

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

The Hon. D. H. McKEE (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to amend the Industrial Conciliation and Arbitration Act, 1972, as amended. Read a first time.

The Hon. D. H. McKEE: I move:

That this Bill be now read a second time.

Honourable members may recall that section 133 of the Industrial Conciliation and Arbitration Act, 1972, was intended to deal, at least temporarily, with the problems arising from the judgment of the Commonwealth Industrial Court in *Moore v. Doyle*, 15. F.L.R., at page 59. In fact, this section provided a two year period of protection for associations against actions arising from this decision of the court.

There is now legislation in contemplation, which must necessarily be complementary as between the Commonwealth and the States to dispose of the question. In fact, the preparation of this legislation has taken rather longer than was expected and it was only late last month that the Commonwealth Parliament enacted its amendments to the Conciliation and Arbitration Act of the Commonwealth.

It is hoped that the complementary legislation necessary from this State's point of view will be placed before the House early in 1975. However, before Parliament resumes after the Christmas break, the period adverted to above will expire, the expiry date being January 4, 1975. For these reasons, this Bill, at clause 2, proposes the extension of the period by one year; that is, until January 4, 1976, which should provide ample time for this House to consider the complementary legislation.

Mr. CUMBE secured the adjournment of the debate.

APIARIES ACT AMENDMENT BILL

Second reading.

The Hon. HUGH HUDSON (Minister of Education): I move:

That this Bill be now read a second time.

It is designed to give effect to certain reciprocal arrangements agreed upon by the States, and it clarifies several matters relating to the keeping of bees for the production and sale of honey. Two recommendations of a meeting of State departmental representatives in this area have been adopted by the Government and require amendments to the principal Act, the Apiaries Act, 1931-1964. The recommendations were that bees kept in accordance with the corresponding law of another State and brought into this State be exempted from registration under the principal Act for a period of 90 days in any year, and that, during that period, if the hives are branded in accordance with the corresponding law, they also be exempted from the branding requirements of the principal Act. As the remainder of the explanation deals with the clauses, I seek leave to have it inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

The recent introduction of the solitary bee *Megachile rotunda* (leaf cutters) from Canada requires the scope of the principal Act to be confined to honey bees and, accordingly, this Bill makes provision for a definition of "bee" to be inserted in the principal Act. In addition, the opportunity is being taken in this amending measure to schedule a disease, chalk brood, that is common to all genera of bees, although at present unknown in Australia; to bring in a three-year registration period; and to increase the penalties for offences.

Clause 1 is formal. Clause 2 provides that the measure shall come into operation on a day to be fixed by proclamation. Clause 3 inserts in the definition section of the principal Act a definition of "bee" and of "corresponding law". As to the latter, provision is made in this clause for the corresponding law to be specified by proclamation. Clause 4 repeals section 5 of the principal Act and provides for a new section requiring registration of beekeepers. The registration is proposed to be for a three-year period, all registrations other than new registrations being dealt with at the same time. This provision includes the exemption from registration in respect of bees brought from outside the State. Clauses 5 to 9 increase present penalties of \$40 to \$200. Clause 10 is consequential to clause 4 and requires that bees be kept only in frame-hives.

Clause 11 substitutes a new provision, requiring the branding of hives, for the present section 13a of the principal Act and exempts hives from the branding requirements of that section while they are being kept in the State by an exempted beekeeper if they are branded under a corresponding law of another State or Territory. Clause 12 makes consequential amendments to section 19 of the principal Act, which empowers the making of regulations and also increases the maximum for penalties under the regulations from \$40 to \$200. Clause 13 adds the disease *ascosphaera apis* (chalk brood) to the list of diseases in the schedule to the principal Act.

Mr. CHAPMAN secured the adjournment of the debate.

LICENSING ACT AMENDMENT BILL (HOURS)

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1—After clause 2 insert new clause 2a as follows:

2a. Amendment of principal Act, s. 16—Leigh Creek Coal Field—Section 16 of the principal Act is amended—
(a) by striking out the second and third sentences and the proviso;

and

(b) by inserting after the present contents thereof as amended by this section (which are hereby designated subsection (1) thereof) the following subsection:

(2) The trust shall be exempt from the obligations imposed by the following provisions of this Act:

(a) subsection (5) of section 19;

(b) section 168;

and

(c) any other provision from which the court thinks fit to exempt the trust.

No. 2. Page 2, line 39 (clause 5)—After "subsection (3)" insert "and subsection (3a)".

No. 3. Page 2 (clause 5)—After line 47 insert new subsection (3a) as follows:

(3a) Where an application for the removal of a retail storekeeper's licence was lodged with the court before the commencement of the Licensing Act Amendment Act (No. 2), 1974, and had not been determined at the date of the commencement of that amending Act, the application shall be determined according to the provisions of this Act as in force immediately before the commencement of that amending Act.

Amendment No. 1:

The Hon. L. J. KING (Attorney-General): I move:

That the Legislative Council's amendment No. 1 be agreed to.

This Government amendment was introduced in the Legislative Council to deal with the position of the publican's licence held by the Electricity Trust at Leigh Creek. At least two of the provisions of the Licensing Act are inapplicable to that licence, one being section 19 (5), which prescribes the mandatory 11 consecutive hours of trading and the other being the provision of section 168, which is