through one's labours.

There is a need for community activities. The people must become involved. If they do not face up to the challenges of the social effects that unemployment and automation are having, the result will be an increase in the already staggering national health bill. There will be idleness, lack of purpose and direction; the beer, cigarettes and mindless obesity syndrome will take over. Doubtless there will be an improvement in the tourist industry. Legislation such as this must be accompanied by national vision to ensure that leisure time is put to good use. If the people of Australia take this measure in isolation and fail to adopt a national approach, the results will be disastrous.

Debate adjourned to a later hour on motion by Mr Ryan.

COLLEGES OF ADVANCED EDUCATION (AMENDMENT) BILL

Third Reading

Bill read a third time, on motion by Mr Mulock on behalf of Mr Bedford.

CLEAN AIR (AMENDMENT) BILL

MOTOR TRAFFIC (CLEAN AIR) AMENDMENT BILL

CLEAN WATERS (AMENDMENT) BILL

Third Reading

Bills read a third time, on motion by Mr Mulock on behalf of Mr Bedford.

INDUSTRIAL ARBITRATION (AMENDMENT) BILL

TRADE UNION (AMALGAMATIONS) AMENDMENT BILL

Second Reading

Debate resumed from an earlier hour.

Mr RYAN (Hurstville) [3.12]: Evidently the honourable member for Gordon, who led for the Opposition in opposing the bills, has labyrinthine qualities of mind that are so devious and sinister that he can see no value in any legislation the Government introduces. He feels compelled to find a conspiracy. If he cannot point his finger at a conspiracy, he manufactures one and tries to drag out a few facts that may be of peripheral relevance to prop up his case. The honourable member for Gordon would have honourable members believe that the Government, the Labor Council, the unions

and even some recalcitrant employers are engaged in a giant conspiracy. As a reactionary conservative, he should welcome this type of measure, for the Government is turning back the clock. He and others of his ilk, such as the honourable member for Northcott, like the clock to be turned back. They are Luddites; they glory in smashing new ideas.

This legislation will turn back the clock to 1974, but with a difference. The Government is putting New South Wales back into line with the rest of Australia on industrial agreements, though certain safeguards will be provided. Instead of having the law of the jungle and collective bargaining, new awards will be subject to approval by the court. The Industrial Commission will have to examine and approve of any agreement reached on shorter working hours before it can become effective. That must be done by the commission in court session. There will be opportunity in the court, as there is now, for proper representation of interested parties, and the court will have to consider the effect of agreements in the public interest.

Guidelines are provided for the type of matter the court must take into account. That will be a tremendous safeguard. There can be no suggestion of confrontation. When the commission considers whether the public interest will be served, it must take into account the economic consequences of the agreement. It must then look further at the effect on inflation and on unemployment. The honourable member for Gordon has no faith in the Industrial Commission of New South Wales. He believes its members are not competent to consider the effect that these agreements will have on inflation, unemployment and the economy, and whether they are in the public interest generally. The measure will restore the position that existed in this State before 1974 when the Askin Government introduced some rude changes. However, the Government is introducing a safeguard—that is, that agreements must be submitted to the Industrial Commission for approval.

The next point the honourable member for Gordon made was that, in respect of negotiating agreements, productivity should be thrown out the window. He contends that productivity is of no relevance. Over the past couple of years the federal Government has spent millions of dollars of taxpayers' money on a propaganda campaign. Every day citizens are assailed with phrases such as: "Come on Aussie, come on. Show your initiative and your enthusiasm. Show us your innovation. The Aussie diggers were good at it. Boost production; improve quality; get Australia on its feet". Yet the moment those aims are achieved, honourable members opposite say: "No. Although the workers have improved the quality of their work and have boosted production, those matters cannot be taken into consideration in their application for shorter working hours. You may work harder and with enthusiasm but, no, all of the benefit must go to the employer". The worker is to get no advantage from working harder and improving productivity. The court should not be allowed to take those matters into consideration when deciding whether to approve an agreement.

The honourable member for Gordon advanced some general arguments on the 35-hour week. I shall follow a thread from the exceptionally good contribution to the debate by the honourable member for South Coast. He referred to the Prime Minister as a King Canute. One can imagine the mighty two—the Rt Hon. J. M. Fraser and the honourable member for Gordon—standing in front of the industrial waves saying "You cannot come on. Stay. You must not roll on". But the waves will roll on. I remember as a high school pupil—I was on the wrong side then for I was arguing for the retention of the 44-hour week—I used the same argument as the Prime Minister and his stooges, such as the honourable member for Gordon, use now. I mentioned the fall in productivity, the higher cost of production, higher prices, inflation and the ruination of the country. The arguments have not changed in

thirty years. The same arguments that were used against the introduction of the 44-hour week are being used today by the troglodyte member for Gordon to oppose shortening of working hours.

It must be remembered that section **63** was not introduced in this decade or in the past decade but in 1947. That section does not provide that forty hours should be the minimum working week. It provides that forty hours is the maximum. Twenty years later the Askin Government turned back the clock. This Government is taking New South Wales into line with the remainder of Australia, with the difference that the Industrial Commission must approve any agreements reached. The honourable member for Gordon spoke about secret ballots. I recall that at some time the honourable member for Gordon, or it may have been one of his colleagues, moved **a** motion calling for secret ballots.

Mr Moore: I was talking about ACTU policy.

Mr RYAN: The Government is giving members of affected unions the opportunity to have secret ballots, which is what the Opposition has called for. The honourable member for Gordon now says that the unions should not have secret ballots; the unions are too big and too much taxpayers' money will be spent. The honourable member for Gordon is difficult to please, even at the best of times. Though the Minister for Industrial Relations and Minister for Energy has given the unions secret ballots under official control so that everything will be done properly, the Opposition says that will be too costly. The honourable member for Gordon said that the Labor Council, which represents the majority of industrial unions in New South Wales, should not have a right to appear before the Industrial Commission on these matters. It was not realized by the honourable member for Gordon until the Minister drew it to his attention, that the Labor Council must first prove its *locus standi.* The council must prove that it has an interest; it must prove its ***locus standi*** to be able to appear before the commission. Having done that, is not it right that the Labor Council should appear to safeguard the interests of its member trade unions?

Mr Moore: Employer organizations should have the same right.

Mr Schipp: The honourable member for Hurstville is sparring with shadows.

Mr RYAN: The honourable member for Wagga Wagga would not know anything about it. The honourable member for Gordon would be aware, for he has read the Act, that section 78 has always provided that the Crown may appear before the commission. The principal bill spells out the right of the Labor Council of New South Wales to appear before the commission in support of its proper interests after it has established its *locus standi.* It is only reasonable that the New South Wales Labor Council should be able to appear before the commission to make submissions concerning agreements the subject of the legislation. One cannot assume that every time the Labor Council appears before the commission it will support a shorter working week. The honourable member for Gordon has argued that the Industrial Commission of New South Wales should not have the advantage contemplated by the legislation of being provided with proper submissions. How can the Industrial Commission make a proper decision if it does not have before it all the facts and circumstances and the representatives of all interested bodies?

Mr Moore: I do not object to that.

Mr RYAN: The honourable member for Gordon is objecting to the New South Wales Labor Council having *locus standi* before the commission.

Mr Moore: I did not say that.

Mr RYAN: The Industrial Commission will be in a better position to make these important decisions if it is provided with all the relevant facts as to whether it is in the public interest of New South Wales that a particular agreement should be approved. I am pleased to be able to support these important amendments to the Industrial Arbitration Act so that sanity can be restored to the New South Wales industrial situation. The Opposition has referred to sweetheart agreements and conspiracies. The Government is now providing the opportunity for these agreements to be put out in the open before the commission and to obtain its approval if they are in the public interest. There are more understanding and informed members of the Opposition than the honourable member for Gordon. However, the Opposition has given the brief to that honourable member. All he can do is equivocate, quibble and attempt to drag out some conspiracy theory to explain away what are justifiable and commendable legislative amendments. I commend the Minister for Industrial Relations and Minister for Energy on bringing these bills before the Parliament.

Mr MURRAY (Barwon), Deputy Leader of the Country Party [3.25]: At the start of his speech the honourable member for Hurstville referred to Luddites, when the fact is that he is the original Ned Ludd in this exercise. These bills, which have been rushed into this House, are vital measures that will affect the whole community. I am intrigued to know why the Minister for Industrial Relations and Minister for Energy is in such a hurry to introduce this legislation, especially as the only consultation about it has been with the union movement. No consultation took place with the Employers Federation of New South Wales or with the Livestock and Grain Producers Association, which is the main industrial organization representing primary producers in this State. Why has the Minister been so secretive? Why is this legislation so urgent? What is this Government hiding? Where is this great open government that we were promised?

These bills should lie on the table of the House to enable a full debate to take place upon them. On 9th December, 1977, legislation dealing with the Workers' Compensation Act was rushed into this Parliament in exactly the same way. Since that time three amendments have been made to the Workers' Compensation Act. Those amendments were necessary to enable the Act to operate effectively. When one sees that the principal bill has had some words obliterated one wonders how thoroughly this proposal has been put together. The Country Party is opposed to opening the floodgates on a 35-hour week, which is virtually what this Iegislation will do. The Premier and Treasurer is currying favour with the federal unions and the Labor Council, which has virtually forced him into agreeing to bring forward these proposals. The bills will strengthen the power of the Labor Council of New South Wales within the union movement—indeed within the community. This legislation embodies the productivity furphy. This legislation will create union disputation; it will take over from the old work value case and the situation will revert to where it was before.

Mr Schipp: The Government will never be satisfied.

Mr MURRAY: Many more applications will be made almost every day, as occurred at the time of the now worn-out work values cases. The legislation will indicate to the people of New South Wales and Australia just how much this Government is under the domination of the union movement. The legislation is another way for the Labor Party to secure by flagrant political favour the trade union vote in the forthcoming elections. It is a pay-off to the unions and it will legalize deals already made in the 35-hour week campaign, particularly within the electricity generating industry. The proposed legislation is insidious; it will allow organized labour to pick off employers one at a time as the scramble goes on for shorter working hours. The main victims—that is, those least able to bear increased costs—will be the small businessman and the farming community.

The most important single fact in the national economy is the relationship between management and labour. The Industrial. Commission of New South Wales has worked reasonably well. What is the desperate need to change the present situation? One need only note that the public opinion polls indicate that most people oppose the introduction of a 35-hour week. for they know the effect it will have upon them. The farming community will be particularly disadvantaged by this push tor shorter working hours. The rural industry, unlike manufacturing industries, is not able to pass on cost increases to consumers, For the majority of our primary produce is sold on the export market. Shorter working hours will jeopardize the Stale's ability to compete overseas and to earn export income Almost half of the State's export income still comes from the primary sector; in the long-term the State's balance of payments comes from the same source Many Government supporters have dopted the old adage that primary industry is already heavily subsidized. How wrong they are. Essentially, there is no difference between a worker on a farm, the person who owns the farm and a factory worker in Sydney — they are all workers.

Mr Ryan: This Government represents them all. The Country Party defected.

Mr MURRAY: They are heavily subsidized by tariffs. If the honourable member for Hurstville wants to put up his arm in a communist salute he should do it in his electorate so that the people there will know where he stands. Primary industry pays heavily to protect Australian workers.

[Interruption]

Mr DEPUTY-SPEAKER: There are far too many interjections If there are any more disturbances I shall have to take serious action.

Mr MURRAY: Australian farmers could not produce enough under the 35-hour week system to meet the demands that the nation makes upon them. That applies to all primary producers. Russia and China have a huge potential production capacity but cannot produce enough to feed the citizens of their nations. Surely Australia will not reach that situation. Productivity in Australia is high Grain producers, the wool industry, the meat industry and the dairy industry have high production rates All workers in primary industry are willing to and do work seven days a week How will this legislation compensate them so that the nation can be fed and at the same time be able to supply the types of jobs, need and incomes to which Australians have become accustomed?

The legislation will result in a flow-on to the manufacturing industries as well as primary industries There will be more need for higher tariffs to protect the workers who will receive the benefit of the reduction in working hours Australian manufactured products cannot compete on overseas markets. That is well known. One only has to examine the figures. For example, the textile industry tariff is 57 per cent; in the clothing and footwear industry there is a 149 per cent tariff. Every year $6,654 million is paid out to protect the whole manufacturing sector yet the House is now considering a further reduction in working hours That will undoubtedly result in increased costs. It is a difficult exercise to quantify the cost to farmers of tariffs to protect the manufacturing industry, and the results are unlikely to he precise. However, the cost will be massive. One exercise, based on 1975–76 data, showed that the cost of manufacturing industry tariff protection to each of the 100 000 sheep, cattle and grain producers in this country was more than $11 000 That is an indication of part of the contribution that primary industry makes toward supporting the so-called worker. Primary producers arc workers too. Nevertheless, they make that sort of contribution, which will be compounded by the granting of a 35-hour week.

Consider the case of a particular primary producer who might employ only one person; if the weekly hours of work were reduced so that the employee could never perform his duties in the specified time, the primary producer would have to put him off or buy more modern, tariff-laden machinery. The direct impost on farmers of the decrease in working hours will not stop at 12½ per cent increase in wage costs. The costs in the manufacturing and primary industries will increase also. Apart from the load of the shorter working week, this decade farmers have had to meet increased wages bills which have accelerated significantly faster than farm returns. Between **1972–73** and 1977–78 Australia's farm wages bill had increased by 68 per cent. In the same period farm turnover increased by only 26 per cent, or a little less than one-third of the wages increase. Primary industry could not continue on that basis. One of the matters raised in the debate has been productivity, which is an enormous problem for the Australian farming industry. In his second reading speech the Minister said:

> Last, it permits the reduction of working hours by the process of productivity bargaining and other means, which achieve conformity between the State and federal industrial systems.

That would be paralysing to primary industry when one recognizes that most of the rural workers in Australia operate under a federal award. Nevertheless, many still work under State awards. The proposed legislation will make it easier to obtain a 35-hour week State award. That will put additional pressures on employers and cause disruption that will flow through to the farming community. Again that will create more disputation in primary industry which, because of the present economic conditions, has not been under attack recently. The secretary of the State branch of the Australian Workers' Union made it clear that though he is not pressing at this stage, he proposes to take action soon that will put the industry under strong pressure. What is the l ist of produ tiv ty in primary industry? Basically it is rain, market prices and work done. It will be difficult to determine the basic productivity of primary industry, should such a case come before the courts.

My memory goes back to the prosperity loadings that were placed on primary industry during the wool boom. Those loadings were never removed. Are we to assume that a good season for wheat, dairy products, meat or wool will qualify as increased productivity? Australian Workers' Union members employed in the wheat industry obviously will be creating greater productivity by harvesting a 6 million tonne wheat crop than they would by taking off a 3 million tonne wheat crop. Will they be able to claim greater productivity? Perhaps they might. What will be the result in a year when no crop is harvested? Will there be a reduction in the wage structure as a result of the loss of productivity, as so easily can occur in primary industry? If an increase is granted, I am sure it will stay for many years. Primary industry should nod he included in the productive section. It is almost impossible to define productivity *in* primary industry, which should not be included in the provision.

With a 40-hour week fewer than 30 hours are worked. No international: comparison could justify a reduction of working hours in Australia. In Russia the standard statutory working week is 41 hours; in Singapore **42** hours; in Switzerland 45 hours and in Japan 48 hours. Those countries are producing and progressing In Australia the move is to produce less. In no way can the nation produce less and still advance. The measure will not help primary industry and should be completely rethought.

Mr CATERSON (The Hills) [3.42]: Mr Deputy-Speaker, I should like to——

Mr FLAHERTY (Granville), Government Whip [3.42]: I move:

> That the question be now put.

The House divided.

Ayes, 56

Mr Akister	Mr Gordon	Mr O'Neill
Mr Anderson	Mr Haigh	Mr Paciullo
Mr Bannon	Mr Hills	Mr Petersen
Mr Barnier	Mr Hunter	Mr Quinn
Mr Bedford	Mr Jackson	Mr Ramsay
Mr Brereton	Mr Jensen	Mr Robb
Mr Britt	Mr Johnson	Mr Rogan
Mr Cavalier	Mr Johnstone	Mr Ryan
Mr Cleary	Mr Keane	Mr Sheahan
Mr R. J. Clough	Mr Knott	Mr A. G. Stewart
Mr Cox	Mr McCarthy	Mr K. J. Stewart
Mr Curran	Mr McGowan	Mr Walker
Mr Degen	Mr McIlwaine	Mr Webster
Mr Durick	Mr Maher	Mr Whelan
Mr Egan	Mr Mallam	Mr Wilde
Mr Einfeld	Mr Mochalski	Mr Wran
Mr Face	Mr Mulock	*Tellers,*
Mr Ferguson	Mr Neilly	Mr Flaherty
Mr Gabb	Mr O'Connell	Mr Wade

Noes, 33

Mr Arblaster	Mr Freudenstein	Mr Schipp
Mr Barraclough	Mr Greiner	Mr Singleton
Mr Boyd	Mr Hatton	Mr Smith
Mr Brewer	Mr King	Mr Sullivan
Mr J. H. Brown	Mr McDonald	Mr Toms
Mr Bruxner	Mr Mason	Mr West
Mr Cameron	Mr Moore	Mr Wotton
Mr J. A. Clough	Mr Murray	
Mr Dowd	Mr Osborne	
Mr Duncan	Mr Park	*Tellers,*
Mr Fischer	Mr Punch	Mr Caterson
Mr Fisher	Mr Rozzoli	Mr Taylor

Resolved in the affirmative.

Question — That these bills be now read a second time — proposed.

Mr HILLS (Phillip), Minister lor Industrial Relations and Minister for Energy [3.46], in reply: The honourable member lor Gordon dealt first with the non-judicial members and the powers that they will exercise as members of the Industrial Commission. He cited sections 98, 99, 100 and other parts of the Industrial Arbitration Act. I gave the honourable member for Gordon a copy of the bills at about noon. It is now almost four o'clock. The honourable member quoted new section 14 (8A) of the Act and drew my attention to it. I shall read that provision for the benefit of honourable members. It states that a non-judicial member of the commission may exercise only the powers, jurisdiction and functions, other than the powers and jurisdiction of an industrial magistrate, conferred on the commission by section 30. In other words, a non-judicial member of the commission is excluded from dealing with section 30 of the Industrial Arbitration Act. Those matters will be dealt with under proposed section 10.

The honourable member for Gordon raised the question of the appearance of the Labor Council of New South Wales before the Industrial Commission. I understand he has an amendment to allow employer organizations to be represented. The Labor Council cannot get registration as an industrial union as it is not a bona fide trade union of employees. It is the only peak council representing employees in New South Wales. On the other hand, a number of peak councils are industrial unions of employers and registered under the Act. These include the Employers Federation of New South Wales, the Chamber of Manufactures, the Metal Trades Industry Association of Australia, the Retail Traders Association of New South Wales and the Master Builders' Association of New South Wales. All those bodies are registered industrial unions of employers. Each has the right to appear before the Industrial Commission of New South Wales. Any employer of a group of more than fifty employees can obtain registration as an industrial union of employers.

Mr Gordon: What about their rights to appear before the Industrial Commission?

Mr HILLS: All those bodies I have mentioned have the right to appear before the Industrial Commission because they are unions of employers. If an organization does not exist today but tomorrow does exist—any employer with more than fifty employees has a right to register as an industrial union of employers—that body has the right immediately to appear before the Industrial Commission. That is all that is being sought for the Labor Council of New South Wales, that it should have the right to appear before the Industrial Commission of this State. I have mentioned some unions of employers but I could have spoken of others. The matter in respect of which the honourable member for Gordon foreshadowed an amendment is already covered. The honourable member for Gordon raised also the question of the validating provisions. One would have imagined that this proposal simply gives a blanket, overall approval to organizations the subject of past invalidation caused by action taken more than four years ago by people who may not have realized what they were doing. Proposed section 117D (1) of the principal bill states:

> 117D. (1) A trade union, a member of a trade union or any person having a sufficient interest in respect of a trade union may apply to the commission for a determination of the question whether an invalidity has occurred in the management or administration of the trade union or in an election or appointment in, or the making, rescinding or altering of the rules of, the trade union and the commission has jurisdiction to hear and determine the application and to make such declaration as it thinks proper.

In other words, such a matter must be brought before the Industrial Commission. Honourable members opposite have seen fit to support that commission previously. The Industrial Commission of New South Wales will determine, on the evidence brought before it, whether an application should be approved: there will be an overriding of mistakes made legitimately in the past. The Industrial Commission, before making any order, must satisfy itself that the order would not do substantial injustice to a trade union. The honourable member for Gordon did not refer to this. Schedule 3 of the principal bill contains proposed section (2) (b) which reads:

> (2) Where, in proceedings under subsection (1), the commission finds that an invalidity of the kind referred to in that subsection has occurred, the commission—
>
> (b) shall, before making any such order, satisfy itself that such an order would not do substantial injustice to the trade union or to any

> member or creditor of the trade union or to any person having dealings with the trade union;

Before making an order the commission has to satisfy itself that the criteria spelled out in proposed section (2) (b) of schedule 3 of this legislation have been filled. The points raised by the honourable member for Gordon arc completely without credence. He also spoke of amalgamation. Members on this side of the House, particularly the honourable member for Hurstville who dealt with the question of the secret ballot, said that for a long time we have heard members of the Liberal Party and the Country Party say that unionists should have the opportunity to deal with certain matters in secret ballots.

The cognate bill concerns amalgamation of trade unions. Under the present law the executive or management committee of a union may. in secret, without the general membership being aware, make a decision about amalgamating with another union. This can be done despite the fact that it may be opposed by the majority of members of those organizations. This legislation provides the opportunity for such a matter to be submitted to members of the union concerned. The decision is taken out of the hands of union officers. The proposal must be submitted to the Electoral Commissioner of New South Wales who will hnve the responsibility of arranging for a ballot. The Electoral Commissioner and his officers, after examining lists of members submitted in order to be satisfied that thev are bona fide union members with a right to vote, will forward members a postal ballot. A majority of members may decide they want to exercise their vote. Some may not. At least they have the democratic right to decide whether they want to vote for or against any proposal. I cannot assume that members of the Opposition suggest there is anything wrong with that proposition.

The honourable member for Gordon spoke of amendments to section 63 of the Act. The honourable member for Woronora and the honourable member for Hurstville said that the principal Act was introduced into this Parliament in 1974 when the present Government was in Opposition. I was pleased to hear the honourable member for Woronora reiterate what was said on that occasion, that when Labor returned to government it would remove this iniquitous piece of legislation. It exists only in New South Wales. I wonder whether the Deputy Leader of the Country Party has ever been to Queensland to suggest to Premier Bjelke-Petersen that he should introduce the same sort of legislation that Premier Askin introduced into the Parliament of New South Wales, to bring the Queensland legislation into line with that of this State? I wonder why all the disaster that the honourable member for Barwon has suggested will occur here in New South Wales, when we amend this legislation, has not already happened in Queensland.

One wonders why that has not happened in Victoria, South Australia or Western Australia or in respect of those who work under federal awards, particularly in New South Wales. From the remarks of the Deputy Leader of the Country Party one would imagine that this legislation was designed to reduce working hours. That is not so. It merely gives to employers and employees the right to enter into negotiations on the reduction of horrrs. Even then, an alteration to a registered agreement under the Industrial Arbitration Act must be approved by the Industrial Commission. just as similar agreements must be approved by the Conciliation and Arbitration Commission in the Commonwealth sphere. The position that existed in 1974 will be restored, and New South Wales will be brought into line with every other State and the Commonwealth of Australia. It amazes me when I hear the lies peddled round the countryside with the intention of misleading the people. The honourable member for Barwon suggested that no conferences have been held with employer organizations. However, the honourable member for Gordon was able to read the contents of a telex message.

Mr Moore: That is not a conference.

Mr HILLS: I shall speak about the conference in a moment. The honourable member read a telex message from employers telling the Premier and Treasurer what they thought about the Government's proposal.

Mr Moore: The Minister is wrong again.

Mr HILLS The Premier and Treasurer discussed with employer organizations the amendments contained in proposed section 63 He discusses frequently such matter with employers. One would think that section 63 had never been heard of. It has been discussed at national and State level for almost two years. The Premier and Treasurer held discussions with employer organizations and told them that the Government proposed to introduce a measure that was in line with the Commonwealth legislation. The telex that the honourable member for Gordon quoted from states the employers' views on the change. It was predictable that the employers would not want the change. I understand their attitude. In 1974 they were able to twist Premier Askin's arm on the reduction of hours. Members of the Labor Party, who were in opposition at that time said that the provisions would be amended at the first opportunity. That day has arrived.

I deal now with the Electricity Commission, about which I know something. The Opposition knows nothing about that commission. The Hon. W. C. Fife made a mess of matters when he was responsible for power generation. Although I have great respect for him as an individual, he did not know how to handle the situation. When I became Minister for Energy and the administration of the Electricity Commission fell within my responsibilities, I was appalled at the state of industrial relations in power-houses. The honourable member for Young also knows something about the Electricity Commission. Industrial relations were so bad that, for example, at Liddell power-station the employees would not hold discussions with trade union officials or with management. The honourable member for Gordon, who claims to be an expert in industrial relations, should have tried to get into Liddell power-station. The situation there was the worst I have encountered in all the years I have been a member of Parliament and have been involved in electricity generation.

I was Minister for Local Government for six years and during that time the functioning of the Electricity commission came within my ministerial responsibility. I could not believe the position had deteriorated to the stage that it had reached. Plant and equipment were lying about all over the place because of the pitched battle that raged between the Government of the day and the employees of the Electricity Commission. The dispute concerned hours of work. It has taken five years to restore the situation in the various power-stations. The administration of the Liberal Party–Country Party Government was an industrial disaster. When I visited Liddell power-station for the first time I met members of the shop committee and, as Minister, said that I should like to have a yarn with the employees during the lunch break. I asked that a meeting be called. The position was so bad that it took a mass meeting of the men twenty-five minutes to decide whether they would hear me.

Mr Moore: They made the wrong decision about that.

Mr HILLS: At least they received the benefit of a reduction in hours. The honourable member for Gordon would not have been game to go there and tell them they were not to get a 35-hour week immediately. I told the men I expected an improvement in productivity and output. I doubt whether the honourable member for Gordon would have stood up to them as I did. The employees entered into an arrangement with the Government to increase productivity, and they did so.

Now the situation has changed completely, though sometimes problems arise. Those who are familiar with power-stations and their size realize that one 500 MW unit at Liddell power-station—and there are four of them—produces electricity equal to the total output of Bunnerong, Pynnont and White Bay. That gives honourable members an appreciation of the amount of energy produced by those turboalternators and boilers. Obviously, technical and mechanical problems arise from time to time but I am delighted to tell honourable members that if an appeal is made to the men of Liddell power-station or any other station in the system to do a bit more than is usually expected of them, they do it. The Government has been able to improve industrial relations in the power-stations to a degree far beyond what had existed when it came to office. I commend the bills to the House.

Question—That these bills be now read a second time—put.

The House divided.

Ayes, 57

Mr Akister	Mr Haigh	Mr Paciullo
Mr Anderson	Mr Hatton	Mr Petersen
Mr Bannon	Mr Hills	Mr Quinn
Mr Barnier	Mr Hunter	Mr Ramsay
Mr Bedford	Mr Jackson	Mr Robb
Mr Brereton	Mr Jensen	Mr Rogan
Mr Britt	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Johnstone	Mr Sheahan
Mr Cleary	Mr Keane	Mr A. G. Stewart
Mr R. J. Clough	Mr Knott	Mr K. J. Stewart
Mr Cox	Mr McCarthy	Mr Walker
Mr Curran	Mr McGowan	Mr Webster
Mr Degen	Mr McIlwaine	Mr Whelan
Mr Durick	Mr Maher	Mr Wilde
Mr Egan	Mr Mallam	Mr Wran
Mr Einfeld	Mr Mochalski	
Mr Face	Mr Mulock	
Mr Ferguson	Mr Neilly	*Tellers,*
Mr Gabb	Mr O'Connell	Mr Flaherty
Mr Gordon	Mr O'Neill	Mr Wade

Noes, 33

Mr Arblaster	Mrs Foot	Mr Schipp
Mr Barraclough	Mr Freudenstein	Mr Singleton
Mr Boyd	Mr Greiner	Mr Smith
Mr Brewer	Mr King	Mr Sullivan
Mr J. H. Brown	Mr McDonald	Mr Toms
Mr Bruxner	Mr Mason	Mr West
Mr Cameron	Mr Moore	Mr Wotton
Mr J. A. Clough	Mr Murray	
Mr Dowd	Mr Osborne	
Mr Duncan	Mr Park	*Tellers,*
Mr Fischer	Mr Punch	Mr Caterson
Mr Fisher	Mr Rozzoli	Mr Taylor

Question so resolved in the affirmative.

Motion agreed to.

Bills read a second time.

In Committee

The TEMPORARY CHAIRMAN (Mr O'Connell): The Committee will deal first with the Industrial Arbitration (Amendment) Bill.

Schedule 1

Mr MOORE: Mr Temporary Chairman ——

Mr FLAHERTY (Granville), Government Whip [4.16]: I move:

That the question be now put.

The Committee divided.

Ayes, 55

Mr Akister	Mr Gordon	Mr Paciullo
Mr Anderson	Mr Waigh	Mr Petersen
Mr Bannon	Mr Wills	Mr Quinn
Mr Barnier	Mr Hunter	Mr Ramsay
Mr Bedford	Mr Jackson	Mr Robb
Mr Brereton	Mr Jensen	Mr Rogan
Mr Britt	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Johnstone	Mr Sheahan
Mr Cleary	Mr Keane	Mr A. G. Stewart
Mr R. J. Clough	Mr Knott	Mr K. J. Stewart
Mr Cox	Mr McCarthy	Mr Walker
Mr Curran	Mr McGowan	Mr Webster
Mr Degen	Mr McIlwaine	Mr Whelan
Mr Durick	Mr Maher	Mr Wilde
Mr Egan	Mr Mallam	Mr Wran
Mr Einfeld	Mr Mochalski	
Mr Face	Mr Mulock	*Tellers,*
Mr Ferguson	Mr Neilly	Mr Flaherty
Mr Gabb	Mr O'Neill	Mr Wade

Noes, 34

Mr Arblaster	Mrs Foot	Mr Rozzoli
Mr Barraclough	Mr Freudenstein	Mr Schipp
Mr Boyd	Mr Greiner	Mr Singleton
Mr Brewer	Mr Hatton	Mr Smith
Mr J. H. Brown	Mr King	Mr Sullivan
Mr Bruxner	Mr McDonald	Mr Toms
Mr Cameron	Mr Mason	Mr West
Mr J. A. Clough	Mr Moore	Mr Wotton
Mr Dowd	Mr Murray	
Mr Duncan	Mr Osborne	*Tellers,*
Mr Fischer	Mr Park	Mr Caterson
Mr Fisher	Mr Punch	Mr Taylor

Resolved in the affirmative.

Question — That the schedule be agreed to---put.

Schedule agreed to.

Schedule 2

Mr MOORE: Mr Temporary Chairman——

Mr FLAHERTY (Granville), Government Whip [4.21]: I move:

That the question be now put.

The Committee divided.

Ayes, *55*

Mr Akister	Mr Gordon	Mr Paciullo
Mr Anderson	Mr Haigh	Mr Petersen
Mr Bannon	Mr Hills	Mr Quinn
Mr Barnier	Mr Hunter	Mr Ramsay
Mr Bedford	Mr Jackson	Mr Robb
Mr Brereton	Mr Jensen	Mr Rogan
Mr Britt	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Johnstone	Mr Sheahan
Mr Cleary	Mr Keane	Mr A. G. Stewart
Mr R. J. Clough	Mr Knott	Mr K. J. Stewart
Mr Cox	Mr McCarthy	Mr Walker
Mr Curran	Mr McGowan	Mr Webster
Mr Degen	Mr McIlwaine	Mr Whelan
Mr Durick	Mr Maher	Mr Wilde
Mr Egan	Mr Mallam	Mr Wran
Mr Einfeld	Mr Mochalski	
Mr Face	Mr Mulock	*Tellers,*
Mr Ferguson	Mr Neilly	Mr Flaherty
Mr Gabb	Mr O'Neill	Mr Wade

Noes, 34

Mr Arblaster	Mrs Foot	Mr Rozzoli
Mr Barraclough	Mr Freudenstein	Mr Schipp
Mr Boyd	Mr Greiner	Mr Singleton
Mr Brewer	Mr Hatton	Mr Smith
Mr J. H. Brown	Mr King	Mr Sullivan
Mr Bruxner	Mr McDonald	Mr Toms
Mr Cameron	Mr Mason	Mr West
Mr J. A. Clough	Mr Moore	Mr Wotton
Mr Dowd	Mr Murray	
Mr Duncan	Mr Osborne	*Tellers,*
Mr Fischer	Mr Park	Mr Caterson
Mr Fisher	Mr Punch	Mr Taylor

Resolved in the affirmative.

Question — That the schedule be agreed to — put.

The Committee divided.

Ayes, 55

Mr Akister	Mr Haigh	Mr Paciullo
Mr Anderson	Mr Hatton	Mr Petersen
Mr Bannon	Mr Hills	Mr Quinn
Mr Barnier	Mr Hunter	Mr Ramsay
Mr Bedford	Mr Jackson	Mr Robb
Mr Brereton	Mr Jensen	Mr Rogan
Mr Britt	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Johnstone	Mr Sheahan
Mr Cleary	Mr Keane	Mr A. G. Stewart
Mr R. J. Clough	Mr Knott	Mr K. J. Stewart
Mr Cox	Mr McCarthy	Mr Walker
Mr Curran	Mr McGowan	Mr Webster
Mr Degen	Mr McIlwaine	Mr Whelan
Mr Durick	Mr Maher	Mr Wilde
Mr Egan	Mr Mallam	Mr Wran
Mr Einfeld	Mr Mochalski	
Mr Ferguson	Mr Mulock	*Tellers,*
Mr Gabb	Mr Neilly	Mr Flaherty
Mr Gordon	Mr O'Neill	Mr Wade

Noes, 33

Mr Arblaster	Mrs Foot	Mr Schipp
Mr Barraclough	Mr Freudenstein	Mr Singleton
Mr Boyd	Mr Greiner	Mr Smith
Mr Brewer	Mr King	Mr Sullivan
Mr J. H. Brown	Mr McDonald	Mr Toms
Mr Bruxner	Mr Mason	Mr West
Mr Cameron	Mr Moore	Mr Wotton
Mr J. A. Clough	Mr Murray	
Mr Dowd	Mr Osborne	
Mr Duncan	Mr Park	*Tellers,*
Mr Fischer	Mr Punch	Mr Caterson
Mr Fisher	Mr Rozzoli	Mr Taylor

Question so resolved in the affirmative.

Schedule agreed to.

Schedule 3

Mr MOORE: Mr Temporary Chairman ——

Mr FLAHERTY (Granville), Government Whip [4.26]: I move:

That the question be now put.

Question — That the schedule be agreed to — put.

The Committee divided.

Ayes, 54

Mr Akister	Mr Haigh	Mr Petersen
Mr Anderson	Mr Hills	Mr Quinn
Mr Bannon	Mr Hunter	Mr Ramsay
Mr Barnier	Mr Jackson	Mr Robb
Mr Bedford	Mr Jensen	Mr Rogan
Mr Brereton	Mr Johnson	Mr Ryan
Mr Britt	Mr Johnstone	Mr Sheahan
Mr Cavalier	Mr Keane	Mr A. G. Stewart
Mr Cleary	Mr Knott	Mr K. J. Stewart
Mr R. J. Clough	Mr McCarthy	Mr Walker
Mr Cox	Mr McGowan	Mr Webster
Mr Curran	Mr McIlwaine	Mr Whelan
Mr Degen	Mr Maher	Mr Wilde
Mr Durick	Mr Mallam	Mr Wran
Mr Egan	Mr Mochalski	
Mr Einfeld	Mr Mulock	
Mr Ferguson	Mr Neilly	*Tellers,*
Mr Gabb	Mr O'Neill	Mr Flaherty
Mr Gordon	Mr Paciullo	Mr Wade

Noes, 35

Mr Arblaster	Mr Freudenstein	Mr Schipp
Mr Barraclough	Mr Greiner	Mr Singleton
Mr Boyd	Mr Hatton	Mr Smith
Mr Brewer	Mr King	Mr Sullivan
Mr J. H. Brown	Mr McDonald	Mr Toms
Mr Bruxner	Mr Mason	Mr West
Mr Cameron	Mr Moore	Mr Wotton
Mr J. A. Clough	Mr Murray	
Mr Dowd	Mr Osborne	
Mr Duncan	Mr Park	
Mr Fischer	Mr Pickard	*Tellers,*
Mr Fisher	Mr Punch	Mr Caterson
Mrs Foot	Mr Rozzoli	Mr Taylor

Resolved in the affirmative.

Question—That the schedule be agreed to—put.

The Committee divided.

Ayes, 55

Mr Akister	Mr Cox	Mr Hatton
Mr Anderson	Mr Curran	Mr Hills
Mr Bannon	Mr Degen	Mr Hunter
Mr Barnier	Mr Durick	Mr Jackson
Mr Bedford	Mr Egan	Mr Jensen
Mr Brereton	Mr Einfeld	Mr Johnson
Mr Britt	Mr Ferguson	Mr Johnstone
Mr Cavalier	Mr Gabb	Mr Keane
Mr Cleary	Mr Gordon	Mr Knott
Mr R. J. Clough	Mr Haigh	Mr McCarthy

Mr McGowan	Mr Petersen	Mr Walker
Mr McIlwaine	Mr Quinn	Mr Webster
Mr Maher	Mr Ramsay	Mr Whelan
Mr Mallam	Mr Robb	Mr Wilde
Mr Mochalski	Mr Rogan	Mr Wran
Mr Mulock	Mr Ryan	
Mr Neilly	Mr Sheahan	*Tellers,*
Mr O'Neill	Mr A. G. Stewart	Mr Flaherty
Mr Paciullo	Mr K. J. Stewart	Mr Wade

Noes, 33

Mr Arblaster	Mrs Foot	Mr Schipp
Mr Barraclough	Mr Freudenstein	Mr Singleton
Mr Boyd	Mr Greiner	Mr Smith
Mr Brewer	Mr King	Mr Sullivan
Mr J. H. Brown	Mr McDonald	Mr Toms
Mr Bruxner	Mr Mason	Mr West
Mr Cameron	Mr Moore	Mr Wotton
Mr J. A. Clough	Mr Murray	
Mr Dowd	Mr Osborne	
Mr Duncan	Mr Park	*Tellers,*
Mr Fischer	Mr Punch	Mr Caterson
Mr Fisher	Mr Rozzoli	Mr Taylor

Question so resolved in the affirmative.

Schedule agreed to.

Schedule 4

Mr MOORE: Mr Temporary Chairman——

Mr FLAHERTY (Granville), Government Whip [4.32]: I move:

That the question be now put.

The Committee divided.

Ayes, 55

Mr Akister	Mr Gordon	Mr Paciullo
Mr Anderson	Mr Haigh	Mr Petersen
Mr Bannon	Mr Wills	Mr Quinn
Mr Barnier	Mr Hunter	Mr Ramsay
Mr Bedford	Mr Jackson	Mr Robb
Mr Brereton	Mr Jensen	Mr Rogan
Mr Britt	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Johnstone	Mr Sheahan
Mr Cleary	Mr Keane	Mr A. G. Stewart
Mr R. J. Clough	Mr Knott	Mr K. J. Stewart
Mr Cox	Mr McCarthy	Mr Walker
Mr Curran	Mr McGowan	Mr Webster
Mr Degen	Mr McIlwaine	Mr Whelan
Mr Durick	Mr Maher	Mr Wilde
Mr Egan	Mr Mallam	Mr Wran
Mr Einfeld	Mr Mochalski	
Mr Face	Mr Mulock	*Tellers,*
Mr Ferguson	Mr Neilly	Mr Flaherty
Mr Gabb	Mr O'Neill	Mr Wade

Noes, **34**

Mr Arblaster	Mrs Font	Mr Rozzoli
Mr Barraclough	Mr Freudenstein	Mr Schipp
Mr Boyd	Mr Greiner	Mr Singleton
Mr Brewer	Mr Hatton	Mr Smith
Mr J. H. Brown	Mr King	Mr Sullivan
Mr Bruxner	Mr McDonald	Mr Toms
Mr Cameron	Mr Mason	Mr West
Mr J. A. Clough	Mr Moore	Mr Wotton
Mr Dowd	Mr Murray	
Mr Duncan	Mr Osborne	*Tellers,*
Mr Fischer	Mr Park	Mr Caterson
Mr Fisher	Mr Punch	Mr Taylor

Resolved in the affirmative.

Question — That the schedule be agreed to — put.

Schedule agreed to.

The TEMPORARY CHAIRMAN (Mr O'Connell): The Committee will now consider the Trade Union (Amalgamations) Amendment Bill.

Schedule 1

Mr MOORE: Mr Temporary Chairman——

Mr FLAHERTY (Granville), Government Whip [4.37]: I move:

That the question be now put.

The Committee divided.

Ayes, 55

Mr Akister	Mr Gordon	Mr Paciullo
Mr Anderson	Mr Haigh	Mr Petersen
Mr Bannon	Mr Hills	Mr Quinn
Mr Barnier	Mr Hunter	Mr Ramsay
Mr Bedford	Mr Jackson	Mr Robb
Mr Brereton	Ma Jensen	Mr Rogan
Mr Britt	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Johnstone	Mr Sheahan
Mr Cleary	Mr Keane	Mr A G Stewart
Mr R. J. Clough	Mr Knott	Mr K J Stewart
Mr Cox	Mr McCarthy	Mr Walker
Mr Curran	Mr McGowan	Mr Webster
Mr Degen	Mr McIlwaine	Mr Whelan
Mr Durick	Mr Maher	Mr Wilde
Mr Egan	Mr Mallam	Mr Wran
Mr Einfeld	Mr Mochalski	
Mr Face	Mr Mulock	*Tellers,*
Mr Ferguson	Mr Neilly	Mr Flaherty
Mr Gabb	Mr O'Neill	Mr Wade

Noes, 34

Mr Arblaster	Mrs Foot	Mr Rozzoli
Mr Barraclough	Mr Freudenstein	Mr Schipp
Mr Boyd	Mr Greiner	Mr Singleton
Mr Brewer	Mr Hatton	Mr Smith
Mr J. H. Brown	Mr King	Mr Sullivan
Mr Bruxner	Mr McDonald	Mr Toms
Mr Cameron	Mr Mason	Mr West
Mr J. A. Clough	Mr Moore	Mr Wotton
Mr Dowd	Mr Murray	
Mr Duncan	Mr Osborne	*Tellers,*
Mr Fischer	Mr Park	Mr Caterson
Mr Fisher	Mr Punch	Mr Taylor

Resolved in the affirmative.

Question—That the schedule be agreed to—put.

Schedule agreed to.

Adoption of Report

Mr HILLS (Phillip), Minister for Industrial Relations and Minister for Energy [4.43]: I move:

That the report be adopted.

Question put.

The House divided.

Ayes, 57

Mr Akister	Mr Haigh	Mr Paciullo
Mr Anderson	Mr Hatton	Mr Petersen
Mr Bannon	Mr Hills	Mr Quinn
Mr Barnier	Mr Hunter	Mr Ramsay
Mr Bedford	Mr Jackson	Mr Robb
Mr Brereton	Mr Jensen	Mr Xogan
Mr Britt	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Johnstone	Mr Sheahan
Mr Cleary	Mr Keane	Mr A. G. Stewart
Mr R. J. Clough	Mr Knott	Mr K. J. Stewart
Mr Cox	Mr McCarthy	Mr Walker
Mr Curran	Mr McGowan	Mr Webstcr
Mr Degen	Mr McIlwaine	Mr Whelan
Mr Durick	Mr Maher	Mr Wilde
Mr Egan	Mr Mallam	Mr Wran
Mr Einfeld	Mr Mochalski	
Mr Face	Mr Mulock	
Mr Ferguson	Mr Neilly	Tellers.
Mr Gabb	Mr O'Connell	Mr Flaherty
Mr Gordon	Mr O'Neill	Mr Wade

Noes, 33

Mr Arblaster	Mr Bruxner	Mr Fischer
Mr Barraclough	Mr Cameron	Mr Fisher
Mr Boyd	Mr J. A. Clough	Mrs Foot
Mr Brewer	Mr Dowd	Mr Freudenstein
Mr J. H. Brawn	Mr Duncan	Mr Greiner

Mr King	Mr Punch	Mr West
Mr McDonald	Mr Rozzoli	Mr Wotton
Mr Mason	Mr Schipp	
Mr Moore	Mr Singleton	
Mr Murray	Mr Smith	*Tellers,*
Mr Osborne	Mr Sullivan	Mr Caterson
Mr Park	Mr Toms	Mr Taylor

Question so resolved in the affirmative.

Report adopted.

BILLS RETURNED

The following bills were returned from the Legislative Council without amendment:

Poisons (Amendment) Bill

Workers' Compensation (Amendment) Bill

Workers' Compensation (Dust Diseases) Amendment Bill

Workmen's Compensation (Broken Hill) Amendment Bill

APPRENTICESHIP BILL

INDUSTRIAL ARBITRATION (APPRENTICESHIP) AMENDMENT BILL

Second Reading

Debate resumed (from 15th April, *vide* page 5981) on motion by Mr Hills:

That these bills be now read a second time.

Mr SCHIPP (Wagga Wagga) [4.48]: There is little doubt that the Government has found itself in extreme difficulty through the preparation and presentation of the amendments of the revamped apprenticeship legislation now being debated. It has turned a full circle, more or less to the position we were in twelve years ago, despite the major report commissioned almost two years ago. This legislation has been promised at each parliamentary session for the past two years. It is time to look at apprenticeship problems in New South Wales and try to meet the demand for skilled labour. Having been advised of the effort by the Government to introduce this legislation we thought it would be a major measure. We were disappointed when the bill was originally presented, and even more disappointed with the Minister's explanation of the legislation. There have been forty-seven amendments to the bill in the three weeks since the measure was introduced into Parliament. That legislation and the amendments that will be dealt with in Committee have brought us through the full circle. We are now where we started at the time the bill was introduced into Parliament. The Government and the Minister have created a major dilemma for the community and myself by this approach to the legislation.

The Opposition and other interested organizations in New South Wales welcomed the Minister's announcement that the apprenticeship legislation was to be revamped, for it is obvious that problems exist and they must be solved if New South Wales is to meet the growth needs of the future. I had hoped to be able to take a bipartisan approach to the legislation and to make a sensible contribution to the debate on the direction in which the State is heading. There can be no doubt that a problem exists. There are volumes of reports on apprenticeship matters going back

as far as 1918, and every one of them comes up with the same problems that must be solved if this State is to be provided with skilled labour. My dilemma is that unfortunately I have to make some criticism of the Government and of the Minister over the way he has treated the measure. I do that while at the same time being mindful of the fact that I have received co-operation from the Minister, belated though it might have been. He made available to me the much sought after Rigby report and gave me also——

Mr Hills: When did you get the report?

Mr SCHIPP: You were not listening. You were talking to a colleague.

Mr Hills: When did you get it?

Mr SCHIPP: I said I did not want to be ungracious, that you had shown me the courtesy of making available to me the Rigby report.

Mr Hills: But when?

Mr SCHIPP: About three weeks ago.

Mr Whelan: That is not what you said.

Mr SCHIPP: I said exactly that.

Mr Whelan: You implied that the Minister had given you the report quite recently.

Mr SCHIPP: I shall repeat what I said. I am in a dilemma because the Minister extended me the courtesy of co-operating with me on this legislation. I want to take a constructive approach to the legislation but I must voice some disappointment with the Minister and criticism of his handling of the apprenticeship system. In particular, I am critical of the way he has dealt with this measure. What the Minister did not say in his second reading speech concerns me more than what he said. The dilemma is not restricted to honourable members but extends to others in the community. They do not know in which direction the Government is going. The Government has gone full circle.

About three weeks ago in his second reading speech the Minister said that great new things were ahead of us. We were told about the conflicts and the problems in a general way and we thought that when the bill finally came into our hands it would resolve many problems. In fact, it turned out to be a piece of legislation that could overcome some problems. It contained also a few provisions validating procedures that are already in operation. But the bills fail to show a new direction. I should have thought that in his second reading speech the Minister would have made a major statement on apprenticeship and would have told honourable members of what the Government intended to do to make New South Wales the leading State in apprenticeship matters.

New South Wales has had a big lead in this field because of the Beattie report of 1969. The Minister acknowledged that that report was regarded as a vanguard report. It has been adopted and used extensively by persons studying apprenticeship throughout Australia. On my reading of what has been written by the experts in this field, New South Wales has slipped behind other States. That is an indictment of a sleepy Minister. It reflects on him as the Minister responsible for apprenticeship matters.

The Minister's second reading speech gave a general overview of apprenticeships but did not deal in detail with the needs of the apprenticeship system. It did not give an idea of the direction in which the Government is heading in relation to apprenticeships. He made general remarks, saying that for many years the present Act has been in

operation; its greater strengths have been proven and its weaknesses revealed. He did not say a word about the problems that must be overcome, who discovered them or who caused them. He said nothing about how those problems would be solved. There was the usual back slapping that this Government indulges in, I believe in a most improper way. He said:

> These loads and responsibilities are being increased day by day as the policies initiated by this Government in relation to apprenticeship and youth employment continue to come into effect and bear results.

There was no acknowledgment of the complete turnaround that has taken place in the economy, or the fact that jobs have been created by other governments and private employers as well as by this Government. The Minister should read the speech that he presented to Parliament to give honourable member's an introduction to this legislation and see whether he can discover what facts he gave. I defy anyone to read it and say that this State is on the threshold of a new impetus, a new direction for apprenticeship in New South Wales, and that this State will come from behind the field and take the front running in apprenticeship initiatives. The speech is an indictment of someone. I do not want to be personal, but the Minister presented the speech to Parliament.

Mr Hills: I accept full responsibility for it.

Mr SCHIPP: I am disappointed to hear the Minister say that. In the time that he has held ministerial responsibility for energy, industrial relations and apprenticeship matters, he has not told Parliament or the people of this State anything about the Government's future intentions or the direction the Government will take on those three important issues. I have asked taxi drivers for their opinion on liquefied petroleum gas. They have told me they know nothing about it because the leaders in the field—I know the Minister will say the person responsible is the federal Minister for Energy—have not told them whether LPG will be a winner. I hope that one day in this Parliament, Ministers will be compelled, at least once in the life of a Parliament, to make statements on matters falling within their portfolios. Those statements should not be couched in such a way as to trick the Opposition, and a period of four or five hours should be allowed for the Opposition to prepare its reply and tell the people what it thinks the Government's strengths and weaknesses are. In that way the Opposition and the people would know what is happening.

Before returning to the bill I should refer to industrial relations. For the past four or five years the Premier and Treasurer has done a good deal of grandstanding and trumpeting about rationalizing industrial relations. Large sections of the community and the news media applauded him and said that is what we need. The Minister for Industrial Relations and Minister for Energy knows that the Premier and Treasurer is trumping up his usual publicity without any background or belief that he can achieve what he is on about. The Minister knows the Labor Council of New South Wales, particularly under the leadership of the Hon. B. J. Unsworth, would not agree to the Premier and Treasurer handing over State jurisdiction to the federal Government.

Mr Hills: On a point of order. The House is not debating the Industrial Arbitration Act as it affects the federal jurisdiction or the transfer of power. The House is dealing with legislation affecting apprenticeships. The bills have nothing to do with the transfer of powers to the federal Government.

Mr DEPUTY-SPEAKER: Order! I uphold the point of order. I have permitted the honourable member for Wagga Wagga, in leading for the Opposition, to diverge slightly from the question before the Chair. I ask the honourable member to confine his remarks to the order of leave given for the bill.

Mr SCHIPP: Thank you, Mr Deputy-Speaker; I shall do that. I was setting the scene to show that the Minister for Industrial Relations and Minister for Energy has failed to tell the people the direction in which the Government is going. Some 70 lines and 555 words of the Minister's second reading speech were directed towards apprenticeships. That is not good enough; it is bad news for the people. I referred earlier to the Rigby report. The Minister has said that I had received a copy of that report three weeks ago. I have assessed thoroughly that report. The report is good, although the findings were well-documented previously after inquiries and seminars conducted throughout the State by responsible organizations. All those findings could have been made without too many problems. From my reading of the report I cannot understand why the Minister failed to release the document, as was requested by a number of organizations and members of the Opposition from the time that it was known that it was available. The report must have contained some sensitive political material which the Minister did not wish to be publicized.

On my reading of the report, I should have thought that the basis of the recommendations for amendments to the Apprenticeship Act was sound, and would not have brought any objection from the union movement, employers or political parties. There was no need for the report to be withheld. I have a letter from the Livestock and Grain Producers Association, which went to some trouble to make submissions to the Rigby inquiry and was interested to know the result of those submissions. The association does not yet have a copy of the report. The Minister's second reading speech made no mention of what will happen with rural apprenticeships, or whether there will be any further consultation about that issue. I know that there are apprenticeships within the dairy industry.

Mr Hills: Who introduced that legislation?

Mr SCHIPP: One of my first questions in this House was about that subject. At that time the Minister for Agriculture admitted that he had no knowledge of the rural apprenticeship legislation in Victoria, but stated that he would check it out and see what could be done. I applauded what was done for subsequently New South Wales was favoured with an apprenticeship scheme within the dairy industry. The Livestock and Grain Producers Association represents between 25 000 and 28 000 primary producers in this State. That association went to the trouble of making an extensive submission to the Rigby committee. That submission was delivered in May 1979. The letter from the association, written to me some two years later, in May 1981, stated:

> . . . the Association's Annual Conference endorsed the submission to the Review Committee.
>
> The only Review Committee recommendations of which we are aware are referred to by the Minister in his second reading speech.
>
> Accordingly, and particularly because such a large proportion of the Association's proposals are not enshrined in the Bill, it would seem desirable (or necessary if the Government is concerned about training in rural industries) for the Review Committee recommendations to be published forthwith and for the Bill to lie on the table for a period of time which would enable the participants in the Committee's enquiry to formulate a response to the Committee's recommendations.

If organizations made submissions to that committee, its report should have been made available to them for their comment. When the apprenticeship legislation was introduced by Sir Eric Willis in 1969, the former Labor Opposition was critical of the fact that it did not have made available to it the report of Sir Alexander Beattie into apprenticeships. Sir Eric Willis told Opposition members at that time that if they

had been awake, they could have had a summary of the report, a document of some 200 pages that he said had been available for six months. At least the former Labor Opposition could have obtained a summary of the Beattie report.

Mr Hills: I gave the honourable member for Wagga Wagga a copy of the Rigby report three weeks ago.

Mr SCHIPP: The Minister is trying to confuse the issue. I wonder how many respondents to the inquiry have been told what happened to their submissions and their recommendations? Though the Livestock and Grain Producers Association would like to consult further with the Government about the training of apprentices in the rural industry, it has been ignored.

Mr Hills: The honourable member for Wagga Wagga has not read my second reading speech.

Mr SCHIPP: There are many reports on this subject, so I see no need for further reports. Even though Mr Rigby recommended an on-going working party to monitor apprenticeships, I believe that should be in the hands of the director of apprenticeship. I shall deal now with how the people have been the losers in respect of this whole mess that has been put forward as new apprenticeship legislation. The Minister is now in the position where he must make a major policy statement. It has been said in a number of documents that it is not so much a question of apprenticeship legislation but rather the way in which the legislation has been administered.

This State has now turned the full circle; it is once again experiencing the same problems. The Government has been done by the unions or the left-wing of the Labor Party. New South Wales is right back into the industrial morass from which the former coalition Government tried to extricate it. The proposed measures take the award and condition-setting processes away from the directorate and places them back with the Industrial Commission of New South Wales. If this legislation is to become workable more consideration must be given to it. If I had my way, I should be taking the apprenticeship administration away from the industrial relations arena, for many conflicts arise because the administration of apprenticeships is under the control of the Department of Industrial Relations and Technology.

The staff of the apprenticeship directorate have been either outsmarted, overlooked or pushed aside in the preparation of this legislation. Surely the Minister would have known two or three weeks ago about the Hunter valley group apprenticeship scheme. If he had given the House some information about the scheme, honourable members would have realized that the proposed legislation was worth while to an extent. I refer to the failure to use the expertise available in the apprenticeship directorate to control the apprenticeship programme that has been started for the Hunter valley.

The Opposition recognizes the need for such a programme, and several months ago it suggested a similar exercise. That programme is working to increase the apprenticeship intake in areas where it is known that new positions will be created. The Minister, in his reply to the debate, should give the House more details about that programme. I should be interested to know the administrative costs involved and why the apprenticeship directorate could not have controlled the programme, for it has the necessary expertise in group apprenticeship schemes. I should have thought that was important for managing a scheme like the one in the Hunter valley. I cannot understand why the directorate was overlooked, unless a debt had to be

paid. Why was someone outside the directorate appointed to the position? I do not support what has happened. The directorate and its members have been pushed round enough, without having it happen to them again by being passed over when the appointment was considered.

Mr Hills: Is the honourable member talking about Mr Morris?

Mr SCHIPP: I am talking about the person that the Government appointed as chairman of the body that will administer the group apprenticeship scheme in the Hunter valley. Another example that demonstrates how the apprenticeship directorate is being by-passed is that the director of apprentices will no longer be the chairman of the training committees.

Mr Hills: The honourable member is wrong.

Mr SCHIPP: That is one of the provisions in the proposed amendments. We have seen an abrogation of the role of the apprenticeship directorate, and it will be the Minister's responsibility to demonstrate that the group should be allowed to operate as an autonomous body free from the shackles that had been placed on it. The Government's complete about-face in the past forty-eight hours shows that the Minister has been leaned upon for some reason. The Minister made the point that if the conflicts about the control of apprenticeships and industrial relations were resolved, the apprenticeship scheme would work efficiently. He said that the commissioner of apprenticeships would not be a member of the apprenticeship council.

Mr Hills: I spoke about the membership of the advisory committee.

Mr SCHIPP: I shall read the Minister's remarks. He said:

> To begin with, the Apprenticeship Council will be reconstituted and enlarged by the addition of one employee representative and one employer representative as recommended by the committee report; the Director of Apprenticeship will remain chairman of the council. The Conciliation Commissioner for Apprenticeships will not be a member of the council, to ensure that training policy matters are not seen to impinge upon the autonomy of his industry relations function.

The Government's proposed amendments will refute that statement. I do not suggest that the apprenticeship commissioner should not be a member of the council. I referred to that matter to highlight the confusion that has been created by the Government and the Minister for Industrial Relations and Minister for Energy. The Minister set out with a roar and finished up with a squeak about revamping the Apprenticeship Act. It is a sensible move to have the director of apprenticeships involved in the conciliation process. He will then be aware of what is going on. The Opposition has not been able to determine whether the director will have a vote. Opposition members will raise that matter at the Committee stage.

The conciliation commissioner should be a member of the apprenticeship council, for he will make a valuable contribution to the council and will know and understand the thinking of its members. Mr Rigby recommended that the commissioner be a member of the council. If the Minister had been brave enough to spell out his problems, the Opposition would have understood his difficulty. The present conciliation commissioner, as I understand it and as it has been reported to me, is a most difficult person with whom to do business. The Minister is taking the easy way out by attempting to remove the conciliation commissioner from the council.

Mr Hills: The honourable member should not attack a public officer.

Mr SCHIPP: I am not attacking him. By saying that the commissioner is difficult to live with, I am not attacking him. I am sure honourable members have heard stronger remarks in this House, especially from Government supporters. The Minister was aware of that personality problem and he was attempting to solve it in this way. The sensible approach would have been to allow the conciliation commissioner for apprenticeships to remain as a member of the apprenticeship council. There is a need for liaison, co-operation and an understanding of what is happening.

Mr Hills: That is what the Government proposes to do.

Mr SCHIPP: That is what the Government proposes to do now. It had intended to do something different, but the Minister was caught out and could not proceed with his proposal. If he had admitted where the problem was, the Opposition would have had more sympathy for him and some understanding of how he got into a bit of a muddle. In 1969 the Opposition put considerable emphasis on the fact that the director of education should hold a position on the apprenticeship council. The theory behind that belief was that the education system plays an important part in the background of apprentices and tradesmen. I have read a great number of comments about the inadequacy of the educational background of many apprentices.

It has been said that persons training to go into skilled positions have not been able to take up courses in technical colleges because of inadequate basic education. In 1969, in the debate on the original bill, the honourable member for Wentworthville said that the Labor Party did not care how big the council was or whether it had nine, ten or fifteen members, so long as they were the right persons. I assume that the Minister's answer would be that the director for technical and further education fills that role. I should have thought that someone from secondary education would have been a valuable addition to the council. He would have been a party to discussions that highlight problem areas in apprenticeship training. The Minister for Industrial Relations and Minister for Energy might consider whether the suggestion his colleague made in 1969 is still valid.

The proposal of the honourable member for Wentworthvillc has a touch of commonsense about it that makes it worth considering. The whole apprenticeship system is unsatisfactory. Vacant positions are not being filled, at a time when unemployment is high. The *Manufacturing Monthly* issue of 15th April, in a section headed "Manufacturing News", carried a report that Australia continues to suffer from a shortage of skilled labour in key areas of industry though unemployment among persons under 25 years of age is running at 12.3 per cent. It states that more than 55 per cent of the total unemployed are young people ideally suited to the apprenticeship system. This means that the proportion of young unemployed in Australia is higher than it is in any OECD country except Italy. Australia must recognize the enormity of the problem. There is little difference in the thinking of the Opposition and the Government on the important issue of apprenticeships; it is mainly a matter of approach.

I welcome signs that apprenticeship intakes have increased in recent years. The Minister has given himself a slap on the back for that, which he probably deserves as that increase has taken place during his administration, although there could be a number of other reasons for it. Despite that upturn, demands for apprentices are not being met. The 30 per cent migrant intake figure that has been achieved over the years will not be able to be maintained as skilled people from overseas are becoming less interested in coming to Australia. They realize the extent of the industrial problems we have and they fear being out of work for long periods. When one reads about the

number of people seeking jobs and hears reports by the Metal Trades Industry Association that the New South Wales metal industry has a shortfall of 421 apprentice tradesmen, one begins to wonder. Employers know they will have difficulties in filling those positions.

The Department of Labour advisory council working party has reported that Australia will have a shortfall of some 14 600 metal trades intakes between 1980 and 1983. There were 5 100 more demands for jobs than intakes in 1980. The shortfall for 1981 is calculated to be 3 900, for 1982 it will be 3 000 and for 1983 it is estimated that it will be 2 700. One must wonder why young people cannot be encouraged to accept those positions. I suggest the basic reason is the lack of promotion of apprenticeships. Though jobs are available and people are seeking work, the unemployed cannot be placed in positions. That is basically because governments have not come to grips with the unemployment problem. The apprenticeship systems in most other States are better than the New South Wales system. The welfare and training of apprentices must be divorced from industrial administration. Apprenticeship supervisors spend little of their time on promotion of apprenticeships. I am informed that some supervisors in country areas spend as little as 2 per cent of their time on direct apprenticeship promotion, that is, meeting employers and selling the system to them. The balance of their time is taken up in office duties.

I seek an assurance from the Minister that additional supervisors, about whom there has been so much publicity, will not be used almost exclusively to police the industrial relations law. The Government says it is appointing additional apprenticeship supervisors to promote apprenticeships and solve difficulties quickly. However, if those supervisors are given office positions, with no support staff and with no help from persons who have a knowledge of the apprenticeship system, they could end up with more administrative problems thus increasing that part of their workload. Before a country supervisor is given permission to follow up inquiries from employers about apprenticeships, he must build up a file to convince the industrial relations officer that he is justified in travelling perhaps fifty or sixty kilometres lo discuss such inquiry. That is not what I would call promotion.

To be able to promote apprenticeships, one has to have a thorough knowledge and experience of that system. One must be able to act quickly when problems arise between employers and apprentices. For instance, a supervisor might receive from an employer an inquiry about a position that could be filled by an apprentice. The employer may seek information about the appointment of apprentices and associated cost problems. In such circumstances supervisors must bc able to give full and accurate information. It must be remembered that employers often state that it is too costly to train apprentices. It would be an advantage for such a person to be able to say: "These are the facts: there are sixteen incentive schemes available to you. I shall discuss them with you to ascertain which one suits your business and. if you wish, assist you in making an application to the appropriate authority." That is a specialist job and it cannot be handled in an *ad hoc* fashion by a person not trained in the field.

Generous apprenticeship schemes are available. All seminars on this subject highlight the fact there is considerable ignorance about those schemes and their advantages. Apprenticeship supervisors must be divorced from the industrial relations situation. One can imagine an industrial inspector confronting an employer and telling him, "You will have to toe the line, and abide by the rules". If the inspector, who is acting as a policing officer, is forceful and argumentative, he may get off-side with the employer. He would welcome that person, in his capacity as an apprenticeship supervisor, about as warmly as he would a taxation office inspector.

If I were to visit a company as an industrial inspector one week and then visit the same company again the following week as an apprenticeship supervisor to see if they would take on an apprentice, and try to convince them that they should, I should not be the best received person in the world. That is obvious. They would remember that during the previous week I had come down heavily on them in my role as an industrial inspector, yet this week I was soft-soaping them and trying to convince them to take on an apprentice. That is a total conflict of roles. This legislation will not take off should that type of conflict continue. The legislation does not divorce the two roles but it may stop the Premier and Treasurer grandstanding about apprentices and youth employment. Apprenticeship supervisors should be properly trained and able to convince people of future benefits that a knowledge of skilled trades holds for employees. In most European countries the elite employees in the work force are the skilled people. They formed the principal part of the work force of the 1970's and the 1980's. We have heard about how we shall have a boom in the 1980's, 1990's and the next century, and we shall not be able to meet the demand for skilled workers. Attention must be given to the roles of apprenticeship supervisors if we are to fill jobs.

The Minister cannot congratulate himself for success in apprenticeship promotion. In 1977–78 only $13,486 was spent on apprenticeship promotion. That also included the expenditure on Apprenticeship Week, a so-called major initiative to promote something that was sorely needed in our society. We need to train apprentices now to fill jobs later. In 1978–79 the allocation was increased by $514, taking to $14,000 the sum set aside for promotion of apprenticeships. In 1979–80 we were again told about the promised boom period, the great resource development era. The industrial future of the Hunter Valley was starting to take shape. The Premier and Treasurer made statements about the sale of coal and other products to other countries. We heard of the major swing towards using electricity as a source of power. In that year the sum of $22,615 was used for apprenticeship promotion—an increase of $8,615. In this financial year, budget estimates show we shall spend $35,000. An inquiry into promotional aspects would show that only three people promote and advance apprenticeships in New South Wales. Apprenticeship supervisors are so tied down with industrial relation matters that they spend as little as 2 per cent of their time in their true function as apprenticeship supervisors.

Mr Hills: What garbage.

Mr SCHIPP: The Minister should get out into the electorate and he will learn that I do not talk garbage and that what I say is true. The Minister has told us nothing new about apprenticeships during the entire period he has held his portfolio.

Mr Hills: What absolute nonsense.

Mr SCHIPP: It is not. Lack of time available to apprenticeship supervisors to perform their principal function is a major problem. Another problem concerns educational aspects. We should start thinking about vocational education. That expression is no longer in vogue. The modern thrust of education has been to provide education for a more leisured life and not for work. Students have been enthralled with the niceties of life. They should have been given a grounding in education that would steer them towards a skilled career. After year 12 they are not suddenly going to say they will forget what they have learned in those years.

Mr Akister: Is the honourable member for Wagga Wagga a tradesman?

Mr SCHIPP: I went through a technical college. I was a school teacher.

Mr Akister: Does the honourable member regard a school teacher as a tradesman?

Mr SCHIPP: I think a school teacher is a tradesman.

Mr Akister: He is not a tradesman.

Mr DEPUTY-SPEAKER: Order!

Mr SCHIPP: I have an affinity for trade training. I did five years of technical training. I support the technical education system. It has been grossly run-down through the years and regarded as the poor relation in the education system. I should like to go one step further and say that technical training should begin in secondary school. Some years ago it became the done thing to undertake academic subjects and to forget about skills. If we had supervisors encouraging apprenticeships, communicating with employers in a proper and effective manner, they may be encouraged to take up a bursary on behalf of young people who displayed a proper aptitude early in their school careers. Those young people could be sponsored through the school system. That would build within them a loyalty towards the employer.

Workers in Japan, to a large degree, are tied to their companies. An employee and his family grow up under the company's care. The employees and the managers sf those companies understand and like one another. Under the bursary system, work experience could be obtained with a particular company during the holiday period. Young people would be trained for careers from an early age. The earlier a skill is acquired the more adept one becomes at it and the more easily one can move into the work force. Then we can possibly consider a total revamping of the measure and indentured arrangements and periods of training. The education aspects of this particular issue are of vital importance. Though I do not say that that is a view representative of that held by all unions, a particular view was expressed by Mr Peter Cook, secretary of the Trades and Labor Council in Western Australia, in a document called *Training* For *Skills—The* ***Union View.*** That article appeared in a technical and further education report in the spring of 1979. He wrote at length about the inadequacies of education. He said it is becoming evident that the education system has somehow missed out on giving people the grounding they need to move into technical and further education and technical training.

Today's technical training requires far more advanced learning than the old journeyman training scheme of a few years ago. People are moving into advanced forms of technology that need better education than that offered to skilled people in the past. Last year the chairman of EMAIL dwelt heavily upon that point in a contribution he made to a seminar. He said many people are coming to the company but they cannot be employed as their educational background is insufficient to ensure they will cope with the skilled training they will get in the technical system. A survey was conducted in Wagga Wagga by the Chamber of Commerce. A heavy response came from business people and employers in that area. What emerged were doubts that the education system is fitting our young people for their future. I do not want to knock the education system as it has problems, having gone in a different direction to that which many of us would have preferred it to go while it has been under the direction of the Teachers Federation for the past ten or fifteen years. But why should there not be education for work as part of the education system? I do not say it should be totally education for work, but that that concept should be part of the system. In this way people coming through would know what technical training is all about. No mention was made about technical and further education in the Minister's address, or of what might happen. It has been left out of the Minister's speech, no doubt because of lack of finance to train people in advanced technology or through a general lack of commitment by the Government.

It has been stated that because of the small intake of people from the workplace who have been dealing with the new technology, there is a marked gap between what the employer needs and the training that is being given in many technical colleges. I do not criticize the technical college system, for colleges are doing a damned good job with the limited support that is given to them, but it seems to me that that is one aspect of apprenticeship training that could be upgraded. This may not come within the parameters of the Premiers' Conference, but it might be possible for the Premier and Treasurer to say to the Prime Minister, "New South Wales wants to borrow $100 million for a quick injection of funds into the technical college system to upgrade the buildings, improve salaries and attract persons with the right qualifications to train young people".

In that way the status of apprentices could be lifted. Young persons would want to become the skilled tradesmen of tomorrow. It would remove the frustration that young people feel when they are on probation and, with their future in front of them, they find they did not understand what being a tradesman is all about. Then they opt out. Figures show that up to 25 per cent of persons who start out on probation in a skilled career do not go on with it. A further 15 per cent of those who become tradesmen leave their trade within the next four or five years. Thus, industry loses a large investment in the training of young persons when, having completed their course, they find they wish to change their mind and opt out. That is a huge problem that flows from the education system. The Minister has given honourable members no hope for the future, no inkling of what might happen.

Some provisions contained in the legislation deserve support. They validate what is already happening. One provision reduces to 18 the age at which parental and guardian involvement becomes necessary. That is already the case but the bill will make it legal. Another aspect is group apprenticeships, which are dealt with in the parent Act. There is no change in that regard. The Opposition supports group apprenticeships. The master builders have carried on a group apprenticeship scheme for three or four years, and other trades, such as the motor industry trades, have said they would like to become involved in that style of training. The sharing of apprentices between a number of employers holds high hope for those employers who cannot support alone the cost of employing an apprentice.

The Opposition supports the removal of discrimination between male and female but I hope the authorities will recognize that some areas of employment do not suit women and some do not suit men. Commonsense should be used in decisions in that area. Sir Alexander Beattie said in his report that some apprenticeship supervisors may not have been acting in their true capacity. The Opposition supports the Government's proposal on that matter.

Not enough has been done to tackle the problem of training committees. It is farcical that New South Wales has 115 training committees covering 99 state awards and 16 federal awards. When one breaks up the trades into segments and takes into consideration advances in technology, one can visualize up to 420 training committees. That matter is referred to in some of the reports I have read. Other States that have the same problem have introduced an industry committee system that works well. Those States have a small number of workable committees. I understand that no more than about 15 of the 115 committees are active. The system is so unwieldy that the Opposition would not support it. The Minister did not say when that aspect would be rationalized. That is another example of the deplorable lack of information on this legislation.

Mr Schippl

What is to be done about the cost of training apprentices? Employers complain that they cannot continue to foot the bill. This matter was not touched on by the Rigby committee but it is dealt with in the DOLAC report, which contains a good deal of information on incentives. The report says that despite government involvement in the selling of incentives there is a lack of understanding as to what is available in these areas. It goes on to say:

> There are conflicting views as to how this should be achieved. For example, while some argue that the $1,000 bonus scheme should be extended, others suggest that this penalises the good employer who has consistently trained over the years.

If an employer has kept up the level of apprentices he does not participate in the $1,000 bonus scheme. The scheme is only for employers who take on additional apprentices. That means that if an employer has no apprentices and he employs one, he gets $1,000 and a worker's compensation rebate in the first year. The good employer who has been training ten apprentices for years gets nothing. Obviously, that system would not appeal to employers who have been doing the right thing. The DOLAC report then mentions lack of information. It states:

> Many employers did not know for example that CRAFT rebates are tax-exempt. Whilst firms' accountants are almost certainly aware of this, the level of perception by managers of allowances available may well influence decisions about whether to increase training capacity.

CRAFT is only one of the schemes. Honourable members know that there are about sixteen schemes for which people may qualify. If they do not know about one of the major schemes what would they know about some of the less known schemes? That is an inhibiting factor. Employers have conceded consistently that the cost of training and the possible loss of the young trainee from the job through his dislike of the educational requirements of the course, are factors that inhibits them from taking on apprentices. Another problem is trying to tailor an apprentice's training to fit in with the employer's needs. In my electorate is a businessman who was a good employer of apprentices. However, that person has virtually thrown in the towel and will not take on any more apprentices. H contracts to do a lot of work out of town The training day that his apprentice has been allocated falls midweek The employer goes out of town on a Monday and has to send his apprentice back midweek to attend college. The apprentice's travelling time is paid For by the employer as it is part of his work day. The employer says that if his apprentice were permitted to attend college on a Friday or Monday, it would more conveniently fit into his programme. That is another impediment to him training apprentices in the future. If that empioyer could have some relief in that direction, it might be an incentive for him to continue with apprenticeship training.

New incentives should be offered to employers. Not only should the new measures be introduced; they should be sold to employers. As much as one likes to applaud the pre-apprenticeship system, which has taken off in a big way, it is now starting to run into problems. Some young persons look upon it as an extension of their schooling and are merely filling in time and not moving into a trade. The employer is confronted with having to pay a second year wage level for a youngster who has had pre-apprenticeship training, but that employer has had no advantage of using the apprentice at the first year range. I am speaking about promotion. It is a matter of selling the idea that pre-apprenticeship advantages the employer and does not disadvantage him in the way that some employers are saying.

Reports from employer groups are consistently bringing up problems of cost. One area of particular concern relates to pre-apprentices. The aspect of pre-apprenticeship trained employees attracting the second year wage in the first year of employment has been criticized. I do not disagree with the concept that a person who has that type of training under his belt will make a better employee. But, the employer must be convinced that he will not be the loser in this situation. Statistics have been quoted. One should not take regard of the intake of pre-apprentices, but rather count the persons who remain in the system, as that truly reflects the success rate. That is why gaps are appearing in the ranks of tradesmen. The Minister for Industrial Relations and Minister for Energy knows of the problems, but fie has not really faced up to the situation.

There is a further matter—that of specialization—which creates a major problem. No longer does the traditionally indentured apprentice come out of his time and immediately work as a journeyman or a tradesman. He may not have a job available to him. An apprentice indentured to the building industry these days may specialize as a framer, a tiler or a concretor. Many young persons training only in one specialized and narrow role become bored with life. The old routine job is the one that wears a person down. It does not offer any new outlook on life. The fact that the building industry is now sectionalized into a limited number of subcontracting areas causes problems. Many subcontractors cannot afford an apprentice, but they do take on trainees. They use them while the job is in progress and when the job is finished put them off. That develops a stop and start situation for young trainees or apprentices. Because of all these problems a new system should not be hurriedly entered into. One hears about the modular education system where a person of a keen academic aptitude might obtain his education much quicker than a person of slower learning ability. I am reminded of the famous words of the Deputy Premier, Minister for Public Works and Minister for Ports who, at page 4648 of Hansard of 18th March, 1969, said:

> In my opinion four years is not long enough. In Australian industry we do not want pressure-cooked tradesmen—those who, like many tradesmen in America, can only do one job.

New South Wales is moving very much into that scene. There is already talk of modular training, which is a shortening of the educational process that goes with apprenticeships. We are talking about the possibility of reducing the 4-year indentured period. If one is not careful, a situation will arise where a person is trained in one specialty and then finds out that that section of the industry is over-supplied with qualified workers. Such persons have no other trade to which they can return. Honourable members should consider the wise words of the Deputy Premier, Minister for Public Works and Minister for Ports in 1969 when he warned of the dangers of pressure-cooked tradesmen. This change should not be rushed. A system should be evolved to cater for the future. Apprentices should be properly trained and not left out on a limb when they finish their training and left looking for a job involving their particular skill. Regrettably, some apprentices who cannot get a conventional job in their trade go out and become a specialist in a questionable part of the industry.

That leads me to the manpower aspect. The criticisms that emerge from the Rigby report and the report of the advisory committee of the Department of Industrial Relations and Technology are that the statistical information about the availability of manpower and the training of manpower to fill the State's needs is paltry and scarce. When I come to deal with the recommendations of the Rigby report honourable members will become aware of the importance of injecting funds to enable the

Department of Industrial Relations and Technology to provide that sort of information. Staff ceilings should be taken into account in making amendments to the legislation. Staff ceilings cannot be imposed in an apprenticeship scheme.

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

Mr SCHIPP: Before the House adjourned for dinner I was speaking about the need for improved manpower procedures. It is worth reflecting on what Mr Rigby said in his recommendations. Although those recommendations did not relate to proposed amendments to the Act, they suggested that further initiatives be taken in the apprenticeship system. Mr Rigby said that most parties agreed that a serious shortfall of skilled labour does exist, especially in the metal trades and building industries and it is expected that those shortages will worsen in the future. Mr Rigby commented on the Williams report and said that insufficient manpower surveys were available to establish the needs. He recommended that research staff be appointed to the directorate to undertake manpower planning.

The Minister has had Mr Rigby's report for some eighteen months. The Government promised to introduce the legislation in the autumn session of 1979. I should make a few assessments of Mr Rigby's recommendations for the apprenticeship system. He referred to the functions of the directorate and the apprenticeship supervisors. I shall not say a great deal more about that matter, for I have commented at length on where the problem lies. It boils down to the fact that there are insufficient supervisors, even though that has been corrected to a degree by the appointment of a further thirty supervisors, taking the number to fifty. I am disappointed that only three additional supervisors have been appointed to country areas. More supervisors are needed if the job is to be done properly in districts outside the metropolitan area. The supervisors must have support staff to be able to function correctly. Mr Rigby recommended that another fifteen apprenticeship supervisors be appointed. Though more than that number have been appointed, additional supervisors are needed to carry out the follow-up promotional work that is so badly needed.

The Minister for Industrial Relations and Minister for Energy, in his second reading speech, acknowledged that the Beattie report is regarded as a most definitive document on apprenticeship. That was an initiative of the former Liberal Party–Country Party Government. The legislation that the House will virtually endorse today —because no major changes are involved after the Government's somersault—will carry on from the measure that was enacted in 1969. Mr Rigby recommended an increase in the support staff for apprenticeship supervisors as a result of the bottle-neck in the system of making reports. Delays are frustrating the whole system. They complicate communications between supervisors and apprentices. One should not overlook the part that is played by apprentices in the scheme. If an apprentice becomes disappointed or concerned about aspects of his training, he might be lost to the system. It is important that the promotion officers be able to iron out problems raised by apprentices and their parents or guardians. The supervisors need support secretarial staff.

Mr Rigby spoke of the promotional aspects of apprenticeship. I have referred to the paltry sum allocated for that purpose. There must be a sharp increase in funds to allow the job to be done properly. That is a most important aspect of the apprenticeship programme. Promotion includes communication between all levels in the system. I hope that the Minister will do battle when the next budget is being planned and be able to achieve an increase on the expenditure estimate of $35,000 in 1980–81. That sum should be increased tenfold, if a reasonable result is expected from the money expended.

In 1978–79, in addition to general expenditure, $59,000 was spent on promoting apprenticeship among females. The results of the expenditure were not followed through and the programme did not achieve the increase in female apprenticeships that one might have expected. A lot of work remains to be done.

In his report Mr Rigby deals with the selection techniques for apprentices to make sure that persons selected are suitable for the training and lifestyle of the vocation upon which they are embarking. He suggested that criteria be established to help managers and employees in selecting young persons to be placed in positions that require skilled training. It would be of assistance if some vocational guidance formula were laid down so that employer personnel in the business arena wuld more ably assess the people they are interviewing for careers as skilled tradesmen. Mr Rigby recommended that, as a matter of urgency, the directorate undertake the task of establishing industry-based criteria that would be made available and might be used by all employers in industry. That was a sensible recommendation.

I have mentioned manpower planning and suggested that it should be increased. A better understanding is needed of the requirements of industry. To achieve that, back-up office facilities should be revamped. Computerization and systems upgrading are required so that information can be stored and used as a supplement to the Commonwealth Employment Service and the vocational guidance service. Information should be available to young people and their families so that they will know what is in store for them. Information should be available to employers so that they might be aware of the number of young persons who are available to take on jobs.

Mr Rigby commented on the importance of the country apprentice training assistance scheme. Certainly the scheme has shown up some failures, especially in respect of conditions of travel and accommodation for young persons who undertake block release courses at larger centres. Many young persons travel by train to the metropolitan area. In most instances they are not entitled to sleeping accommodation on trains unless they pay for it. Many young persons travel overnight and attend technical college courses during the day. They then travel all night on the return journey and are expected to turn up for work the next day. That does not give a fair go to young apprentices, who are supposed to be able to absorb the educational side of apprenticeship training. It is not fair to an employer to have a young person who is completely worn out back on the job after undertaking a return journey to Sydney. Apprentices should be reimbursed for accommodation expenses while they are in Sydney, or a hostel-type establishment should be made available so that they have accommodation and proper meals, and do not just live on chips and other junk food. Parents are worried about that part of apprenticeship training.

Mr Rigby recommended full reimbursement of accommodation expenses so that young persons were not disadvantaged by travelling to the Sydney metropolitan area. He spoke of the need to rationalize control of federal and State apprenticeships. That sensible suggestion was featured in the Queensland report into the apprenticeship system in 1976 and was commented upon earlier by Sir Alexander Beattie in his 1968 report. The Minister for Industrial Relations and Minister for Energy should take it upon himself to arrange a combined State and federal scheme to rationalize apprenticeships and to iron out any confusion that might arise as a result of our having different awards. I mentioned the need for incentives. The deficiency in that area is that people are not aware of what is available. That relates to the promotional aspects to which I referred earlier. Mr Rigby said in recommendation No. 46 that a system to provide financial incentives for the employers of apprentices should be provided by the State Government meeting all workers' compensation claims for the first year and the employer being granted a 50 per cent reduction in the existing premiums for the remaining term of the apprenticeship.

Mr Schipp]

I acknowledge that the Government's proposal for workers' compensation is a step in the right direction. But it is a minor improvement only as it applies to those persons who put on additional apprentices. It does not reward the traditional, long-term, good employer who has been taking his share of apprentices for many years and who finds that by maintaining his quota of apprentices he is prevented from sharing in the rebate benefit. He will receive no benefit from the workers' compensation recommendation. Although Mr Rigby does not suggest total commitment towards workers' compensation for the full training period, he does recommend a full rebate for the first year and a 50 per cent rebate for the second year. I shall not dwell on the need for liaison between the Department of Technical and Further Education and the director of apprentices, save to say that it is vital for the future of the apprenticeship system.

The recommendation to reorganize the apprenticeship structure is important. While there is close association between the apprenticeship and industrial systems, the best will not be seen of the apprenticeship scheme. Mr Rigby spoke about an apprenticeship training commission, as he would like to call it, and recommended a structure that would provide that the commission does not become too heavily involved in industrial relations, except through industrial committees that operate under an apprenticeship training commission. The Minister would do well to consider that suggestion seriously. Mr Rigby suggested also that in the formation of the council, government representation should be left as it is. That includes the conciliation apprenticeship commissioner. I support that recommendation. There is a need for that part of the apprenticeship system to know what the other area is doing so that they can both plan effectively. The reorganization of the apprenticeship structure is vital. I think I quote Mr Rigby accurately when I say he said it was of utmost urgency.

I wish to deal now with industry apprenticeship committees. I have said that 115 committees would be too many as with the advance of technology that number could be as high as 420. That would not be in the best interests of structuring a streamlined system and would do nothing to enhance apprenticeships in New South Wales. Mr Rigby made recommendations about pre-vocational and pre-apprenticeship training. I dwelt at some length on the matter of pre-vocational training. I again ask the Minister to consider appointing a member of the Department of Education to the council as I think that area will be overlooked under the proposed arrangement. The Director of Technical and Further Education or his representative is not completely au *fait* with the secondary school system and cannot therefore carry the input into the council or back to the schools. I should like the Minister to consider also that recommendation. In general they are matters of intent rather than of legislative nature. Of course, the issue of appointing a representative of the Department of Education to the council could be legislated upon. I hope the Minister will consider seriously those recommendations and take action to implement them.

Finally, I shall set out briefly the objectives that the Government should have. If the Opposition parties were in office, they would be embarking on this course. The first matter is to consider whether the apprenticeship directorate would be best placed under the Minister for Industrial Relations or whether there should be a Minister for employment. Perhaps the Minister responsible for technology, industrial relations and decentralization could be involved and apprenticeship put under a completely separate Minister. That would get rid of much of the confusion caused by the conflicting roles played by the industrial relations section and the apprenticeship division.

Consideration must be given to initiating a bursary system and encouraging employers to sponsor young persons at early stages in their careers to make them feel wanted. There should be fostered in those young persons loyalty towards their employers. Better access to information on the apprenticeship division should he given.

That could be done by placing outlets for the dispersal of information at street level. The western Sydney unit is on second-floor level, as is the unit in Wagga Wagga. That does not encourage people to come into the units to make inquiries. Autonomy must be given to the apprenticeship training commission and rationalization of the committee system is needed. Caution must be taken against moving too quickly towards a complete change in the apprenticeship system. I remind honourable members that teachers are seeking a 4-year training period for primary teaching, at a time when training in the apprenticeship system is being reduced further; indeed, a 3-year training period has been suggested. Those who have undergone reduced apprenticeship terms have been described by the Deputy Premier, Minister for Public Works and Minister for Ports as being pressure-cooked tradesmen who do not have a good grasp of the fundamentals of the trades they have undertaken.

I hope the Government will increase funds to the Department of Technical and Further Education to allow the department to meet the needs of young people. Above all, I hope the Minister will see his way clear to releasing the Rigby report so that members of the public can see the wisdom of the recommendations made in that report. I cannot see how that could embarrass the Government. It may be another milestone in the history of apprenticeship in New South Wales. It would show that the Government can act responsibly if it has a mind to do so.

I should hope that the Minister will soon produce to this House a blueprint for apprenticeships to meet the needs of the next decade at least. I hope that he will deliver a paper on apprenticeships that will tell the House more than he has done in his second reading speech, which gave scant information on this matter. We do not know now, any better than we knew two or three years ago, what the Minister has in mind. If he were to reveal his plans, perhaps there would not be headlines such as that which appeared in ***Rydge's*** *Journal* February issue. It stated, "Training failures undermine resources boom". In that article the following comment appears:

> The skills shortage currently hurting resource development in this country derives in significant part from poor training in skills.

I refer the House to some interesting newspaper headlines on this issue, in particular one published in the *Manufacturing Monthly*. A column in that publication is headed "Manufacturing News" and it refers to "The Death of the Apprentice?" If that is the feeling of such a major organization, it means the Minister has shown no leadership on this important question of apprenticeship. Moreover, he has failed to get across to the public of New South Wales, particularly young persons and employers, any message about future needs for and benefits of skilled training and Government plans for the future. I ask the Minister to publish a white paper on apprenticeship.

Mr NEILLY (Cessnock) [7.50]: I ask the House to grant me some indulgence in this my maiden speech by permitting me to refer to my electorate prior to speaking to the bills before the House. I was elected as a member of this House on 21st February. I am deeply grateful to those who supported me in that by-election campaign. Despite what has been said by some people, the Cessnock electorate has continued to have faith in the Labor Party both when it has been in office and when it occupied the Opposition benches. That faith does not come from blindly supporting the Labor Party but rather from an appreciation of what that party stands for. Though at times my electorate has not readily accepted decisions by Labor governments, it has known that the alternatives are unacceptable.

Until the election in **1978** my father represented the Cessnock electorate **for** nineteen years. Prior to that time he was a member of the Legislative Council and general secretary of the Miners Federation. As an individual he maintained a close

connection with the trade union movement and he had a keen insight into the problems of the community. Moreover, he had the ability to resolve problems quickly. After my father resigned from this House the Cessnock electorate was represented by Mr R. J. Brown—known as Bob Brown—a man highly regarded in the area and recognized for his talent. Since Mr Brown has entered the federal political arena as the member for Hunter his talents, competence and ability have continued to be recognized. I am sure that in the near future he will be a leading member of a Labor government in Canberra when his contribution will be significant.

I am glad to have this opportunity to pay a tribute to my mother, Mrs Lola Neilly. In the years prior to the introduction of electorate secretaries she displayed her courtesy and an ability to handle people's problems. She has the attribute of being able to deal with people, and she has exhibited her outstanding commonsense—something that is not found in many people. I should also like to take this opportunity to remind the Government that, although an electorate may be a Labor stronghold, it still has feelings. At times a Labor electorate may feel that it is not receiving just and adequate treatment from the government it has supported. However, that is not the case in Cessnock. One of the greatest problems faced by that electorate in recent years has been its high level of unemployment. The level of unemployment in the Cessnock electorate has been greater than either the State or the national average. The fact that a Labor government has been in office at various times has meant that a deal of assistance has been given to the people of the area.

The Cessnock electorate is closely connected with the coal industry and it has felt the effects of the mechanization of that industry. Perhaps the greatest impact of mechanization has been in the coal industry. Until the middle 1950's coal extraction was done mainly by contract labour. The advent of mechanical coalmining resulted in fewer jobs in the industry. Soon after that time coal exports declined, and government assistance was necessary to help the unemployed. At present, less than one-third of the total number of persons employed in the electorate are involved in the coal-mining industry. As a result of diversification, assisted by this Government, more people have been assisted to be employed on a sounder and much broader basis than hitherto. In 1979 a book was published about the Cessnock electorate. The title of that book is ***Mines, Wines and People; a History of Greater Cessnock.*** The co-editors were Jim Comerford, a former executive officer of the Miners Federation, Dr Max Lake, a noted vigneron, and Mr Stan Parkes who was associated with the area for a long time. That book typifies the region. However, the people of my area must come to the forefront of any discussion of the district. The people of Cessnock are honest and hard working, if given the opportunity to work. They have a strong feeling for the proud heritage of their area, and they are not afraid to display their pride.

Over the years the mining industry has had its ups and downs. In this time of a fuel shortage, coal has once again become important. In the area I represent underground coalmining is an important industry. At present most of the coal is being extracted by the open-cut method. However, we have a little of the assets in mother nature's bank which soon will be required and utilized. Wine in Australia is synonymous with the Hunter Valley, and the Pokolbin area in particular. At present we have a continuing furore over the proposed aluminium smelter projects. Perhaps the present situation is the result of some misunderstanding. The vignerons' greatest concern is the impact on vine growth caused by fluorides emanating from the smelters. Their concern is not about the quality of their product. I give the guarantee that for many years to come, even into the next century, the Hunter Valley will continue to produce premium wines of quality, irrespective of what may happen in that area.

Fortunately, this Government has recognized the need for development in the Hunter Valley. Perhaps the Government's interest was not entirely unselfish; it recognized the energy that could be provided by coal resources in the Hunter Valley. Those resources are sufficient to satisfy the needs of this State and the nation. Coal reserves in the Hunter Valley have not been mined to any great extent. It is probable that a little more than 2 per cent of the total known coal reserves in the area have been mined. The world energy shortage and the way in which the Arab countries control the production of oil have made the western world realize that it must place a great deal of reliance for its future energy needs upon the coal resources of this State. I believe that the Government realizes that the Hunter Valley has the resources to counteract the control of oil supplies by the Arab countries. Our coal energy resources are sufficient to look after our forseeable future needs; in fact they are the basis of an important export market.

A matter of great concern in my electorate is the lack of employment opportunities for female members of the work force. Females rely for employment almost entirely on the clothing trade and the textile industry. The removal of tariffs that protect the industries would have the effect of putting out of work 90 per cent of the female workers in the area. I was extremely pleased by the State Government's announcement of the appointment of an equal opportunity officer to examine the situation and to look into pre-apprenticeship training for females. Pre-apprenticeship training is being examined closely and monitored in the fitting and machining and electrical trades. I hope other trades will be included in the future. For the sake of my area I hope the scheme will be a success. Another cause of concern to me was raised by the honourable member for Wagga Wagga. He said that New South Wales fails to recognize what the private sector is achieving in apprenticeship training. Apprenticeship training must be carried out with the co-operation of the federal and State governments, the private sector and, naturally, the trade union movement.

In Newcastle recently a meeting of the Australian Institute of Engineers was held. The ***Australian Financial Review*** published on 9th February an article headed "Coal Mines 'Grab Tradesmen' in Hunter Valley". The convenors of the meeting said there was a need in the coalmining industry for apprenticeship training. Mr Peter Murray represented R. W. Miller and Company Pty Limited. In response to the facts outlined to him he said that in the previous year R. W. Miller had trained four or five apprentices who had completed their indentures. He said that the coalmining industry has no incentive to train people, for skilled workers are available virtually on demand. He said that the company had never had a great record in the past for training people and unless an incentive were provided he could see no necessity to train tradesmen at the moment.

A little more than a month later an advertisement appeared in the ***Australian National Times*** inserted by the National Training Council of Australia. The advertisement was headed "Is industry cutting off its nose?'. The advertisement contained a supporting statement by Mr John Evans, chief general manager of Howard Smith Limited. He supports trade training. That statement seemed incongruous to me when I remembered the corporate ties that Howard Smith has long held with the coalmining industry and with R. W. Miller and Company Pty Limited. I do not know how valid or sincere the statement was.

Over the years a number of reports have been prepared on trade training. The honourable member for Wagga Wagga said that the report prepared by Sir Alexander Beattie was probably the one on which most of this legislation is based. I do not deny that the Beattie report was a good and comprehensive report, but in the twelve years since it was produced many changes have taken place. A number of other reports have been prepared. In 1974 the Department of Labour and Immigration

prepared a paper for submission to the Organisation for Economic Co-operation and Development. The focal point of that paper was that part of Australia's economic resources is manpower. Manpower was then something that we did not have a great deal of, so it was something that should be respected and treated as of vital importance to our community. That should still be the approach.

Later a report was prepared by the Queensland Commission of Inquiry into Apprenticeship. The Queensland apprenticeship legislation is based on that report, which brought forth a number of new features. One was a matter that the honourable member for Wagga Wagga mentioned, pre-vocational training. In 1979 the Rigby report was produced. That also has been mentioned in this debate. With due respect to the Minister and the honourable member for Wagga Wagga, the second reading speech could have been more detailed on that aspect, but the legislation will achieve much of what the Rigby committee considers to be desirable. I take this opportunity to compliment Messrs Rigby, Springett and Wooldridge for the effort they put into the production of the report. They received 196 submissions and met on more than 80 days. Included in the submissions was the one mentioned by the honourable member for Wagga Wagga.

The next report I mention was prepared by the National Training Council of Australia. It was entitled "1979 Training Study Mission Report" and it dealt with the activities of the mission when it travelled overseas to examine apprenticeship training. One of its findings based on its experience overseas is the necessity to introduce some form of apprenticeship training at school level. On 2nd February, 1981, an editorial in the *Daily* Mirror stated that "a good plan deserves a quick nod". It continued:

> But the danger is that the ever-increasing shortage of skilled labor could prevent Australia reaping the full benefit of its own energy wealth.
>
> Like all good ideas, the NSW Education Department's scheme is relatively simple.
>
> It calls for high school courses in Years 9 to 12 to alter their focus to the needs of industry and the new technology, particularly in the metal, electrical and construction trades.
>
> The plan, which would cost a mere $2.6 million a year, will be presented soon to the Federal Government for final approval.
>
> The Government must give it that approval with great speed---or be made to stand in dunce's corner until the next election.

I feel certain that after what has transpired lately in the federal arena, federal Government approval would not be given. The federal Government has refused to shoulder its responsibility for apprenticeship training in Australia. The next report to which I invite the attention of honourable members is that of the Committee of Inquiry into Technological Change in Australia, known as the Myers report. In particular that report pointed to the need for an apprenticeship training system that is able to respond to change at trade level and possibly modular in format. When the honourable member for Wagga Wagga referred to modular training, he did not deal with it in all its facets. There are many facets to it, including specialist training, the retraining of apprentices and the provision for the training of people over a long period.

I am pleased to support the bills because they provide a framework for the future in the form of regulations. Amendments to regulations, rather than the introduction of amending legislation, makes for easier adjustment in curricula requirements, and the more rapid implementation of other necessary changes. The bills contain several significant features. First, there is to be duality of jurisdiction. Apprenticeship matters are to be segregated from matters requiring arbitration.

The Apprenticeship Council and the apprenticeship committee are to be required to report to the Minister at least annually, or as frequently as may be required, on changes required to the system. The legislation provides for a better system of indenturing apprentices. I understand that at the Committee stage an amendment is to be moved to permit of deeming a person to be an apprentice. In future, an employer who takes on a young lad as an apprentice and later does not want to continue the apprenticeship or has misled that young person into taking up an apprenticeship, will be forced to continue to train that apprentice until the requirements of the indenture are met.

The bill includes other provisions for the resolution of problems that in the past have had to be taken before the Apprenticeship Commission. A subcommittee is to be set up to handle those problems. In future problems will be resolved more easily than in the past. The honourable member for Wagga Wagga said that in the past apprenticeship supervisors have probably spent more time on activities other than those for which they were appointed. I agree with him, but I point out that since the presentation of the Rigby report the Government has increased the number of apprenticeships by 150 per cent. That must lead to a reduction in the demand by industry for the advisory service. It should result, also, in the more rapid implementation of some of the recommendations in the Rigby report.

The recommendations in that report dealt with three aspects in particular. First were the suggested legislative amendments. That has been done. It involved virtually a restructuring of the Act. The Act has been restructured but not in the form set out in the Rigby report. The legislation has been redesigned to provide more for regulatory control than for amending the Act. The second area to which the Rigby committee turned its attention was the number of apprenticeship supervisors and the number of clerical staff needed within the apprenticeship directorate to compile and analyse statistics. The use of computers is also envisaged for the directorate. The report suggests that more attention be paid to allowances for country apprentices.

I pay tribute to the Electricity Commission of New South Wales for opening last week at Muswellbrook an apprenticeship centre. That is a move in the right direction. The third part of the report emphasizes the need for a continuing review of apprenticeship matters. That is being done. The bill provides for the implementation of decisions by regulation rather than amendment of the Act. The regulations are to be the real strength of the legislation. The bill will meet another recommendation of the Rigby committee, that the apprenticeship system should have a directorate for administrative purposes and also machinery to handle the conciliation aspects of apprenticeships. The legislation before the House is capable of taking the New South Wales apprenticeship system into the twentieth century. It is good legislation and I believe it to be in the interests of the people of New South Wales.

Mr CAMERON: Mr Speaker ——

Mr FLAHERTY (Granville), Government Whip [8.19]: I move:

That the question be now put.

Mr SPEAKER: Order! The question is, That the question be now put. All in favour say, Aye; all those against say, No. I think the ayes have it.

[Interruption]

Mr SPEAKER: Order! I ask members on the Opposition benches to be aware that when I hesitate after saying, "I think the ayes have it," that is the time for them to seek a division of the House. I shall put the question again. The question is, That the question be now put.

The House divided.

Ayes, 55

Mr Akister	Mr Gordon	Mr O'Neill
Mr Anderson	Mr Haigh	Mr Paciullo
Mr Bannon	Mr Hills	Mr Petersen
Mr Barnier	Mr Hunter	Mr Quinn
Mr Bedford	Mr Jackson	Mr Ramsay
Mr Brereton	Mr Jensen	Mr Robb
Mr Cahill	Mr Johnson	Mr Rogan
Mr Cavalier	Mr Johnstone	Mr Ryan
Mr Cleary	Mr Keane	Mr Sheahan
Mr R. J. Clough	Mr Knott	Mr A. G. Stewart
Mr Cox	Mr McCarthy	Mr K. J. Stewart
Mr Curran	Mr McGowan	Mr Walker
Mr Degen	Mr McIlwaine	Mr Webster
Mr Durick	Mr Maher	Mr Whelan
Mr Egan	Mr Mallam	Mr Wilde
Mr Einfeld	Mr Mochalski	
Mr Face	Mr Mulock	*Tellers,*
Mr Ferguson	Mr Neilly	Mr Flaherty
Mr Gabb	Mr O'Connell	Mr Wade

Noes, 35

Mr Arblaster	Mrs Foot	Mr Punch
Mr Barraclough	Mr Freudenstein	Mr Rozzoli
Mr Boyd	Mr Greiner	Mr Schipp
Mr Brewer	Mr Hatton	Mr Singleton
Mr J. H. Brown	Mr Healey	Mr Smith
Mr Bruxner	Mr King	Mr Sullivan
Mr Cameron	Mr McDonald	Mr Toms
Mr J. A. Clough	Mr Mason	Mr West
Mr Dowd	Mr Moore	Mr Wotton
Mr Duncan	Mr Murray	*Tellers,*
Mr Fischer	Mr Osborne	Mr Caterson
Mr Fisher	Mr Park	Mr Taylor

Resolved in the affirmative.

Question—That these bills be now read a second time—proposed.

Mr HILLS (Phillip), Minister for Industrial Relations and Minister for Energy [8.25], in reply: I do not propose to speak at length in reply to the debate. I take this opportunity to congratulate the honourable member for Cessnock, who made a commendable maiden speech in which he dealt first with the electorate of Cessnock. He reminded honourable members of the wonderful contribution of his father to the electorate. It is pleasing to all honourable members to see another Neilly in this House as the representative of that famous electorate. The honourable member showed an extremely good grasp of the proposed legislation and gave a detailed analysis of the Rigby report, which is the basis of the measure. I listened, as did all honourable members, for a long time to the honourable member for Wagga Wagga who led on behalf of the Opposition. I must confess that at times I lost the thread of his argument. He was critical of the Government's efforts to improve the apprenticeship system.

[Interruption]

Mr SPEAKER: Order! I ask honourable members to reduce the level of audible conversation.

Mr HILLS: I remind Opposition members that since the Government came to office the intake of apprentices in New South Wales has increased from *11 300* to *16 500* last year and this year it is expected to be *18 000.* The Government has received the help and co-operation of private industry in many ways. Employers are making apprenticeships available, for they realize the need for a substantial intake into the scheme. I commend the bills for I believe that they will go a long way toward improving the situation.

Motion agreed to.

Bills read a second time.

Committee *(Pro Forma)* and Adoption of Report

Bills committed *pro forma* on motion by Mr Hills and reported from Committee with the amendments in the following schedule:

Apprentices Bill

Page *11,* clause *14,* line *11.* Leave out "liaise". Insert instead "co-operate".

Page *11,* clause *15,* line *28.* Leave out *"20 (3)* (c)". Insert instead *"20* (b) (ii)".

Page 12, clause 15, lines *22–34.* Leave out all words on those lines.

Page *13,* clause *15,* lines *1–8.* Leave out all words on those lines.

Page *15,* clause *20,* lines *14–23.* Leave out all words on those lines.

Insert instead:

20. The Director;

(a) shall refer any matter with respect to which he proposes to recommend that a regulation be made; and

(b) may refer;

(i) any application for an approval under section *22;* or

(ii) any other matter relating to the training of apprentices, including a matter in the nature of a difference or dispute between an employer and an apprentice or, where the apprentice is under the age of *18* years, his parents or guardians with respect to apprenticeship training,

Page *17,* clause *23,* line *32.* Leave out "the". Insert instead "his".

Page *18,* clause *23.* After line *2,* insert;

(8) In this section, "period of probation", in relation to a person who is or has been a probationer, means the period commencing when he is first employed by an employer as a probationer and ending when—

(a) he becomes an indentured apprentice of the employer; or

(b) he leaves his employment with the employer,

whichever first occurs.

Page 22, clause 30, line 10. Leave out "made on the recommendation of the Director".

Page 22, clause 30. After line 30, insert;

(5) A regulation deeming specified provisions of the regulations to form part of an award may be made only on the recommendation of the appropriate apprenticeship committee (within the meaning of the Principal Act) for the award.

Page 23, clause 31, line 2. Leave out "Director may, for such reason as he". Insert instead "relevant committee may, for such reason as it".

Page 23, clause 31, line 8. Leave out "Director". Insert instead "relevant committee".

Page 23, clause 31. After line 11, insert;

(3) In this section, "relevant committee", in relation to an order exempting a particular employer or apprentice from compliance with a regulated provision of an award, means the appropriate apprenticeship committee (within the meaning of the Principal Act) for the award.

Page 24, clause 33, line 20. Leave out ", why".

Page 24, clause 33, line 21. Before "the Director", insert "why".

Page 24, clause 33, line 31. Before "the Director", insert "why".

Page 25, clause 33, line 5. Leave out all words on that line. Insert instead:

(4) Subject to subsection (9), for such reason as appears to it sufficient, the appropriate training committee.

Page 25, clause 33, line 10. Leave out "Director". Insert instead "committee".

Page 25, clause 33, lines 17–30. Leave out all words on those lines. Insert instead:

(6) Any time occupied by an apprentice, during working hours, in attendance at a college or in carrying out a correspondence course (including time actually spent in travelling to and from a college) in compliance with—

(a) a requirement made of him by an award or subsection (1); or

(b) a condition subject to which he was exempted under the Principal Act or subsection (4) from compliance with any such requirement,

shall—

(c) be counted as and included as part of his term of apprenticeship; and

(d) be deemed to be time worked for the purpose of calculating wages to be paid to him under any award.

Page 26, clause 33, lines 1–9. Leave out all words on those lines. Insert instead:

(7) Where an award or subsection (1) or a condition subject to which the apprentice is exempted under the Principal Act or subsection (4) from compliance with a requirement of an award or subsection (1)—

(a) requires that an apprentice shall attend at college for any class or course of instruction; or

(b) requires that an apprentice shall obtain instruction by correspondence or in some other manner, specified in the condition,

the employer of the apprentice shall allow him such time as is necessary during ordinary working hours for the purpose of that attendance or of taking full advantage of that instruction, as the case may require.

Page 26, clause 33. After line 11, insert:

(9) Before a training committee makes an order under subsection (4), it shall—

(a) submit the terms of the order it proposes to make to the Director-General of Technical and Further Education; and

(b) consider any representations—

(i) made by him with respect to the proposed order; and

(ii) received by it within 10 days after the terms have been so submitted.

Page 29, clause 37, line 17. Leave out all words on that line. Insert instead "referred to in clause 2 (1) (b) of Schedule 2 and the Director-General of Technical and Further Education".

Page 30, clause 40, line 12. After "that", insert "relates to the employment of an apprentice and".

Page 32, clause 43, line 17. After "Director", insert "or a person nominated by him for that purpose, not being a member of the committee,".

Page 33, clause 43. After line 18, insert:

(8) The chairman of a training committee may not exercise the power granted him by subsection (3), (5) or (6) so as to cause a recommendation to be made by a training committee for the making of a regulation.

Page 34, clause 48. After line 25, insert:

(b) to impose or refuse to impose a condition upon an exemption under section 31 (2) or 33 (4);

Page 34, clause 48, line 26. Leave out "(b)". Insert instead "(c)".

Page 34, clause 48, line 27. Leave out "(c)". Insert instead "(d)".

Page 35, clause 48, line 4. After "29 (2);", insert "or".

Page 35, clause 48, lines 5–7. Leave out all words on those lines.

Page 35, clause 48, line 8. Leave out "(e)". Insert instead "(c)".

Page 39, clause 54, line 30. After "trained", insert "by their employers".

Page 40, clause 54, line 11. After "apprentices", insert "by their employers".

Page 41, clause 54. After line 10, insert:

(7) A regulation may provide that, in prescribed circumstances, a person shall be deemed to be or to have been, for a prescribed period, an indentured apprentice in the employment of another person who—

(a) is employing or has employed the person (otherwise than as a trainee apprentice subject to an apprenticeship established pursuant to an approval given under this Act of the Principal Act); and

Mr Hills]

(b) has breached or failed to comply with a provision of this Act relating to the employment of the person.

(8) A regulation may be made pursuant to subsection (7) upon the recommendation of an apprenticeship conciliation committee.

Page 42, clause 1 of Schedule 1, line 5. Leave out "10". Insert instead "11".

Page 42, clause 1 of Schedule 1, line 11. Leave out "and".

Page 42, clause 1 of Schedule 1, line 13. Leave out "employees.". Insert instead "employees; and".

Page 42, clause 1 of Schedule 1. After line 13, insert:

(e) one shall be the person appointed under section 15 (1) of the Principal Act to be the conciliation commissioner for apprenticeships.

Page 44, clause 1 of Schedule 2, line 24. Leave out "2 (a)". Insert instead "2 (1) (a)".

Page 45, clause 2 of Schedule 2, line 4. Leave out "2.". Insert instead "2. (1)".

Page 45, clause 2 of Schedule 2, lines 5, 6. Leave out "Director, who shall be the chairman of the committee; and". Insert instead "Director;".

Page 45, clause 2 of Schedule 2, line 10. Leave out "nomination.". Insert instead "nomination; and".

Page 45, clause 2 of Schedule 2. After line 10, insert;

(c) the Director-General of Technical and Further Education or a person nominated by him to be a member who shall—

(i) be deemed not to be a member for the purposes of section 43 (3) and clauses 8 and 9; and

(ii) not be considered to be an appointed member within the meaning of this Schedule.

(2) A person nominated under section 43 (1) to be the chairman of a training committee shall, while he is acting as chairman of the committee, be deemed, except for the purposes of section 43 (3), to be a member of that committee, but shall not be considered to be an appointed member within the meaning of this Schedule.

Page 52, clause 10 of Schedule 4, lines 4–8. Leave out all words on those lines. Insert instead;

10. (1) Subject to subclause (2), where

(a) immediately before the commencement, a prescription of a trade is made in provisions deemed by clause 4 of Schedule 9 to the Industrial Arbitration (Apprenticeship) Amendment Act, 1981, to comprise an award made by an apprenticeship conciliation committee; or

(b) after the commencement, a prescription of a trade is made in the negotiated provisions of an award by the commission, a conciliation commissioner or on apprenticeship conciliation committee, that prescription shall, for the purposes of section 21 (1), be deemed to be made by a regulated provision of the award.

Industrial Arbitration (Apprenticeship) Amendment Bill

Page 10, item (6) of Schedule 2. After line 25, insert;

(4) The Director-General of Technical and Further Education or a person nominated by him for the purpose shall, except for the purposes of subsection (2) and section 77E, be deemed to be a member of an apprenticeship conciliation committee.

Page 21, item (8) of Schedule 3, lines 19–21. Leave out all words on those lines.

Page 21, item (8) of Schedule 3, line 22. Leave out "(6)". Insert instead "(5)".

Page 21, item (8) of Schedule 3, line 26. Leave out "(7)". Insert instead "(6)".

Report adopted on motion by Mr Hills.

BILLS RETURNED

The following bills were returned from the Legislative Council without amendment:

Clean Air (Amendment) Bill

Clean Waters (Amendment) Bill

Colleges of Advanced Education (Amendment) Bill

Liquor (Amendment) Bill

Motor Traffic (Clean Air) Amendment Bill

Registered Clubs (Amendment) Bill

JOINT COMMITTEE UPON PUBLIC ACCOUNTS AND FINANCIAL ACCOUNTS OF STATUTORY AUTHORITIES

Report

Mr BRERETON (Heffron) [8.32]: By leave, I bring up and lay upon the table of the House the report and minutes of proceedings of and evidence taken before the Joint Committee of the Legislative Council and the Legislative Assembly upon Public Accounts and Financial Accounts of Statutory Authorities for whose consideration and report this subject was referred on 14th November, 1978.

Ordered to be printed.

MOTOR VEHICLES (TAXATION) AMENDMENT BILL

Introduction

Motion (by Mr Jensen) agreed to:

That leave be given to bring in a bill for an Act to amend the Motor Vehicles (Taxation) Act, 1980, with respect to the adjustment of rates of taxation imposed by that Act.

Bill presented and read a first time.

Second Reading

Mr JENSEN (Munmorah), Minister for Local Government and Minister for Roads [8.33]: I move:

That this bill be now read a second time.

The purpose of this bill is to defer from 1st July, 1981, until 21st November, 1981, the increase in motor vehicle taxation rates which will take effect under the automatic annual indexation provisions contained in the Motor Vehicles (Taxation) Act, 1980. I shall explain briefly to honourable members the reasons why the Government considers that the measure is necessary. The Motor Vehicles (Taxation) Act, 1980, which commenced on 21st November, 1980, did two things. First, it increased the rates of motor vehicles tax levy and motor vehicles weight tax by 30 per cent. This increase applied to the registration or renewal of registration of a motor vehicle effected on or after 21st November, 1980.

As I explained in my second reading speech on the Motor Vehicles (Taxation) Bill, the principal factor which made that increase necessary was the constant refusal of the Commonwealth Government to provide an adequate level of grants for roads in New South Wales. There was also an urgent need to arrest the erosion of the real value of road funds due to infiation. Second, the Act provided a mechanism for the automatic annual adjustment of the rates of tax levy and weight tax in line with changes in the cost of roadworks. The first automatic annual adjustment of those rates is due to commence on 1st July, 1981, to cover the increase in those costs during 1980. Based on the indexation formula in the Act it has been calculated that the adjustment percentage increase in the rates which will automatically apply on and from 1st July, 1981, will be 13.6 per cent.

The practical impact on motorists of the first adjustment under the Act differs according to the date when registration falls due. Those motorists who register their vehicles between 21st November, 1980, and 30th June, 1981, are liable to pay the initial increase of 30 per cent in one payment and then as registration falls due again they are liable to pay the additional increase of 13.6 per cent resulting from the indexation on 1st July, 1981. In other words, the increases are staggered over two payments. On the other hand, the group of motorists who register their vehicles between 1st July, 1981, and 20th November, 1981, would be liable to pay both increases in the one payment. The compounding effect of both percentage increases in that payment would provide a single increase of almost 48 per cent.

It is the second group of motorists that the Government is concerned about and at whom the measure contained in this bill is directed. The Government is conscious of the costs all motorists already face. The plain fact is that it is not willing to burden further one particular group of motorists with a single increase in taxation rates amounting to nearly 48 per cent. The Government has made this decision despite the acute shortage of funds for roads. Accordingly, the Government has decided to defer the implementation of the indexation increase from 1st July until 21st November, 1981, thereby ensuring that no motorist is required to pay an increase of more than 30 per cent during this period.

The concession made by the Government in this measure is consistent with what it sees as the prime aim of the indexation provisions of the Act. That aim was to provide for a series of steady adjustments in the motor vehicle taxation rates as opposed to sharp increases every few years, as had been the practice of governments prior to the passing of the Act. I table a short statement of explanatory material relating to the bill and commend the bill to the House.

Motor Vehicles (Taxation) Amendment Bill

Clause 1. Short Title.

Clause 2. Provides that the Motor Vehicles (Taxation) Act, 1980, is referred to in the proposed Act as the Principal Act.

Clause 3 (1). Provides that, in the proposed subsection (2), the reference to the adjustment percentage for the year ending with 31st December, 1980, is a reference to the adjustment percentage for that year within the meaning of the Principal Act.

Clause 3 (2). Provides that the Principal Act applies in respect of the adjustment percentage for the year ending with 31st December, 1980, as if—

(a) references to 1st July in section 12 (1) (the section providing for the automatic annual adjustment of taxation rates) and section 13 (the section providing for publication in the gazette of the adjusted rates) were references to 21st November, 1981, and

(b) the reference in section 13 to 1st June (the date before which the adjusted rates shall be published in the Gazette) were a reference to 21st October, 1981.

Debate adjourned on motion by Mr Brewer.

POLICE REGULATION (AMENDMENT AND VALIDATION) BILL

Suspension of Standing Orders

Suspension of so much of the standing orders as would preclude this bill being brought in and passed through all its stages in one day agreed to on motion (by leave.) by Mr Hills.

Introduction

Motion (by Mr Hills) agreed to:

That leave be given to bring in a bill for an Act to amend the Police Regulation Act, 1899, with respect to the offices held by members of the police force and to validate certain matters.

Bill presented and read a first time.

Second Reading

Mr HILLS (Phillip), Minister for Industrial Relations and Minister for Energy [8.42]: I move:

That this bill be now read a second time.

The provisions of this bill are based upon recommendations by his Honour Mr Justice Lusher, contained in chapter 15 of the Report of the Commission to Inquire into New South Wales Police Administration. As honourable members will be aware, that report was tabled in this House yesterday. The amendments are designed to cure a number of apparent deficiencies in the appointment of members of the New South Wales Police Force and to ensure that such defects do not occur in the future.

The inquiry reveals discrepancies between the Police Regulation Act, 1899, the Statutory Rules made pursuant to that Act and police practice relating to aspects of ranking, grading and appointment of officers. The Crown Solicitor has concurred with Mr Justice Lusher's recommendation that legislation be introduced immediately to rectify those discrepancies and to ensure the validity of doubtful appointments. This is essential to prevent the possibility of challenges to the lawfulness of the conduct of police officers on the grounds of technical defect in their appointment.

I now proceed to explain the provisions of the Police Regulation (Amendment and Validation) Bill, in detail. Clause 1 of the bill contains the Short Title. Clause 2 of the bill refers to the Police Regulation Act, 1899, as the principal Act. Clause 3 of the bill provides for the amendment of the principal Act in the manner set forth in schedule 1. Schedule 1 amends the principal Act, to enable rules to be made creating grades of superintendents and inspectors appointed under section 5 of the Act and to enable rules to be made creating grades of sergeants and constables appointed under section *6* of the Act. The amendments will ensure that the legal position conforms with the administrative practice of grades of ranks being created under rules made by the Governor.

I now turn to those provisions of the bill designed to ensure the validity of doubtful appointments within the police force. First, some doubt exists as to the validity of the Police Rules in so far as they provide, in Rule *6,* for ranks of chief superintendent and senior superintendent. There is a similar doubt in relation to appointments to the rank of senior inspector prior to the enactment in 1980 of section 5AA of the Police Regulation Act, 1899. The effect of clause 5 of the bill will be to statutorily confum the creation of these ranks and retrospectively validate appointments to these ranks.

Furthermore, as the Police Regulation Act presently stands, grade of ranks of sergeant and constable should be made by the commissioner pursuant to section *6* of that Act. Yet to date such grades have been established under the Police Rules. Consequently, clause 5 will ensure the retrospective validity of those grades of sergeant and constable, while schedule 1, as previously mentioned, will ensure the future validity of Police Rules establishing such grades. Clause *6* of the bill ties in with clause 5 by ensuring that any reference to a particular rank of officer includes the various grades of that rank.

A second problem concerns the administering of oaths to members of the police force under section 9 of the Police Regulation Act. That section would appear to require that a police officer, upon appointment or promotion to any rank swear an oath or make an affirmation of office. However, this, in fact, has not been a part of police practice to date. Until now, the only oaths administered have been at the time of recruitment, which is usually only at constable rank. As a result, the validity of appointments above the rank of constable has been doubted. Clause *6* of the bill will validate such appointments retrospectively. For more abundant caution, it will also validate acts performed by members of the police force whose appointments are suspect solely on the ground that an oath or affirmation has not been taken.

Another problem the bill is designed to overcome relates to the appointment of the present Commissioner of Police. There is argument for construing the Police Regulation Act, 1899, to prohibit a person over sixty years of age from being appointed as Commissioner of Police. As honourable members will be aware, the present Commissioner was over sixty years of age when appointed. For this reason, together with the fact that an oath of office was not administered to the Commissioner upon appointment to that rank, it is necessary to validate his appointment. This has been

provided for in clause 7 of the bill. Also it has been necessary under clause 8 of the bill to validate the Commissioner's previous appointment as Acting Commissioner, in view of the absence of any statutory backing for the office of Acting Commissioner. Clause 9 of the bill validates appointment of members of the police force to officers established under other Acts.

The various defects relating to appointments within the police force to which I have referred have gone unnoticed until now. Mr Justice Lusher's report has brought them to public notice. Consequently it is a matter of utmost urgency that this House consider the legislation today otherwise the possibility exists of disruption to the police administration and court system generally. I hope all honourable members will support this bill. I commend the bill to the House.

Mr MASON (Dubbo), Leader of the Opposition [8.48]: The Opposition will support the legislation. The bill will remedy anomalous situations that have existed at least since 1935 but perhaps since 1899 when our forefathers set in motion this course of action. It seems that those anomalies cannot be blamed on the former Liberal Party-Country Party Government or on the present Government. It is one of those practices that has gone on unchecked for a long time, until Mr Justice Lusher suggested that the Government should not be at risk in such an important matter but should validate all proceedings with relation to appointments to offices and set the matter in order. The last thing that any member of this House would want would be for some member of the legal profession or some other person to take advantage of a peculiar situation like this and thereby throw justice and law and order into disrepute.

The Opposition supports the measure. The Government has acted wisely in pushing this legislation through so expeditiously. I assure the Minister for Industrial Relations and Minister for Energy, who is handling police matters, that we will support the measure at every stage.

Motion agreed to.

Bill read a second time.

Third Reading

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

VALUERS REGISTRATION (AMENDMENT) BILL

Second **Reading**

Debate resumed (from 8th April, *vide* page 5571) on motion by Mr Gordon:

That this bill be now read a second time.

Mr OSBORNE (**Bathurst**) [8.51]: The Opposition supports the bill. It arises from experience gained since 1975 when the Valuers Registration Bill passed through this Parliament and established the Valuers Registration Board. The original legislation set out classifications of registration and the qualifications and experience that were required for registration. Under the Act, valuers then sought through the board, on proof of their qualifications and experience, registration as either practising or non-practising real estate valuers. Provision was made in the legislation for a right of appeal to the District Court by anyone who was dissatisfied with the board's decision

on an application for registration. This amending legislation, introduced after sufficient time for faults or discrepancies in the original legislation has had time to show up, proposes three new categories of registration—as an associate real estate valuer, an associate valuer of licensed premises and a valuer of licensed premises—and sets out the requirements for persons seeking registration in these classifications.

The bill will change the venue for appeals against decisions of the board with respect to applications for registration from the District Court to the Land and Environment Court. I have been asked to request the Minister to inform the House in his reply whether any such appeal would go to the court or to an assessor, as is provided in the Land and Environment Court **Act.**

Mr Gordon: The appeal will be to the Land and Environment Court.

Mr OSBORNE: The legislation which established that court provided for certain matters to be dealt with by an assessor before going to a judge of the court. The Minister has answered that query. Another matter of concern expressed to me is the section of the bill which authorizes a court when fixing costs to take into account any information not put before the registration board but put before the court. The bill was not available to me at the time this matter was brought to my notice. Proposed new subsection (5) of section **23** provides that the court shall take into consideration the failure, neglect or refusal of the appellant before it makes any order as to costs in respect of the appeal. That provision covers the matter that was brought to my notice.

The Institute of Valuers is concerned about the use of the title associate valuer, as the institute already uses the title associate member. The institute is concerned that the use of the title associate valuer may result in some confusion. An associate member of the institute is a person who has completed the required course and had four years' practical experience as well as meeting the examination requirements on that experience. The institute suggested that the title provisional valuer may be preferable to associate valuer. I offer that suggestion to the Minister. It is difficult to choose a title that pleases everyone.

The main concern expressed to me by persons engaged in the profession of valuing relates to the limitation that can be applied to valuers by the board. The board will be able to restrict the area of operation of a valuer, even within certain shire boundaries. Valuers claim that as professional people they should not be subject to any restriction. They point out that solicitors, doctors, veterinarians and accountants who are qualified are then able to practise anywhere in the State. Valuers consider that as qualified professional people they should not be confined to operating in a restricted area. They point out that the amending legislation provides for a code of ethics which would enable the board to deal with any valuer who proved inefficient in a particular field of valuing. Those are the matters I have been asked to raise at this stage. The Opposition supports the bill.

Mr GORDON (Murrumbidgee), Minister for Lands, Minister for Forests and Minister for Water Resources [8.58], in reply: I should like to inform the honourable member for Bathurst that as far as appeals to the Land and Environment Court are concerned, it is the province of the judge to decide how a matter will be dealt with. It is more than likely that the appeals to which the honourable member referred will be dealt with by the judge himself. With regard to the restrictions referred to by the honourable member, it must be borne in mind that the board has the responsibility to protect the consumer. In other words, if someone pays a fee for a valuation, he is entitled to have it provided by a qualified valuer. If a valuer has not had experience in a certain field he will not be permitted to value in that field.

The honourable member for Bathurst referred to doctors. I remind him that doctors specialize in various fields, as do valuers. The honourable member mentioned solicitors also. In a group of solicitors one generally finds one person handling taxation matters, another handling conveyancing and another handling criminal matters. Professional people find their own level. In a group practice the individual chooses the field in which he has most interest and specializes in that field. This legislation goes a little further than that. Under it a city valuer without experience would not be allowed to value broad acres. However, if he had a job in the country valuing broad acres he would probably approach a valuer with experience in that area and say: "I have a client who wants this done. Will you assist me?" He would then confer with that person. After the city valuer had done that several times and gained the necessary experience, he could apply to the registration board and if he could convince the board that he had gained sufficient experience, his registration would be extended. That is fair enough. I have spoken to representatives of the three valuers' organizations and they are satisfied with that provision. It does not seem to present any difficulties.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Gordon.

FARM WATER STORAGES AND BORES SUBSIDIES (AMENDMENT) BILL

Second Reading

Debate resumed (from 18th March, ***vide*** page 4827) on motion by Mr Gordon:

That this bill be now read a second time.

Mr FISCHER (Murray) [9.1]: In general terms, the Opposition supports the bill as being a measure long overdue, one that will provide flexibility in applications by primary producers for access to this important subsidy. The policy under which this particular subsidy scheme arises was introduced under the Liberal Party–Country Party Government of the early 1970's. To give credit where it is due, that policy has been continued by the present Government since the change of government on 1st May, 1976. Under both administrations it has been a great benefit to primary producers, and occupiers and operators of agricultural lands in New South Wales. Of the total area of 80 million hectares in New South Wales, 30.3 million hectares or 38 per cent is too dry for cropping except under irrigation. A further 13.7 hectares or 17 per cent can be considered as only marginal. This information is circulating in Parliament House under the authority of the Minister for Agriculture. Subtracting the figures I have just given from the total of 80 million hectares, we are left with 36 million hectares or 45 per cent of the State which is suitable for dry land agriculture, and it is there that these subsidies prove to be a real boost to primary producers.

Of the 36 million hectares suitable for dry land agriculture only 7.3 million hectares or 9 per cent receive annual rainfall of more than 1 000 millimetres or 40 inches. These are the areas where rainfall is adequate throughout the year. The balance of that 36 million hectares is greatly in need of additional water conservation works to help tide over property owners in periods of drought and dry periods that fall short of being drought but which can extend for six or eight.

weeks. The later periods can crucially affect primary production at critical times of the year. The figures are of particular interest when we consider the bill. Of the 7.3 million hectares that receive adequate rainfall through the year, 4 million hectares has steep and rugged terrain and, in many instances, extremely poor soil. The remaining 3.3 million hectares include many areas of low fertility soil. Other areas with reasonable annual rainfall of 500 to 1 000 millimetres, 20 inches to 40 inches a year, total 28.7 million hectares, but of this area 9.2 million hectares are steep and rugged and many parts have soils of low fertility.

The total area of New South Wales with reasonable rainfall and land that is not steep or rugged, or of low soil fertility, is some 22.8 million hectares, little over 25 per cent of the area of New South Wales. Little of the area is suitable for irrigation because of the scarcity of water. Those lucky enough to live in the better parts of the Murrumbidgee valley, the Lachlan valley, the Darling, Castlereagh and elsewhere, certainly benefit from irrigation. The rural land in New South Wales capable of being irrigated is small; most of it is unsuitable for irrigation, and can derive no real benefit from the farm water storages and bores subsidies scheme. The true value of the scheme is that it allows primary producers to conserve water privately to insure against dry times or drought.

New South Wales is in the grip of a drought which at this stage may only be beginning. The major water storages in New South Wales have never been as depleted as they are now. The Chaffey Dam, as the Minister for Agriculture in another place said, is more than 98 per cent empty. Drought has reached a critical stage. It ill behoves Government supporters to joke about it. It is hoped there will be winter catchment rains to allay the drought. Such rains would replenish the storages and would allow irrigation to continue without restrictions next summer. Primary producers with access to water bores or small storages on their farms would be helped by winter catchment rains. But that is only if they come. We do not know whether they will. We can only hope. In the absence of winter rains it is most important that the farm water storages and bores subsidies scheme be continued by the government of the day. The element of bureaucracy in the scheme should be kept to the barest minimum to allow quicker administration.

The Opposition does not oppose the right that this bill confers of allowing applications to be made within six months of the commencement of the work. However, even if this legislation passes through both Houses in the next forty-eight hours, which I doubt, and is raced off to Government House for His Excellency's signature and enacted, restrospectivity under the bill can be only to 1st November, 1980. A case exists for the bill to be made retrospective to 1st July, 1980, the beginning of the present financial year.

Mr Gordon: If it goes back eleven years, I shall get something from it.

Mr FISCHER: I thought the Minister had sold his property. In any event, we cannot turn the clock back so far. It would be a demonstration of concern for those affected by drought to make the bill retrospective to 1st July, 1980. That would assist primary producers who, through lack of knowledge or preparation, or for some other good and proper reason perhaps, were not able to lodge their applications and therefore are ineligible for a subsidy. I do not think it is too much to ask that the bill be made retrospective for the five months before November 1980. It would still be operating within the present financial year. That would not cost the State Treasury a great deal. Unfortunately, because a message from the Governor recommending additional expenditure would be required for an amendment to that provision, the Opposition will not move to give effect to such a proposal.

If the provision were made retrospective, only a small amount of money would be required. I am asking that the provision should apply from 1st July, 1980. Such a move would be a reasonable gesture by the Government and would test its bona fides. The Government has done well to bring forward this measure and I commend the Government on the flexibility of arrangements under the scheme. However, if the Government is fair dinkum in its approach in a scheme of assistance, it should be willing to take the reasonable step I have suggested. An additional reason for back-dating is the fact that it would assist the severe drought areas of New South Wales involving 80 million hectares. I believe that we have reached the stage when the Government should introduce an emergency plan and implement it valley by valley. I am not suggesting that there should be any panic, but merely that we should be fully prepared for the next irrigation season should the worst come to the worst. The Government should prepare for what will happen if there are insufficient winter catchment rains.

I hope that the Minister will take the opportunity at an appropriate time during the recess to spell out to irrigators what is happening in each valley in the State. One gathers that priorities have been laid down in respect of permanent plantings, town water supplies and pasture irrigation. However, many question marks still hang over the future in respect of major water storage, for which the Minister is responsible. I take this opportunity of reminding the Minister of his responsibilities and to bear them in mind for the next irrigation season in New South Wales. The Opposition supports this measure but requests the Minister through administrative action or by amendment to implement the provisions retrospectively from 1st July, 1980.

Mr McCARTHY (Armidale) [9.13]: The proposal made by the honourable member for Murray is irresponsible. Had his party been in Government, he would have never made it. Many people in New South Wales are taking the opportunity to obtain subsidies through the bore subsidy scheme, a scheme that has been improved greatly during the present drought and that is to the Government's credit. Those affected by the drought have only to pick up the telephone to obtain the approval they need to start work and get a subsidy to help meet the cost.

There is no merit in the suggestion that this legislation should be backdated. The Government is already subsidizing farm bore operations and water storage to a greater extent than any other government in the history of this State. The Government's actions have benefited many people who depend on rural incomes. The Government is most sympathetic to people who face difficulty in drought. Subsidies are provided for the cartage of fodder and for the s fting of stock from one area to another. The time that may elapse between a request and action taken has been shortened considerably. The granting of licences has ben expeditied and the procedures that affect those who bore for water have been improved.

Criticism by the Opposition in this context is both unrealistic and untruthful. This legislation will enable those concerned to operate a decent farm water supply. Many people in the rural areas of New South Wales are happy that they are able to obtain 90 per cent subsidies for farm water supplies. I congratulate the Minister and the Government on this legislation.

Mr OSBORNE (Bathurst) [9.17]: I support the bill and commend the Minister for introducing it. I support also the suggestion made by the honourable member for Murray that the provisions should be back-dated to July last year. The honourable member for Armidale said that one only had to pick up a telephone to obtain drought assistance. I have made representations to the Minister about problems in my electorate, and I admit that this legislation goes further than I asked except for my request that in declared drought areas the pre-approval requirement should be deleted. When I

put that suggestion forward, I was told that help could be obtained by a mere phone call.

I put out that information via the media, but there are still many people in country areas who have not got the message. Perhaps they are too busy on their farms to watch television or read the newspapers, but certainly I have done everything in my power to inform them of the Minister's reply. I have emphasized the fact that anybody in trouble should ring the department to obtain oral approval for a subsidy. However, my constituents still come to me with drought problems. The Minister has in his file letters from me on this score. I know that Australia is a big country and people live in isolated areas, but they still do not appear to know that this assistance can be initiated over the telephone.

The provision may be a bit unfair to some landholders. Some persons may be advised by a departmental officer or a member of Parliament to telephone the commission and ask for the subsidy. Others may not get that advice. Most honourable members try to get information to their constituents but some country folk live in isolated situations. I have received letters from farmers saying they did not apply for the subsidy because they were unaware of the scheme. The provision has been inserted to make it fairer for people who, through no fault of their own, did not know of the scheme. People who sink bores move round a good deal. Sometimes they are asked to sink a bore and they say, "We can do the job, provided that we can start tomorrow. Soon we have to go to Burraga and then on to Black Springs. We may not be back in this district for two months". In desperation, the landholder will say, "Very well, come tomorrow". In those circumstances he may not get prior approval.

I take this opportunity to pay tribute to the officers of the Water Resources Commission. Many of my constituents have told me that whenever they contact the officers they receive a good deal of consideration from them. The officers probably understand the circumstances that landholders are working under at present. I hope my representations to the Minister helped him. There was nothing sinister in my suggestion that the operation of the scheme be back dated to July 1980. Many farmers are in desperate straits and it might help them.

Mr GORDON (Murrumbidgee), Minister for Lands, Minister for Forests and Minister for Water Resources [9.22], in reply: I thank the honourable member for Murray, the honourable member for Armidale and the honourable member for Bathurst for their comments. I point out to the honourable member for Murray that this scheme was introduced in 1971 and it has expanded considerably. Over the years 1971 to 1976, during the term of the former Government, the annual average cost of the scheme was $593,000. From 1976 when the present Government took office to this year the annual average cost has been $2.05 million—almost four times greater than the 1971–76 figure. The Wran Labor Government has helped farmers a good deal. The figures I have quoted contain no inflation factor. One of the criticisms the Government receives is that the subsidy is too small, but I point out that this is the only State in which this type of subsidy is available. The Government has only a certain amount of money and how it is spent is a matter for decision by the Government.

In the present financial year 9 374 applications were received. The amount paid out so far this year is $3.6 million. The allocation for the year is $4.2 million, eight times the average annual expenditure for the 1971–76 period. That is a significant increase. It is true that delays have occurred. The Water Resources Commission has employed extra staff to process applications. The drilling fleets have been expanded also, but that has not been easy, for the type of skilled labour required is scarce. Skilled workers are in demand by private drillers as well as by the commission.

The honourable member for Bathurst also mentioned delays. Regrettably, delays occur. Laymen who complete application forms sometimes furnish incorrect or incomplete information. Sometimes they give no information, and delays occur. However, if a driller is in the vicinity and a person telephones the Water Resources Commission and gives the necessary information, he will be given provisional approval within a couple of days. One could not expect better service than that. If the correct information is supplied, the subsidy will be paid eventually. Part of the delay is caused by the huge increase in the amount of subsidy paid out. As well, because of staff ceilings, it has been necessary for the commission to transfer staff. The commission deserves credit that it has been able to manage as well as it has.

I hope the honourable member for Murray was not serious when he spoke about the Chaffey Dam. One would have thought from his remarks that the level had dropped from full capacity to 2 per cent. It has never been more than 24 per cent full, but despite that Chaffey Dam has been a blessing to many farmers who have been able to draw extra supplies of water from it. When the dam was built farmers did not have an alternative supply in the Tamworth district. The extra water did not overcome their problems but it helped.

The honourable member for Bathurst suggested the scheme should be back dated to 1st July, 1980. I agree it is unfortunate that some people were not aware that they could apply for a subsidy. However, there is no provision in the Act to pay a subsidy to persons who have not made application before commencing work on a bore. Many of the persons who have missed out on the subsidy will get it next time they sink a bore on their property.

The honourable member for Murray asked me what will happen if there is no rain. People ask me that question wherever I go, but I am sure they do not seriously expect me to tell them what they can do. It is certain that if rain does not fall this winter there will be few summer crops. Water allocations will be low. The Water Resources Commission is working on the problem. In some areas there will be restricted cropping and in others there will be virtually none. I have not yet seen the figures but in the Namoi Valley it will be a problem to keep the stock and permanent plantings alive with a restricted amount of water. In some areas the rainfall this year has been the lowest for 91 years. The situation is serious. The Government and the Water Resources Commission will do what it thinks best for all concerned, not only farmers in the electorate of the honourable member for Murray. Landholders in the electorates of Upper Hunter and Bathurst must also be looked after.

Mr Osborne: Does the period the Minister mentioned—91 years—apply to the entire State?

Mr GORDON: No, it varies from area to area. But generally the situation is grim. Statewide, the drought is the worst we have ever had.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Gordon.

REAL PROPERTY (AMENDMENT) BILL

Second Reading

Debate resumed (from 18th March, *vide* page 4830) on motion by Mr Gordon:

That this bill be now read a second time.

Mr OSBORNE (Bathurst) [9.30]: The Opposition has studied this amending legislation and supports it. Inquires I have made from people involved in the legal profession reveal that they welcome the amending provisions as part of a programme to streamline the activities of the Registrar General. The bill will allow the provisions applying to the Registrar General to be varied in regard to the processing and storing of dealings under the Real Property Act. The retaining and storage of documents is a costly problem. Any measure that will reduce the cost of conveyancing must be welcomed. The bill provides that, subject to the Archives Act of 1960, the Registrar General may destroy documents notwithstanding that they may evidence a subsisting interest. Where the documents do evidence such an interest, it will be necessary for a photographic copy to be made of them before they are destroyed. I note from the explanatory notes tabled by the Minister that in practice all dealings will be microfilmed, which will do away with the need for culling of the documents. Further, it will eliminate the concern that is sometimes caused when documents are destroyed with the introduction of a new system. If the practice is adopted of microfilming all documents, there will be no risk as far as the records of the Registrar General are concerned.

The bill provides also for the filing of a memorandum to be used in conjunction with other dealings under the Real Property Act. My information is that this will enable standard clauses and provisions in constant use, such as in certain mortgages and leases, to be simply incorporated in subsequent dealings by reference to the distinctive number of the memorandum. The Minister said that in 1970 the Real Property Act was amended to permit the destruction of certain documents held by the Registrar General if they were not part of the register or did not register a subsisting interest.

The provisions of the bill will take this provision a stage further in the streamlining process. In 1978 a scheme was introduced to enable a memorandum, which is described officially as a summary of comments and conditions, to be filed and given a dealing number. Apparently, doubts have been expressed as to the validity of this scheme. The bill provides for this change to be made retrospective to 31st August, 1978, and thus validate anything that may not be valid at present. Provision is made also for covenants made in registered leases to be incorporated in a subsequent lease of the same land by an incorporation clause. Again, this will be a saving in that it will enable the use of a sheet form of lease to register such a lease. Provision is made for a variation of memoranda and leases when necessary in subsequent dealings. It would appear that the Government's proposals are a continuation of a programme of measures that was set in motion some years ago to streamline dealings in the Registrar General's department. The Opposition supports any measure that is directed to that purpose.

Mr GORDON (Murrumbidgee), Minister for Lands, Minister for Forests and Minister for Water Resources [9.33], in reply: I thank the honourable member for Bathurst for his comments in support of the bill, which is purely a machinery measure to allow for better management of the Registrar General's office and to assist in reducing costs. I did not expect any objection to the measure from the Qpposition.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Gordon.

INDUSTRIAL ARBITRATION (AMENDMENT) BILL

TRADE UNION (AMALGAMATIONS) AMENDMENT BILL

Third Reading

Bills read a third time, on motion by Mr Hills.

BANANA INDUSTRY (AMENDMENT) BILL

Second Reading

Debate resumed (from 18th March, *vide* page 4822) on motion by Mr Day:

That this bill be now read a second time.

Mr BOYD (Byron) [9.35]: The Opposition has no objection to the bill; it is a straightforward machinery measure that the industry sought and needs. The bill has the approval of all parties. I wish to refer to part of the history of the banana industry, particularly in view of some of the remarks made by the Minister in his second reading speech. The Minister said that the banana industry is of great importance to the North Coast of New South Wales and that is a fact. Although many people refer to Queensland as the banana-bender State, for many years the bulk of the industry has been in New South Wales. In 1933 the Banana Growers Federation was formed by a group of banana growers who sought to resolve their problems, co-ordinate the industry's future development and progress as an industry. The federation was created by the amalgamation of several small organizations that represented the industry along the various rivers of the North Coast. The original intention was to arrange for the transportation of fruit in an organized manner to the southern markets, first to Sydney, later to Melbourne and Adelaide and finally to Perth. The Banana Growers Federation has gone from strength to strength.

The banana industry, particularly those members of the industry who were associated with the Banana Growers Federation, met many challenges. In the 1930's they succeeded, by concerted grower action and without financial assistance from any other source, in overcoming the great problem of bunchy top. This scourge was practically eliminated and this virtually saved the industry from destruction for the second time in its history. At one stage a banana marketing board was formed under the Primary Produce Marketing Act for the purpose of controlling marketing in New South Wales. In the mid-1930's a plebiscite of growers decided that the Banana Marketing Board would be wound up. The assets were disposed of to the firm called Banana Growers Distributors, which is still in operation in Sydney and Melbourne.

The Banana Growers Federation has had an interesting record of able chairmen. The first chairman was Mr H. L. Anthony, who later became a member of the federal Parliament and a Minister of some renown; he was the father of the Deputy Prime Minister of Australia, the Rt Hon. J. D. Anthony. Another chairman was Mr Harold Stevenson, a fine individual. Then followed Mr Roy Armstrong, Mr Jack Murphy, Mr Bill Pike, Mr Sid Spies, Mr Ray Kratz, and the current chairman is Mr Ray Evringham. It should be put on record that Mr Ken Hack, who was a former chairman of the Queensland committee of direction, became the general manager of the Banana Growers Federation and built up a tremendous reputation as an administrator and co-ordinator. It was the wish of Ken Hack that New South Wales introduce legislation similar to that in operation when he was chairman of the committee of direction in Queensland. After years of discussion draft legislation was drawn up.

As a former chairman of a district council of the Banana Growers Federation I recall vividly that J. J. Murphy, as chairman of the federation, was convinced that this **Act** would come into operation and that New South Wales would enjoy the

benefits of the same type of legislation that operated in Queensland. On many occasions Ministers were approached about the matter, but nothing happened. It was not until the Hon. W. A. Chaffey became Minister for Agriculture in New South Wales that the go-ahead was given to the new Act. That is the Act that the House is now amending. It is to Mr Chaffey's great credit that, after many years of disappointment, he accepted the challenge and made this Act become the model for other primary producers in New South Wales. It was a pioneering Act. Many persons have examined the Act and said that it is the type of measure that can be exploited. The original Act was passed in 1969 and was reprinted in 1972.

The Minister, in his second reading speech, outlined the importance of the industry. He said that there are 2 000 growers in New South Wales. He said also that the annual productivity of those growers is worth $28 million on a wholesale basis. That may sound an impressive sum. However, when one does some simple arithmetic, it comes out at $14,000 a year gross for each grower. While the banana industry has been self-sufficient and undemanding on governments, the fact is that it requires a sympathetic approach from all sections of administration. This is because there is not a great margin of profit in the industry. The industry needs to be watched carefully or it could get into serious trouble. The industry has spent up to $600,000 in advertising and promotion.

A banana clearance scheme has been established, which is another move towards orderly marketing. The scheme has cost as much as $400,000 a year. This has been done for the purpose of making sure that the produce put on the market is of the highest quality. If any produce remains unsold at the end of a day's trading, it is removed from the market—particularly if it is not up to fair average quality—and destroyed. That ensures a quality product for the consumer, and that system has worked well. Contributions have been made to the fund by the banana growers on the basis of a levy for each package. Contributions have been made also by banana merchants in the capital cities. Last year 4 million packages were transported on the rail system. The industry is organized to the extent of buying bulk freight rates from the State Rail Authority and transporting the packages to all markets in Australia at the risk of the federation, which accepts responsibility for the losses that may occur in transit. Last year $4.5 million was paid in freight charges, approximately $2.5 million of which went to the New South Wales rail system. The banana indurtry is a good customer of the rail system.

Since the Banana Growers Federation has been in operation a total contribution of $3.25 million has been made towards disease control. Until recent years that contribution has been made almost solely by growers. Last year the trading of the Banana Growers Federation, through a series of stores that it operates throughout the banana growing areas of the State, amounted to $4 million. Over the years the total marketing in banana wholesale operations in various capital cities has amounted to $8.25 million. The industry is not small, and this State can be proud of it. The banana industry should receive the assistance of all sections of government. The Banana Growers Federation has progressed through trial and error, persistence and common sense, and by the federation putting its hands in its own pocket to do things when they were required to be done.

The only comment the federation wishes to make about the legislation is that for some years it has been seeking that ripening rooms be licensed. The federation believes that it would be good for the industry if ripening rooms were licensed. Most persons realize that the product is perishable. Enormous efforts are made to produce an article of top quality. Much time is spent producing a quality fruit. If it is not handled correctly during ripening—it may be overheated or pressure cooked—the quality of the fruit that comes out of the ripening rooms can be badly decreased.

Sometimes, for the sake of expediency, ripeners do not spend sufficient time carrying out the ripening process. It is a tragedy that growers, who try to produce a quality product for the consumer, should be thwarted in their efforts by the people who run the ripening rooms removing bananas from those rooms before they are properly cool. Bananas generate heat when they are in the ripening process.

To turn out a good quality product, it is desirable that bananas be cooled at about 55 degrees for up to 24 hours before they are removed from the ripening room. When there is an over-supply this does not always happen. Sometimes, a lack of ripening space brings a tendency to take the bananas out of the rooms before they are properly cooled. If one sees bananas that are soft and squashy inside, it is a sign to anyone who knows anything about the industry that they were not properly cooled before being taken out of the ripening room. In such cases a second-rate product is placed on the market, which may later affect the demand for the fruit. Consumers like to buy quality products. If one purchases a banana that looks good but is soft and squashy inside, a falling off in demand will occur. For some time the industry has sought to license ripeners so they have some responsibility to the industry through their operations. If ripeners do not measure up to the requirements of the industry and consumers, something should be done about it or they should be asked to show cause why their licences should not be cancelled.

I had the privilege of being a banana grower for many years. I joined the industry immediately after World War II, and served on the district council of the banana industry on the Tweed River, being a director for two terms. I had the privilege of being responsible for the formation of the Australian Banana Growers Council, which is the federal body that represents banana growers, arranges meetings and co-ordinates the activities of growers in Queensland and New South Wales. The Australian Banana Growers Council has had much discourse with governments at the federal and State level. It certainly has had a great deal of discourse with the Queensland department of primary industry. I am pleased to say that the industry has received exceptional co-operation from that Queensland department. I am sure that, emanating from that experience, representatives of the industry are in a better position to discuss with officers of the Department of Agriculture the many problems confronting the industry. Doubtless, those representatives were fortified by the experience and knowledge received from contacts with the Queensland department.

The New South Wales Department of Agriculture has served the industry extremely well. Over the years—certainly in the northern rivers area— the dedicated officers of the Department of Agriculture have been of enormous help to the industry. They are always extremely interested in their important duties and in banana growers as individuals. The result is that the banana growing industry has had a tremendous rapport with the New South Wales departmental officers.

Some research establishments have been set up. The one at Durambah was one of the finest establishments in the banana industry to be found anywhere in the world. Regrettably it closed down in recent years. Another research establishment has been started at Alstonville, and it is operating extremely well. Much research has been undertaken in the industry to overcome the problems caused by nematodes, to produce better varieties of bananas and to control bunchy top. Many other worthwhile projects have been undertaken. As a result of recent research the State Government has contributed to the cost of eradication and control of bunchy top. When talking to the debate I think the Minister mentioned that $60,000 has been made available over the past three years. That represents an allocation of $20,000 a year. There is no doubt that has been a help. The industry is pleased to receive that sum, although it goes only part of the way to meeting the enormous outlay of $3.25 million that it has allocated for disease control since 1950.

Attempts to control bunchy top by eradication of infested areas are progressing. Today the disease is less rampant than ever before. It is hoped that the disease will be brought under control and ultimately eliminated. If that happens, costs incurred in disease control will decrease, and this will be of great benefit to the industry. Measures to control the dieldrin resistant banana beetle, which caused many problems about ten years ago, have been effective. I recall that one of the first tasks I was asked to undertake when I became a member of this House was to try to obtain approval for chemicals to be released so that the growers could come to grips with this new problem. I am happy to say that, after about three or four months of my election, some of those chemicals were released. The stage has now been reached where bananas are being grown again in areas that had become non-productive because of the dieldrin resistant banana beetle.

The industry has overcome one problem after another. It has survived and has contributed much to the country's economy by the input of its members and by their hard work and endeavours. I am proud to represent those people. I am proud also to have been part of the industry. I ask the House to do all it can to assist the endeavours of members of the industry.

Mr SINGLETON (Clarence) [9.56]: I support my colleague the honourable member for Byron, who led for the Opposition in the debate on this bill. On the recommendation of the Banana Growers Federation, the Opposition has no objection to the bill. I support and congratulate all those who have been connected with the banana industry since its inception. It has now a major industry on the North Coast of New South Wales. The present board is giving tremendous assistance to the industry. I pay tribute to my brother, who was the first president and deputy chairman of that board. I pay tribute also to the honourable member for Byron, who served on the board for a number of years, and the honourable member for Oxley whose father was the vegetable growers representative on the board for many years.

Parliament has close links with the banana industry and the managing body that has controlled that industry for about fifty years. The board and the federation serve the interests of an important rural industry in this State. The self-discipline practised by members of the board and people in that industry has been a model to other industries. The honourable member for Byron gave details of the efficient way that the industry is controlled. The industry has been given a solidarity in the marketplace and on the farm. Consequently those involved in the banana growing industry have enjoyed much prosperity.

I express my support for the industry continuing to be a major user of the New South Wales railways. The banana industry has always used the services of the railways because of its capacity to carry goods to all parts of the Commonwealth of Australia. The State Rail Authority, in turn, should acknowledge the support that it has been given and ensure that the banana industry does not resort to using road transport. Some groups within the industry would take the opportunity to move to road transport if the slightest problem arose with the State Rail Authority. Some moves have already been made to move towards road transport. I ask the Government, the Minister and the State Rail Authority to meet with the Banana Growers Board as soon as practicable and to make sure that the rail authority is au *fait* with the needs of this important industry. I express some doubt about the effect of the amendments proposed under schedule 1 to the bill. I refer in particular to proposed item 11 (1), which states:

> Omit "ten cents per bushel"——

That has been the maximum charge up to the present time. The section continues:

> . . . insert instead "the charge for the time being prescribed for the purposes of this subsection".

The measure will enable the maximum charge to be fixed by regulation. I express my concern about any charges by regulation. Since the Government came to office, much concern has been expressed about charges set by statute becoming specific charges by regulation. This is a most serious change in the management policy of this State.

Unscrupulous persons could levy charges that would be of great concern to producers in this important industry. If charges can be changed by regulation, there will be no limit to the rates that can be fixed. There need be no further reference to Parliament. The *Government Gazette* is so comprehensive that it is almost impossible for persons to have any degree of certainty about new charges. I am concerned about the movement from specific charges to charges by regulation. That move could be dangerous if the power to fix charges falls into the hands of unscrupulous persons. I commend the banana industry to the House. I ask the Minister for Agriculture and the Minister for Transport to consider the needs and welfare of the industry and its members. I support the bill.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Walker on behalf of Mr Day.

PARLIAMENTARY COMMITTEES ENABLING BILL

Second Reading

Debate resumed (from 29th April, *vide* page 6296) on motion by Mr Wran:

That this bill be now read a second time.

Mr CAMERON (Northcott) [10.1]: This is not legislation of earth-shattering consequence. It is a formal measure to keep alive the three committees named in the schedule beyond the period of the termination of the third session of the forty-sixth Parliament. Invariably legislation of this kind is brought forward at this stage of a parliamentary session to ensure that committees that might otherwise go out of existence following the prorogation of the Parliament may stay alive and continue their normal activities. The Standing Orders and Procedures Committee is of the utmost importance and significance. To the best of my knowledge that committee has not met since **1979.** It should meet more frequently. I subscribe strongly to the view that this legislation should be enacted to enable that committee to continue to function if necessary during the time specified. I suggest that it should meet and do something positive.

The Committee on Subordinate Legislation is wholly a creature of the other House, but likewise it depends upon the passage of an Act of Parliament to continue in operation. As members of the more relevant of the two Chambers of this great legislature, we must participate in the procedures for the passage of that measure. The third committee named is the Select Committee Upon New South Wales School Certificate Assessment Procedures. That also is an important committee, but has not yet produced a report. I hope that all that is necessary to bring forward a report as soon as possibly will be done. As this small bill is one such necessary step, the Opposition supports its passage through the House.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Walker on behalf of Mr Wran.

ALLOCATION OF TIME FOR DISCUSSION

Mr WALKER: On behalf of the Premier and Treasurer I give notice of business to be dealt with under Standing Order 175B: Apprenticeship Bill, Industrial Arbitration (Apprenticeship) Amendment Bill, all remaining stages by 11.30 a.m., Thursday, 14th May, 1981; Motor Vehicles (Taxation) Amendment Bill, all remaining stages by 12 noon, Thursday, 14th May, 1981.

ADJOURNMENT

Hunter Valley Development

Mr WALKER (Georges River), Attorney-General and Minister of Justice [10.4]: I move:

That this House do now adjourn.

Mr FISHER (Upper Hunter) [10.4]: The granting of assistance to local government councils in respect of the tremendous development that is taking place in the Hunter Valley is of real concern to the constituents of the Upper Hunter electorate. Yesterday in the House the Minister for Mineral Resources and Minister for Technology referred to royalties, super royalties, front-end payments and other contributions paid to the State Government by mining companies. That shows the revenue being received by the Government from mining development in the Upper Hunter electorate. The Government has a responsibility to return to local councils a proportion of that increased revenue to assist local government authorities to provide services for the increasing number of persons settling in the electorate. Over the next few years towns such as Singleton, Muswellbrook, Scone, Denman and Aberdeen must meet an enormous expenditure to provide a wide range of services to accommodate the huge influx of new residents. The Government expects ratepayers in those communities to pap for those essential services.

Muswellbrook Shire Council will have to spend $44 million over the next five years to provide water and sewerage services, roads and recreational and school facilities. Those services will be necessary to meet the demands of the additional 5 000 people estimated to be required for mining ventures, construction of power stations and other development in the area. Of that sum, $30 million should come from state funds and the ratepayers should be required to find the remaining $14 million. The contributions that will need to be made by the citizens in each of the towns I have mentioned are far beyond reasonable expectations. A major investment will be required by councils on water supply and sewerage augmentation schemes. Though repeated requests have been made to the Government for subsidies for these schemes, the only approval granted so far has been for survey and investigation fees. What is really needed urgently is a go-ahead from the Government on subsidies for construction costs for these schemes. It is not unreasonable for the contribution by the State to be more than 50 per cent. That should be the normal subsidy towards construction of augmentation schemes.

The cost of residential building blocks has soared enormously because of the Government's failure to release and service sufficient building sites. Many people have had to resort to finding accommodation in caravan parks—if it is available—or travel long distances from Newcastle or Maitland to get to their jobs in the mines and on

the construction of power stations. Last December the Premier and Treasurer announced that $1 million would be made available to acquire sufficient land for an additional 700 building blocks from the Ardulay estate at Muswellbrook. The Land Commission has acquired the land but it has done nothing to put it on the market. I am informed that it will be the end of 1981 before the first seventy-seven blocks will be released in that area. Estimates by consultants to the councils in Singleton and Muswellbrook are that in each of those towns at least 500 sites will be required each year for the next five years. In Denman the Department of Lands has enough land to provide 300 building blocks but is providing funds to develop only nineteen sites. The Government is not tackling the issue conscientiously or earnestly. As a consequence, the problems facing the councils are becoming grave.

Councils in the area are faced with the enormous cost problem of endeavouring to provide adequate sport and recreational facilities to meet the demands that the incoming population will expect and need. To try to overcome the problem the Scone shire council is placing a special levy of $500 on every development application in order to meet the needs for recreational facilities there. That is a measure of the Government's failure to meet its responsibilities to Scone and all the other towns in the area.

I shall give an example of what I have been talking about. This year the Muswellbrook council has budgeted for an expenditure of more than $900,000 but has received only $100,000 from the Department of Sport and Recreation. I should like to point out the considerable lack of educational facilities in Muswellbrook which is attracting more and more permanent residents. Recently the Minister for Education wrote to me and said approval had been given for the planning of further school accommodation, but admitted that land in the South Muswellbrook area had not been acquired for that further school development. Honourable members would know that it takes some time to acquire land, service it and make it suitable for the construction of a school. In the Hunter region, only in Singleton is progress being made on construction of new primary schools.

I did not take part earlier this evening in the debate in respect of apprentices, though I acknowledge that the Government has made progress in respect of technical education and has contributed substantially to the provision of technical facilities at Singleton and Muswellbrook. However, difficulties are being experienced in providing accommodation for many students. Other problems relate to travelling time, travelling costs and lack of public transport to colleges. Unlike many city areas, students travelling from Scone or Aberdeen to technical colleges do not have the luxury of public transport. The Government must act quickly on that matter.

Unlike the honourable member for Wagga Wagga, I approve the appointment of the Hon. Milton Morris—a man renowned for his compassion and understanding of the needs of young people—to the new Government organization that will undertake student training in the Hunter area. The State is reaping huge amounts from mining activities. The Government is directly responsible for the influx of large numbers of construction personnel engaged on projects at Bayswater power station, Glennies Creek Dam, the Mount Arthur North mine and other major developments in the area. Yet the Government has failed miserably in offering assistance to councils to enable them to provide the necessary infrastructure for schools, water supplies and sewerage augmentations and road building.

I plead with the Government to examine further the need to assist councils affected by its actions in initiating projects in the Hunter Valley. Though I commend those initiatives, the Government has failed to plan the proper development of the area and has not offered appropriate assistance to those councils. As a result ratepayers

will have to meet the enormous cost burden of providing facilities though it is not their responsibility to do so. The Government must address itself to this issue as a matter of extreme urgency and not a matter upon which it merely makes promises of assistance and planning. The Minister for Education has given those undertakings. It is not just a matter of the Premier and Treasurer offering to make available sufficient funds to buy land. More funds are needed to develop the land and ensure that adequate building sites are made available quickly to meet the demands for services now faced by those councils.

Mr WALKER (Georges River), Attorney-General and Minister of Justice [10.15], in reply: The honourable member, in his contribution on the adjournment debate tonight, has ranged far and wide, Indeed, so far as ministerial portfolios are concerned I should be surprised if any portfolio has not been touched in his broad contribution. Perhaps it is appropriate that the Leader of the House answer him, for all that can be said is that in respect of each item raised I shall certainly refer it to the appropriate Minister, be it the Minister for Education, the Minister for Mineral Resources and Minister for Technology, the Minister for Local Government and Minister for Roads, the Deputy Premier, Minister for Public Works and Minister for Ports or the Premier and Treasurer. I have no doubt that they will give the honourable member's statements the usual care and consideration and give him a reply in due course.

There is no doubt that in view of the development that is occurring and the rapid demographic changes that are occurring in the area the Government will be giving a great deal of attention to the matters referred to by the honourable member. The Government can say sincerely that no other area of the State is receiving the sort of attention from the Government that the Hunter Valley region is receiving at present. In many respects it offers hope for the future of New South Wales. I am not indulging in party politics when I say that any government would be looking most carefully at development on such a huge scale, which must involve problems. Naturally the citizens of the area are concerned about planning and about the rate and nature of development. The Government is deeply aware of the problems. A great deal of time and effort, not only of the Ministry but of the public service of New South Wales, is being spent in coming to grips with the problems, and in trying to understand them. The honourable member may rest assured that the matters he raised are receiving serious consideration and will continue to receive that level of consideration.

Motion agreed to.

House adjourned, on motion by Mr Walker, at 10.17 p.m. until 10.30 a.m., Thursday.

QUESTIONS UPON NOTICE

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

STANDING COMMITTEE ON DROUGHT RELIEF

Mr SCHIPP asked the Minister for Industrial Development and Minister for Decentralisation—

(1) How is the Standing Committee on Drought constituted?

(2) What is the role of the Committee?

(3) Who are the current members?

(4) Who is the chairman?

(5) When did the Committee last meet?

(6) To whom does the Committee report?

(7) When did it last report?

(8) What have been the major recommendations of the Committee?

Answer—

Because of a serious drought situation in 1965 the Government of the day formed a Cabinet Committee on Drought Relief, under the Chairmanship of the Minister for Agriculture, to advise Cabinet on measures that should be implemented to alleviate the effects of the drought. This Cabinet Committee in turn saw the need for expert advice at senior level from various Departments and instrumentalities who were (or could be) involved in drought relief. Therefore, the Standing Committee on Drought Relief was constituted.

The role of the Standing Committee was to meet as necessary to review and recommend on major policy changes in drought relief. Its recommendations were passed on to the Cabinet Committee on Drought Relief.

The Department of Agriculture provided the Chairman of the Standing Committee and other Departments represented on the Committee include: the Treasury; Public Transport Commission; Department of Lands; Western Lands Commission; Department of Motor Transport; Water Resources Commission; and Department of Decentralisation and Development.

During the period 1964–68, New South Wales expericnccd one of the worst droughts in its history. Up to 1965, the basic form of drought relief was rail freight concessions but because of the severity of the drought, it was realized that this type of assistance alone was totally inadequate to assist drought affected primary producers to survive the effects of serious droughts.

Major accomplishments of the Standing Committee included a comprehensive review during 1970 of all the drought relief schemes operational at that time. Subsequent to that review the State and Commonwealth Governments formulated a "standing" drought relief scheme which provides for the implementation of 50 per cent road and rail transport subsidies immediately any area is declared drought stricken. This basic plan enabled primary producers to have prior knowledge of the drought relief assistance that would be available and allowed them to plan their initial drought strategies. Supplementary forms of drought relief such as carry-on, dairy company and restocking loans and other special forms of assistance are introduced when drought conditions become prolonged and widespread.

Prior to the formulation of the "standing" drought relief scheme, with the exception of rail freight concessions, other drought relief measures were made available on an ad *hoc* basis during widespread and severe droughts when the Cornmonwealth agreed to make special financial assistance available to the State because of the drought.

Another major achievement in the area of natural disaster relief was the formulation of a "standing" Commonwealth/State cost-sharing arrangement which enabled the State to implement previously agreed upon "core" measures of assistance when affected by natural disasters—drought, bushfire, flood and cyclone. Under the financial arrangement with the Commonwealth when the State wishes an extension or variation of the "core" list of drought relief measures, Commonwealth approval is required.

Because all major natural disasters come under the Commonwealth/State cost-sharing arrangement, the Cabinet Committee on Drought Relief became redundant and when the current Government came into power in May 1976 it replaced this Committee with a Cabinet Committee on Natural Disasters under the convenorship of the then Treasurer. The current membership of this Committee is as follows:

Assistant Treasurer (Convenor)
Minister for Local Government and Roads
Minister for Police and Services
Minister for Youth and Community Services
Minister for Agriculture
Assistant Minister for Transport.

The Ministers for Industrial Development and Decentralisation and Lands, Forests and Water Resources replace the Ministers for Police and Services and Youth and Community Services when the Committee consider drought relief measures.

The Cabinet Committee on Natural Disasters met on numerous occasions during the current drought. As a result of these meetings, there has been a vast improvement in the total drought relief package available to drought affected primary producers in New South Wales. During 1980, the maximum carry-on and dairy company fodder loans available were increased from $5,000 to $10,000 to $15,000 and finally to $20,000, with a second $20,000 available during the second year of drought. The scheme providing rebates for water and free stock and domestic water- was vastly improved. Cattle slaughter compensation was increased from $10 to $15 yer head. In addition. numerous improvements were made to the road transport subsidy scheme.

While the Standing Officers Committee on Drought Relief has not met during this period (it last met in November 1977), numerous Officers' Meetings have been held where senior officers of appropriate Departments and instrumentalities have reviewed existing drought relief schemes in the light of the drought situation being experienced at the time and made recommendations to the Cabinet Committee. Departments/instrumentalities represented at these Officers' Meetings have included: the Treasury; the Rural Bank of N.S.W.; Department of Agriculture; Water Resources Commission; and Public Works Department. In addition to Officers' Meetings held in this State, three separate Commonwealth/State Officers' Meetings have been held in Canberra during the last six months to ,consider drought relief assistance under the Commonwealth/State Natural Disasters arrangements.

Therefore, the Standing Committee on Drought Relief has not met during the current drought because it has been more appropriate for special Officers' Meetings to be conducted involving the attendance of Officers with expert knowledge of the matters considered. For example, there was little point in the Department of Decentralisation and Development and the Department of Motor Transport attending these meetings because in earlier drought years, the involvement of these Departments centred around drought unemployment relief schemes and road/co-ordination tax respectively, which are no longer applicable. In the main, unemployment assistance has become the responsibility of the Commonwealth Government and road/co-ordination taxes have been abolished.

PACIFIC HIGHWAY, MURWILLUMBAH

Mr BOYD asked the Minister for Local Government and Minister for Roads—

(1) What work remains on the road re-alignment at the junction of Alma Street and the Pacific Highway at Murwillumbah?

(2) What is the cost of (a) work already completed and (b) the anticipated cost of further works?

Answer—

(1) The only work remaining at the junction is linemarking and improvements to signposting.

(2) (a) The cost of the work already completed is **$394,000.**
(b) The estimated cost of linemarking and improvements to signposting is **$6,000.**

HOUSING COMMISSION DEVELOPMENT AT HABERFIELD

Mr MAHER asked the Minister for Housing, Minister for Co-operative Societies and Assistant Minister for Transport—

(1) Why was land owned by Ashfield Council in Dobroyd Parade, Haberfield, known as part portion **267** and part portion **257,** not resumed for inclusion in the adjacent Housing Commission Development?

(2) What price was asked for the land by the council and was this price reasonable?

(3) Did Ashfield Council inform the Commission of its proposal to rezone the land to permit the erection of group dwellings?

Answer—

(1) The Housing Commission approached Ashfield Council in December **1977** to explore the possibility of including Council's land in the Aged Persons housing development which it proposed to carry out on an adjoining site. Later investigations disclosed however that parts of Council's land, together with the lower areas of several adjacent properties, were subject to flooding and that further complex and costly engineering measures would be required to enable development of the land to proceed.

The conclusion was therefore reached by the Housing Commission that its involvement in the Dobroyd Parade site would not result in the optimum utilization of the limited funds currently available for the Government's Aged Persons housing programme.

(2) Council's asking price for the land was not indicated at the time of the Commission's original approach—and this aspect was not pursued in the light of the decision taken.

(3) The adverse zoning of the land under Interim Development Order No. 2, Ashfield, was not the determining factor in the Commission's decision, as it was understood that an intention existed to bring the land under a residential zoning. This intention was confirmed by Council in a letter to the Commission dated 20 December, **1978.**