Legislative Assembly

Tuesday, the 13th September, 1977

The SPEAKER (Mr Thompson) took the Chair at 4.30 p.m., and read prayers.

TOTAL TRANSPORT SERVICES

Access from Kewdale Road: Petition

MR JAMIESON (Welshpool—Leader of the Opposition) [4.32 p.m.]: I present a petition from 252 residents of Western Australia praying that there be urgent construction of an access-way through the dual carriageway median strip adjacent to the premises of Total Transport Services in Kewdale Road, Kewdale.

The petition conforms to the Standing Orders of the Legislative Assembly, and I have certified accordingly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

See petition No. 3

QUESTIONS

Questions were taken at this stage.

URANIUM

Endorsement of Governments' Decisions: Motion

Debate resumed, from the 8th September, on the following motion by Sir Charles Court (Premier)—

That this House endorses the decision of the Government to permit in Western Australia—

(a) The mining of uranium; and

(b) The processing of uranium, including the production of yellow cake (U_3O_8), and the upgrading and eventual enrichment of uranium to a level suitable for use in nuclear power stations.

For these purposes—

(1) Exploration for uranium shall be encouraged.

(2) All phases of uranium exploration, mining and processing shall be subject to—

(a) adequate personal and community health safeguards,

(b) adequate environmental safeguards, and

(c) adequate mining, transport, handling and processing safeguards,

which are covered by existing statutes and regulations, and by those to be amended and proclaimed from time to time.

(3) There shall be continuing research in Western Australia, in co-operation with the Commonwealth and appropriate overseas authorities, into—

(a) the methods of exploration, mining, processing and end use for peaceful purposes of uranium and products derived from uranium, and

(b) the need for, the timing, and the methods of introducing nuclear energy into Western Australia.

(4) The policies in respect of uranium enunciated by the Federal Government in the Parliament of the Commonwealth of Australia, in Canberra on 25 August, 1977 shall be endorsed so far as they relate to the Commonwealth's constitutional responsibilities.

and further,

This House is of the opinion that active participation in uranium exploration, mining, processing and export of uranium and products derived from uranium, on the lines proposed by the Western Australian and Commonwealth Governments, is the most practical way of ensuring—

(1) That Australia has a voice internationally in the end uses of uranium and products derived from uranium, with particular reference to the ability to require conditions of sale directed at non-proliferation of nuclear weapons, and

(2) That Australia and Western Australia have the right and the opportunity to be kept up to date with international research and development on nuclear and alternative energy sources.

MR JAMIESON (Welshpool—Leader of the Opposition) [5.05 p.m.]: In resuming my remarks I am obliged once again to the Premier for having

climbed up on that gigantic pedestal of his to set himself up as being such a perfect person, and to set up the Leader of the Opposition as being some sort of ghoulish or non-responsible person in the community. This is typical of his actions, and his attitude was seconded by the Minister for Industrial Development.

From the Press reports it is quite apparent what the Premier was trying to do. However, he has not succeeded. In no way did I breach any confidence entrusted to me by the officials of Western Mining Corporation because there was no confidence to breach. After having discussed the Press release with the Premier, at a moment's notice the officials asked to come to see me and we discussed openly the situation that I related to the House. Nothing was hidden about the matter, and to such an extent I am surprised the Premier did not know more about it than he let on he knew, and I am surprised that the Minister for Industrial Development knew nothing about it. I say this because the Minister's Press release indicates clearly that he did not know.

I was in Kalgoorlie the week before the Premier moved this motion, and at a Press conference, amongst other things, I made a point of raising this matter. When I mentioned it the Press representatives looked at me and said virtually, "Well, what is news? That is certainly not news. We know that; what are you trying to tell us?" I thought to myself that as the Press representatives knew all about the matter, it was quite reasonable to assume that everyone else knew. Certainly nothing that I told the officials was said in confidence, and nothing that they said to me was intimated to be in confidence. If the Premier wants to continue with this issue of confidence, his face will be red and his ears will be tingling. Many of the people I went to see told me things in confidence, and I have held that confidence.

I am not the type of person to breach a confidence, and I must say that many of the things told to me made my hair stand on end. I heard of the bullying tactics the Premier tried to use with these companies in order to make them take certain actions. Some of these matters were told to me in confidence, and I will hold that confidence. What is more, the people who talked to me know that I am holding that confidence. The Premier will not get away with his allegation of a breach of confidence on my part; there was no breach of confidence, and the Premier knows this full well. It is typical of him to attempt to put himself up on this almighty pedestal again and to push everyone else down in the gutter.

Mr Davies: He has lost interest suddenly in what you are saying.

Mr JAMIESON: After my visit to Kalgoorlie, a rather complex report appeared in the *Kalgoorlie Miner*. Probably one should be rather guarded when handing out Press releases and also when talking to these people. As an example, the other day I spoke to a reporter for some time about the difference between fission and fusion generators. When I boarded the plane to fly to Port Hedland, I opened the midday copy of the *Daily News* only to discover that I was reported as having said fission generators undoubtedly would be perfected in the near future. Again my hair stood on end because I had been talking about fusion generators. It is almost impossible to explain the difference between the two to some people.

Mr Sibson: It depends who is doing the talking.

Mr JAMIESON: Has the member for Bunbury had some fusion problems up there himself?

Mr Watt: He was just fishing for a bite.

Mr JAMIESON: This point is one I had been making with a reporter and after discussing it for a long time I thought I had got across the idea of the two different types. Obviously, after explaining it very carefully, the reporter still got it wrong for I found his newspaper article to have it the other way around. So it is desirable that one should make a statement available rather than rely on discussions with these people.

During the discussions at Kalgoorlie I was asked whether I thought that the pilot plant at Kalgoorlie would improve the employment position in the region. I readily agreed that it would if it got off the ground. There was no mistake in what I said there but I went on to indicate there were two problems involved. First of all the uranium question had not been decided. Therefore there was doubt whether it would get off the ground.

The officials of Western Mining told me there was an alternative in that it might be possible for the area to be used for proving lateritic nickel deposits. At the time I explained to the reporters that this might not be so because it looked as if the Western Mining Corporation had an abundance of the type of ore it was using now and would not need to go into the mining of lateritic ore to provide it with future long-term contracts. I was making the point that I did not know whether it was as viable as it seemed when it was explained to me.

The Minister for Industrial Development saw fit to take several shots at me but one of the comments he made very much missed the mark. This made it appear that he had no knowledge of

the alternative use of the proposed plant. He said—

> . . . presumably Mr Jamieson must acknowledge that a company cannot go ahead with a pilot plant unless it was assured that the main mining operation could proceed.

The company clearly explained to me, and obviously it should have explained to the Minister but probably in more simple terms, that there was an alternative use for this plant. Obviously the Minister did not get that report.

I was questioning whether the viability was still there as there were plenty of sulphide ores present and the company seemed to have plenty without the need to prove the use of lateritic ores. This was the basis of our discussion for a considerable time. When referring to the Opposition's proposition to preserve overseas markets the Minister went on to say that he had an efficient organisation currently in operation. If the Government does have such an organisation how did it get caught with its pants down in connection with the recent Western Mining proposition? The Government knew little about it.

If the Government's organisation had been awake and aware of the situation all the bad effects and unfortunate actions that were taken could have been prevented. No confidence was broken by me and I defy any person to say otherwise. It is typical of the Premier and the Minister to try to frighten away these people. It is typical of the Minister for Industrial Development that he should have made the comment in this House last year that the Japanese companies did not like dealing with a Labor Government. After I had sent a cutting of the Minister's remarks to the Japanese they defended the Minister by saying he must have been mistaken in his interpretation of their remarks. They indicated that they certainly had not said they did not like dealing with a Labor Government and they have had good relations with Labor Ministers over the years.

It is all very well to use these ideas and statements to try to denigrate the Opposition but one needs to be able to live up to them in the long run. I have had discussions with various people over many years, many of whom have come to me to get an introduction to mining companies because they do not go along with the political standing and attitudes of the Minister for Industrial Development.

I have readily got in touch with people from mining companies when others have required to speak with them on the supply of minerals. I spent half my time at the ALP conference making arrangements for people in the diplomatic corps to talk with various other people on the subject of minerals. It ill-behoves the Premier continually to attempt to say how good he is and how bad I am. It is a typical ploy of his.

I turn more to the debate itself which is a very important question. Members of the Australian Labor Party relish this opportunity to debate this issue. Undoubtedly, if the Government had not made available Government time for debate on this issue the Opposition would have seen to it that further motions would be put forward in order to discuss this subject. However, the Government made this opportunity available and to that extent we should be grateful.

The point the Opposition worries about is the effect on this planet of the Government's action. The Opposition wishes to ensure there is sufficient debate on all the problems involved and that these problems are viewed by the public. There are many matters to be settled before we can hope to do anything about mining and exporting uranium. I mentioned earlier that mining people have been very callous over the years. They have not worried much about the repercussions of mining. They have been more interested in the receipts they were receiving from the ore they were mining. We must be aware, as we have started to become aware, of the many features of our environment that can be affected by mining. There are many problems with the nature of beings caused by the hungry nature of man, by his avarice and greed to get as much as possible for himself while disregarding the environment.

Anybody who doubts that should visit Queenstown in Tasmania and see the ravages that have taken place of what was once lush ground. Portions of the mountains are without a blade of grass. The area is improving now because the people are starting to protect the environment. However, sulphur fumes have often evaporated into the atmosphere only to return with the rains. The whole of the bed of the King River has been denuded because of man's inability to see the problems he was creating.

The Opposition wants to make sure there is public awareness of the dangers involved in the mining, processing, and exporting of uranium and that is the sole purpose of our continued argument on this matter. We have gone out of our way to produce films and provide lectures to do what we consider necessary in order to give the people a fair indication of the problems involved. We believe there should be the widest opportunity for public debate on this matter before a decision is made. The Premier wants to make the decision himself and he very clearly indicated this in his

releases to the media not so very long ago. I am referring to a broadcast on the 26th July, 1977. I have an extract from a TV news bulletin, and the time on it is 7.00 p.m. In answer to a question, the Premier said—

> I believe it should be made quickly because there's been far too much nonsense and talk going on now and it just allows the lobbyists opposed to nuclear energy just to appear to gain more credibility. But I repeat something I said before I went away—that noise is not numbers when it comes to these issues and it's the job of Government to identify the real will of the people; the real mood of the people; the desire of the people and my own considered judgment after weighing up all the facts and making my own enquiries is that the people want the Government to get on with the job of governing and one of those jobs is to get uranium mined and exported with proper safeguards.

I would like to know how the Premier identified the real will of the people. He is always talking about this. I am not too sure whether the real will of the people is the other thing he referred to, "my own considered judgment". This is precisely where we are at variance with one another.

This debate is somewhat of a farce, even though the Opposition enjoys taking part in it. It is somewhat of a farce because we know Government back-benchers are not inclined to speak on the matter, to give their views, or to oppose the Government because they have been regimented to such an extent, as we have seen in the past, that they are prevented from doing so. They are puppet-type back-benchers; and their style was displayed typically yesterday by a student's efforts showing the puppet-like Premier controlling the arms of the Minister in puppet-like fashion.

The Opposition rejects completely this motion as it stands because we believe it is ill-conceived, and we will have more to say about that later. We reject it because we feel the pressing questions of uranium are related to two fields: firstly, the proliferation of nuclear weapons, and secondly, the problems associated with the disposal and storage of nuclear waste. Fortuitously, over the weekend two rather long television programmes were screened on this very matter. Those who saw either "Four Corners" or the Channel 7 documentary would realise that—without having regard for all the other matters involved—which we will deal with directly because there was some bias in some of the opinions, and I will show where it occurred in a moment—one thing was certain: man is very concerned because he is not sure where he is going in respect of the storage of radioactive waste materials.

We saw the great drums of waste being hurtled down mines half a mile or so below the surface, and we saw the way in which the waste was handled by remote control so that men would not be contaminated. Even the nuts and bolts on the drums were tightened by remote control.

Of course, going even further than that, we do know that many factories have themselves become contaminated, and the problem is to know how to store them. What is to be done with a factory after it becomes radioactive? A factory is not easy to break up or smelt down. We must have people handling this problem. Of course, the incidence of contaminated factories is not high enough to warrant the production of special remote control apparatus to handle the disposal of buildings. These sorts of problems have remained unsolved.

There is also the problem of the proliferation of nuclear weapons. One of the matters which was recognised very clearly by the Fox commission as being a fundamental problem is the matter of nuclear weapons proliferation. Fox said the problem should be solved before any action was taken in respect of the mining and exporting of uranium from this country so that we would know where we were going and would not be lending ourselves to some form of action that we may regret at a later stage. He assembled much data on this matter and was clear in his attitude.

He demonstrated that the present internal safeguards against the diversion of uranium supplied for peaceful purposes into military or other explosives purposes were wholly inadequate. Those were his words: "wholly inadequate". For clarification, perhaps I had better read exactly what he did say so that I do not misquote him; otherwise I will be accused of being a coward or something like that, and of running away from the report. This is what Fox said—

> The nuclear power industry is unintentionally contributing to an increased risk of nuclear war. This is the most serious hazard associated with the industry. Complete evaluation of the extent of the risk and assessment of what course should be followed to reduce it, involve matters of national security and international relations, which are beyond the ambit of the enquiry.

That is how seriously he viewed the problem; yet the Premier can blatantly talk about emotions being aroused; he seems to think we should let everybody roast or fry—or whatever happens—as long as the dollars come in. I challenge the Premier to give an absolute assurance that

Australian uranium will not be diverted to this course. Of course, he cannot do so. This is where his argument falls down.

I have no doubt in my mind that the Premier does not seem to care much about the problem. His overall view—and this is where we differ so vitally—is that we should take the money but not the responsibility. His view is "Who cares, as long as we get the money?" The Premier has always been on the side of money; sometimes he has been successful, and sometimes he has not been successful.

If uranium is diverted from peaceful purposes Australia could find itself with probably the most wealthy corpses in the world. However, our children and grandchildren would not appreciate our efforts. We have to be sure of what we do in this field; we have to be sure that what we do is a sincere effort to maximise the industrial wealth of the country, and at the same time ensure that we do not do something that will harm our children and grandchildren at a later time.

At least the Premier has not been quite as stupid and self-contradictory as the Minister for Fuel and Energy who recently told Parliament that we should export our uranium for two reasons. The first of those reasons was the economic benefits to be obtained, and the other was to altruistically help the poorer nations. That is a contradiction. He said in effect, "We will take all their money because they have no money." If that is not what he said, then I am not at all sure what he meant. He was saying that we will make a fortune out of people who cannot afford to pay. However, it must be one thing or the other; it cannot be both. It is obvious from that statement of the Minister for Fuel and Energy as against the statement of the Premier that it is the old story of the money or the box; in this case it is the money or the morality of the situation, and the Government is more interested in the money.

The other matter we have to watch relates to terrorist groups. I do not like to indulge in scare tactics, but great hazards would be created if terrorist groups were able to get hold of uranium or its derivatives. We have seen sufficient problems in respect of machine guns and ordinary guns throughout the world in recent years to satisfy us that terrorists have sufficient facilities to carry on without giving them something else. Nevertheless, between 1965 and 1975 and in the United States, the Argentine, and France there were no fewer than 12 attacks on nuclear installations in which terrorists used bombs.

If terrorists wished to attack an installation producing, say, yellow cake, I do not think we would be in a very good position to defend the installation. We have a long coastline, and even now, people run the less hazardous risk of bringing drugs into the country for profit. The law catches up with a number of them, but it would be safe to say that just as many get away with it. If that is the situation applying to individuals and small groups importing drugs, what hope would we have against well organised terrorists coming here determined to get something they could hold at the head of the world? This is an important aspect of the mining and processing of uranium which must be considered.

Some of the terrorist attacks to which I have referred have cost millions of dollars and have done a considerable amount of damage. Over the same period, there were some 120 hoaxes and other threats to nuclear facilities in Britain and America. It is easy to see what the development of nuclear facilities encourages. People say that gambling encourages crime. However, I would sooner a quieter sort of crime like that than the crimes which could occur following the development of nuclear facilities.

On at least two occasions, terrorists were involved in blackmail on an enormous scale, under threat of proceeding with a certain line of action. During the same period, there were hundreds of instances of vandalism and sabotage at nuclear facilities in Britain and America. They included arson, destruction of equipment and the severing of cables.

I concede that some of this agitation may have been caused by people such as those who attempted to blow up the wood chip loading facilities; they become so overwrought with the environmental aspects of nuclear power generation that they are prepared to go to any lengths to achieve their objective. Others, however, are engaging in disruptive tactics on an organised basis, and these are the ones about whom we should worry. It is probably only a matter of time before one of their attempts is successful, and I do not need to tell members that the consequences could be quite horrifying.

Between 1957 and 1976 there were 15 known, recognised security breaches at nuclear installations and facilities in America, Britain, Germany, and Canada. Between 1975 and 1976, 12 American companies were fined for not carrying out security measures required of them. If the film shown on television over the weekend is to be taken as an accurate portrayal of the industry, a fair degree of security already is operating at these establishments. However, even with that high level of security, 12 firms were

fined for not living up to their requirements with regard to security.

All this adds up to two things: The existing safeguards against diversification of uranium and other nuclear materials do not provide any guarantee the materials cannot be diversified for use by terrorists and others; and, existing safeguards frequently are not carried out, as instanced by the number of firms fined for failing to live up to their requirements.

I refer now to the problem of the disposal of nuclear waste. I have already referred to the television documentary screened over the weekend, which dealt with this subject. The Premier glossed over the mammoth problems associated with the storage and disposal of nuclear waste. On this morning's Australian Broadcasting Commission programme "AM" it was stated that a US Senate subcommittee was most concerned at the millions of gallons of liquified, contaminated waste currently stored in the United States. The authorities do not seem to know what to do with it. Unlike other wastes, nuclear waste remains dangerous for thousands of years.

I should like to take Professor Titterton to task for his comments in this respect. He said, "What do we normally do with waste? We either bury it or throw it in the sea, as we have done for thousands of years." The other commentator replied, "Yes, but bodies do not have a half-life of 5 000 years; when they are dead, they are dead; they do not represent a danger to mankind, once the bacteria has disappeared."

Titterton is an eminent physicist who has been associated with the development of the fission generator. We can hardly expect a person of his calibre to state that he has created a Frankenstein's monster. I am not sure that it is, and I am positive he does not believe it is. But he would be the last person to admit to that being the case; he would defend his actions, as he did the other night when making a speech at the university. In effect, he says that the material is safe, and that it has been proved it can be used safely. However, it is a fact that the waste we are creating now could still be dangerous 1 000 years from now. Therefore it is imperative we do not proceed before ensuring this problem will be catered for.

In his motion, the Premier stated that all sorts of wondrous safety precautions would be enforced. His motion states as follows—

> (2) All phases of uranium exploration, mining and processing shall be subject to—
>
> (a) adequate personal and community health safeguards,
> (b) adequate environmental safeguards, and
> (c) adequate mining, transport, handling and processing safeguards,

I do not know whether we can look with certainty to the establishment of such stringent safety requirements. The fact is there are not adequate safeguards for community health, the environment, and the mining and transport of this material. We are very doubtful about this aspect of the industry. Members who vote for the Premier's motion assume an enormous responsibility, because waste control technology cannot yet deal safely with this problem. Until it can deal with these radioactive wastes, it is an area we would be best to leave alone.

I keep emphasising—in fact, I cannot emphasise it too much—that these wastes remain deadly for an enormous period of time. Members opposite may be sceptical about my comments and may vote without question for the motion simply because it was moved by their Premier. But surely we do not want to make a problem for people living thousands of years from now.

If we adopt the attitude of "sell now, worry later" we will be creating problems for future generations. This is an unfortunate attitude; we do not wish to make problems for our children and the children of future generations for years to come. We do not want them to face the problem of living with our radioactive residue simply because we did not know enough about our actions. We have a very grave responsibility to ensure the safety not only of our generation but also of generations to come.

Even bearing in mind all the factors I have mentioned, there are still many people who say, "Yes" to uranium, and I believe they are abdicating their responsibilities. Politicians should be prepared to face up to the fact that they are supposed to be responsible people. They are the people who will be charged with the responsibility of bringing down laws, controls and safeguards associated with the mining and processing of uranium.

The Fox commission report stated that Australia had two alternatives with regard to the storage and disposal of nuclear waste, and these are very interesting. The Fox report recommended: (a) proceed to supply uranium as soon as practical despite the absence of safeguards—and that is the recommendation that the Premier favours—or (b) delay a decision for several years.

The delegates at the Federal ALP Conference were on very sound ground when they came to their decision based on the views of people who had made a complete study of the question of uranium and had arrived at such a recommendation. Many sorts of attitudes are expressed at such a conference. Of course, when one attends a conference of that nature one goes to a "no win" situation because on the one hand we have the environmentalists and, on the other hand, it is said that Russia is organising this, despite the fact that it is not organising any anti-uranium action in its own country as the Premier says. I am not sure. I wish he would go to Russia and find out.

Mr Laurance: Halfpenny and Carmichael were the strongest opponents of it.

Mr JAMIESON: Here we have the member for Gascoyne getting under the bed after the commos again.

Mr Old: And so he ought to.

Mr JAMIESON: Maybe so. The Minister for Agriculture ought to get after some of those people who want to make money out of any proposition, regardless of how much damage it does. If the Minister believes in that theory then good luck to him. It certainly is not my theory and I am sure such a theory of avarice and greed is not one that most of the people of this country would want to see expressed by members of Parliament.

Mr Tonkin: The Minister should deal with the arguments instead of calling names.

Mr JAMIESON: I go back to the recommendations of the Fox commission. The weight of the commission's report was heavily in favour of the second option which was to delay a decision for several years. As a result of that recommendation I believe we have some sort of moral responsibility, and the Fraser and Court Governments should be aware of this. They should be aware of the responsibility to delay a decision for several years until further steps are taken to introduce adequate safeguards, as recommended by the Fox commission.

Of course, when the Federal Government, through its Prime Minister, announced the uranium policy, it conveniently omitted or perverted many of the safeguards which the Fox commission regarded as essential. The Federal Government read the commission's report in such a way that it supported the Government's action. It claimed it had embraced all the safeguards recommended by the Fox commission and had, in some cases, gone further. On closer scrutiny, of course, this did not prove to be correct, and in effect it was a great untruth. As a result one of the three commissioners who was a member of the Fox commission made a public statement about the situation. The commissioner was Professor Charles Kerr. He had a few well chosen words to say about the matter, and some of his statements are worth recording for posterity.

Mr Pearce: What was his name?

Mr JAMIESON: Professor Charles Kerr. He does have an unfortunate name. I do not know whether he is related to the other person who bears the same name and with whom we are all familiar.

Mr Tonkin: I am sure he is not related.

Mr JAMIESON: Professor Charles Kerr made a statement in the *Daily News* of the 30th August, 1977. He made the following comment—

> The Government had made quite radical changes to the commission's recommendations.

Professor Charles Kerr went on to say—

> The international safeguards the Government used as a basis of its safeguards policy were virtually useless.

Further on he said—

> The Federal Government had made plenty of changes which superficially did not seem to be extreme but when you think about them they definitely are quite radical changes.

When asked how concerned he was about the changes he had this to say—

> One is very concerned because of the fears we expressed in the inquiry.

The professor made another comment further on—

> They have reduced a lot of the controls that we felt were important.

I might remind you, Mr Speaker, when one is a member of one of these commissions the facts and figures that are brought up during the proceedings often change one's mind. You and I have sat on such a commission and have given a unanimous decision at the end despite the fact that before we began we did not agree on all the matters involved. Professor Charles Kerr, having been a member of the commission, would have far more advanced knowledge of the subject.

The availability of this information was undoubtedly important in enabling the commission to make its recommendations about the numerous safeguards which should be adopted. However, these safeguards were conveniently omitted by the Fraser Government

when making its determination. At the very least there should be a guarantee of around-the-clock surveillance of the waste products resulting from the use of the materials which we supply. Possibly this surveillance could be carried out by the Economic Atomic Energy Authority. The waste should also be subject to standards laid down by the authority. The announcement on uranium made by the Fraser Government contains no such provisions.

Mr Blaikie: Are the same sort of conditions going to apply to any other country that supplies another nation with this type of material?

Mr JAMIESON: These conditions will make the supply and use of uranium difficult. However, I make no excuse for that. This brings us back to the old saying that necessity is the mother of invention. I have no doubt that Professor Titterton, although he expected that a fusion generator would be available within a reasonable time, had many differences of opinion with other people on this subject. A uranium-fired fission generator creates a number of problems as far as the disposal of waste is concerned. If a fusion generator were available most people would prefer this because there would not be the difficulty of having to deal with the residue.

Mr Young: He estimated 30 to 50 years.

Mr JAMIESON: No he did not.

Mr Young: He said 30 to 50 years.

Mr JAMIESON: He may have; but at the university I heard him say, "Two decades". Other people have estimated a much shorter time than that. The man I questioned from Western Mining was not clear on the subject. He had some knowledge of physics but he did not go into the matter.

Multitudes of lobbyists have been coming to see me at various times to discuss this issue. Probably they hope to influence my thinking on the subject of uranium; undoubtedly they do hope to influence me. When I questioned one of these lobbyists, who was a prominent American, about the fusion generator, he said it would be available within a decade. He went on to say that in the United States fusion generators are already in action on an experimental basis but the great problem is containing the intense heat within an artificial, magnetic shield, as distinct from a physical shield. Once this problem is overcome we will have a fusion generator and there will be no need to fear it. If we on this side allow the Government to get away with something else—the next best thing being uranium—we shall be in trouble.

Do not tell me that the member for Scarborough believes, as I mentioned at the beginning of my speech, that the lobbyists who had an advertisement on just about every page of the *Daily News* last Thursday night; who have had numerous full-page advertisements in the Press for some time; and who have had some well-produced advertisements on television over quite a period of time, are doing this for their own good health. They certainly are not. Somebody is sponsoring them and providing the finance for this advertising. Obviously the people who will benefit from these advertisements will provide the finance for them.

Mr Young: I would not believe that they were not, of course.

Mr JAMIESON: Now we have to develop—

Mr Young: The pursuit of profit does not make the end result necessarily evil.

Mr JAMIESON: That does not make it necessarily right either.

Mr Young: You are telling the story. I just said—

Mr JAMIESON: I am saying that the pursuit of profit is the problem with which we are faced. The Premier spoke blandly about the obvious evidence of adequate safeguards with regard to the disposal and storage of nuclear waste, but he does not seem to realise whether there are adequate safeguards or what the adequate safeguards consist of. He does not appear even to acknowledge that the problem exists. He seems to be sure that scientists will deal with the matter. I am sure that scientists will also produce fusion generators, but maybe not at this point in time.

The Premier has said that Japan and other countries want our supplies of uranium. I have some feeling for Japan and other countries which do not have great amounts of indigenous fuel supplies for the production of electricity because they are being prevailed upon by the powers which possess supplies of oil and other fuel, including coal, although I think we are selling coal to Japan on a reasonable basis compared with world prices for good coal. Those countries, including Italy and Japan, are fairly highly industrialised and have no or very little indigenous fuel. Of course, they are worried; but they are worried only because they are being led to believe that uranium is the best solution to their problem.

Premier Wran of New South Wales found when he was in Japan that the Japanese were interested in coal because they think it is the best way out of their difficulties, and if they knew of an alternative they would encompass it far more readily. If any nation has a fear of uranium it is

the Japanese because of their unfortunate experiences during the latter stages of the last war.

We appreciate that such great devastation will probably not occur again, but there could be some devastation. However, the Premier's attitude seems to be to develop uranium at any price, even at the price of devastation.

The Director of IAEA has reported that the international procedures for identifying material which is unaccounted for are inadequate. This concerns me because unless we have such a register we will not know where the material is going. I believe one of the things we must know is where it has gone and where it is being stored; we should not just cop the money and say that that is the end of our responsibility. I am not suggesting either that we should take back the waste because that is even further than I would be prepared to go on behalf of anyone in this country.

The Australian Labor Party believes as a matter of policy that Australia must not supply nuclear material to countries which intend to process it into the deadliest substance known to man; that is, plutonium. If such countries are going to use uranium for fast breeders and for the manufacture of plutonium, we will certainly be in trouble.

The Fraser Government has reserved its decision on this matter and the Court Government appears to ignore it completely. The Prime Minister has said that President Carter wishes us to mine and export uranium and that to do this is essential to his nonproliferation policy. I do not know whether that is so. Americans are a good people and I appreciate them as a race, but they are inclined to be insular and nationalistic in their outlook and always want to do those things which benefit their nation. On the few occasions the American people have become involved in matters outside America they have had to lick their wounds rather badly; and I think most Americans revert to a nationalistic outlook and wish to keep that view.

One of America's big problems in any international conflict has always been an abundant supply of liquid fuel; and I can envisage that America would be concerned if it used up more liquid fuel than other major countries. At one time America was constantly worried about Russia. I do not think that is so at the moment because the two countries seem to have a fairly good rapport and report to each other if another country establishes a base which looks as though it might be used for the testing of atomic weapons. But there is always a great fear that there will be conflict; and if it should occur both major powers would want to be on an even basis with regard to a ready supply of fuel with which to mobilise themselves.

I think America recognises that the USSR at this juncture has the advantage because of the vast reserves of oil which we are led to believe exist in the USSR compared with the diminishing supplies available to the United States of America, although I am guided only by what I read in regard to these matters. No doubt America's policy is also based on the belief that as more uranium is mined the use of plutonium would decrease. That could be the key to President Carter's advocacy of a greater supply of uranium; but one can only guess at that.

It is interesting that last Thursday a letter in *The West Australian* pointed out that a mere 4½ kilograms of plutonium left exposed would be enough to kill every human being on earth. This gives one a shattering idea of how much a problem plutonium can be. Therefore, the less uranium processed the better are the chances of avoiding such a situation.

The Fraser Government has given absolute assurances about the effectiveness of its safeguards, but we have heard nothing at all from the Premier; he is not doing the same. I think the safeguards suggested so far by the Commonwealth with regard to the problem of storing and disposing of nuclear waste are not as good as they should be. There are no clear lines.

We have heard that Mr Hancock wanted to drill into solid granite and dispose of drums of nuclear waste in that manner. Then we heard that he was going to dig holes in his garden and put it there, and his next-door neighbour complained loudly that that should not be permitted.

I challenge the Premier to give an absolute assurance that the procedures to be used for the storage and disposal of radioactive materials will eliminate completely any possible danger to human life and the environment for 50 years, let alone for 50 000 years which we expect to be the half-life of this residue. Of course, he cannot do that, so undoubtedly he would not give such an assurance. The Premier knows as well as I do that nuclear technology is still a long way short of eliminating the hazards of nuclear waste. I have a lot of faith in the ability of human beings to overcome the problems that face them; and they will overcome this problem, perhaps by a means of eternal processing. But that solution has not yet been achieved and so far human ingenuity has failed to solve these problems. Because of that I

think we are still treading a fairly perilous path with regard to nuclear energy.

As for the motion itself, I have already said that it is a farce and a sham. It does nothing for the debating standard of the Chamber. Of course, it might bolster the Premier's ego. From the wording of the motion it would appear that the Premier intends it to be submitted to the Legislative Council for its approval. Therefore posterity will not be able to blame the Premier for any mistakes which might be made, because it will be said that Parliament made the decision, not the Premier. Of course, he is very brave when he has the numbers.

Apart from boosting the Premier's ego, the motion might be bolstering up the Prime Minister because it is probably an example of the new federalism.

Mr Davies: Morally indefensible.

Mr JAMIESON: The Federal Government's policy could be better described as a poisonous policy. It has been established to please the multi-national corporations and big businessmen who are looking for quick money from uranium. To some degree it will please the military—not necessarily the Australian military, but the Armed Forces of the United States and other countries. Also political opportunists must be included among those who will be placated by the Premier's action.

The motion certainly ignores the huge risk involved in the factors I have mentioned. There can be no absolute guarantees that the material intended for peaceful purposes will not be diverted for military use, or be acquired by terrorists. There can be no absolute guarantees that nuclear wastes can be stored or disposed of safely, despite their deadly effects for a quarter of a million years, and many nations are not even carrying out the inadequate safeguards already laid down.

The motion either ignores these issues or skates over them, intending to mislead anyone who reads it. The Premier would claim that we need the benefits of the development of the nuclear industry. The Opposition claims we can well do without them because of the problems they may cause.

In his speech the Premier referred to many matters. He said that it was 83 years since the discovery of uranium. It is probably some thousands of years since the discovery of iron and bronze. So I do not know exactly his purpose in mentioning this. He referred to the Curtin Government and to the opening up of the Rum Jungle project. However, previous projects have been small in comparison with the one under discussion.

I remember going to South Australia many years ago—probably 20 years ago—with a parliamentary group when the Mines Department in South Australia was experimenting with uranium. The department had yellow cake in powder form in drums, and we were examining the situation there. I do not see how this or any similar matters have anything to do with the motion.

The Premier produced a sort of timetable. He said that two years ago the Fox inquiry was commenced; two months ago the ALP made its decision; and two weeks ago the Prime Minister made his decision. I suppose this makes the situation look good because it appears that something is being done. Now, the Premier is very concerned about what the ACTU might do. Whatever the ACTU might do, the ALP has made it very clear that before it meets again as a Federal body it requires further examination to be made. It desires a moritorium, not a fixed or long-term inquiry. The Fox report indicated that further examination and assurances were required before that committee was prepared to advocate the mining, processing, production, and sale of uranium.

We claim that we cannot afford nuclear development because the cost is too great. I think I have indicated that great problems are involved and they will not be solved as easily as the Premier would have us believe by a perusal of his long motion. We would be in a better position were we debating a motion which was less lengthy, and it is my intention to ensure that we do just that.

I will refer members to some advice I gave the House once before, when I tried to indicate to people who had difficulty in trying to visualise the situation; it relates to the difference between the generation of power by atomic energy now and its generation in the future.

I quoted in part the letter written to the Prime Minister by the Women's Service Guilds. One would not normally look to such an organisation for a simple explanation of atomic energy—and I do not say that in any disparaging manner—but of all organisations, the Women's Service Guilds has given the simplest I have discovered so far. In its letter to the Prime Minister is the following—

> Members of this organisation are, together with many other Australians, endeavouring to become as informed as possible on the many implications of the present mining and

sale of our uranium in this atomic energy age.

From information from many sources the following facts emerge:

1. The process of releasing atomic energy by fusion is a tiny demonstration of the exact process going on in the sun. There, excessive heat converts hydrogen into helium, releasing solar energy in the process.

2. There are two systems of releasing atomic energy, fission and fusion. The process of gaining new energy by fission, releases as a by-product deadly radio-active substance. This can accumulate to such an extent that it can endanger human life on the planet.

3. The emerging answer to this threat is the perfecting of the process of producing and controlling atomic energy by fusion. This new process produces almost no harmful waste. There is evidence to suggest that the fusion method of producing atomic energy may be operable commercially within seven years.

This brings us again to the argument as to how soon it will be available. The Women's Service Guilds of Western Australia have probably made some study to suggest it will be within seven years. I suggest it could be a little longer. However, the known energy resources of the world, other than uranium, would last a lot longer than the time which has been scheduled. To continue the letter—

> Considering these facts from the non-party political approach, which has been the basis of our work since 1909, we urge that the Australian Government representing the people of Australia accept the responsibility of halting the mining and sale of uranium for the next five years.

They want a moratorium for a lot longer time than does the ALP. The letter continues—

> Hopefully then the advances in nuclear energy technology will be such that this great new energy source may be developed without the present hazards and for the benefit of all.
>
> Yours faithfully,
>
> WOMEN'S SERVICE GUILDS OF W.A. (INC.)
>
> Sgd. D. R. Squires

Of all the opinions I have seen expressed about the subject of uranium, that contained in the letter I have just read is probably one of the most sensible. I do not necessarily subscribe to the time schedule mentioned. If we discover some way to produce heat shields and trigger fusion generation within five years of course we will go into the matter and use this method. The methods put forward by the uranium moguls will then be left where they deserve to be: high and dry.

When somebody wants to throw onto the human race a problem which it does not really understand—and the problem certainly is not understood any more by those people than it is by the general physicists—it is time we had something more sensible than that proposed by the Premier.

Amendment to Motion

As a consequence, I move an amendment—

That all words after the word "House" in line one of the motion be deleted with a view to substituting the following words—

> notes the decision of Federal and State Liberal Governments not to defer the mining of and export of uranium and deplores their failure to—
>
> 1. Ensure that customer countries will apply effective and verifiable safeguards against the diversion of Australian uranium from peaceful nuclear purposes to military nuclear purposes;
> 2. apply international safeguards which will ensure that the export of Australian uranium will not contribute to the proliferation of nuclear weapons and the increased risk of nuclear war;
> 3. ensure that adequate procedures will be applied for the storage and disposal of radioactive wastes to eliminate any danger posed by such wastes to human life and the environment.

MR H. D. EVANS (Warren) [6.12 p.m.]: In seconding the amendment moved by the Leader of the Opposition, there are several comments which I think are relevant, and observations I would like to make.

In moving the amendment the Leader of the Opposition certainly struck the crux of the concern felt, and demonstrated the very grave nature of the effects that nuclear mining, processing, and usage have on the human race.

It is probable that no greater decision will be

made in the history of mankind than the decision which the leaders of this generation will make. It is true there is a need for a source of energy, and that there is a gradual or fairly rapid diminution of the energy supplies of the world. This is crucial; there is no doubt about that. However, it could well not be as crucial as the use of uranium, in the light of the insufficient technology and the insufficient understanding that we have of it.

It is essential to understand the basic problems, and many people do not seem to have achieved that understanding. One of the confusing factors in the whole unfortunate situation is the disparity in the reports, in the statements, in the utterances, and in the handling of the subject by the media. It is almost impossible for the layman to arrive at meaningful and balanced decisions. Many people—many segments of the community—have to accept some responsibility for this unfortunate situation.

The issue which has to be examined clearly is the distinction between the generation of power using enriched uranium, and the by-products which it brings about, and its utilisation in breeder reactors. This, basically, is the presently unsolvable problem that confronts the entire world—not just the western world.

Nuclear power has been used in the United Kingdom since 1962 and the culmination of the development in that country is the power station at Hartlepool which uses enriched uranium as its source of fuel. It has to be borne in mind there are seven nuclear units operating at the moment. The operation of the nuclear power station at Hartlepool is very different from the present technology used in the case of conventional fuels. The difference is that the heat unit comes from nuclear fission. The enriched uranium is encased in stainless steel tubes, and rods coated with graphite are fed into the reactor. The critical amount is brought together, and fission then takes place.

Sitting suspended from 6.15 to 7.30 p.m.

Mr H. D. EVANS: Before the tea suspension I was tracing the problems of nuclear power generation and I would like to complete that process.

In the United Kingdom nuclear power has been used for power generation since 1962 and the process as it is now is not such a difficult one. Hartlepool no doubt represents the most up-to-date power station in the world. It consists of a huge cement block about 200 feet high and 200 yards square. It uses two reactors each with a generator capable of turning out 660 megawatts. The process of developing the heat comes from enriched uranium fitted into stainless steel tubes, and these rods—about 30 in a group—are fitted in graphite and passed into the reactor. The critical amount when it is brought together generates the fission which in turn produces the heat over which carbon dioxide is passed, and the heated gas passing though the boiler tubes creates the super-heated steam. The generator is turned by this steam and power is produced in the conventional manner. The only difference is the use of enriched uranium to provide the heat.

The whole unit is completely sealed and the efficiency and technological ability shown in this particular power station are comparable with anything it would be possible to find. The cost of the unit was something in excess of $400 million—it is still not certain—and this will be amortised over a period of 20 years. At the end of the life of the station the unit will simply be cemented over. Many of the bearings and much of the equipment will remain in being, still nuclear active, but the unit will become just a large block of cement. One of them in the countryside probably would not be very objectionable so long as it is discreetly out of the way.

But unfortunately it does not stop there. These units will proliferate into many hundreds or even thousands. There are 300 nuclear stations of varying kinds in Western Europe, and I note with some surprise that in the United States there are 238 which are already completed or proposed to be built. We are talking in terms of 238 in the United States alone and over 300 in Western Europe at the present time.

If it were a matter of conventional power generation there would be no problem. The difficulty comes with the waste which is extracted from stations such as Hartlepool. After about two years the spent rods are taken out. They are stored for 100 days under about 20 feet of water. From there they are trans-shipped cross-country to Windscale, which is the reprocessing centre about which there is considerable concern at the present time. The spent rods still retain over 60 per cent of their heat potential, and this is the enticement to reprocess them to extract the plutonium, the uranium 238, and of course the radioactive wastes. It is here that the difficulty starts.

The contamination around Hartlepool is negligible. As a matter of fact, a herd of cows is centred in something like 1 000 acres. The animals are monitored, the milk and meat are monitored, and the overall precautions against nuclear contamination are of the highest order. The technicians and scientists there, with whom I have spoken, are quite confident they have no

problem in their particular phase and activity of nuclear power generation, and I quite believe them.

The computerisation of the whole station means any leak is immediately detected, and the worst thing that could happen would be that nuclear contaminated carbon dioxide would extend over a maximum distance of about five kilometres. The chances of that occurring are very remote indeed.

The recycling difficulties with which Windscale is confronted start the whole business, and the manner in which the spent uranium rods are transported is an indication of the precautions which are taken. They are loaded into tanks made of cast stainless steel, lined with lead, and weighing in all about 50 tons, and are transported on flat-tops for 200 miles. When I asked the scientists at Hartlepool what the problem was as far as the fast breeder reactor is concerned, they answered, "That has nothing to do with us; that is a totally separate section of the industry. It has special problems of its own and we do not profess to have the answers to them. As a matter of fact, we are sure the problems at places like Doonscray, where there is a fast breeder reactor in operation at the preseint time, have not yet been fully reconciled."

The distinction between Hartlepool and Doonscray is that the fast breeder reactor at Doonscray is fed with plutonium, and plutonium has the propensity to feed upon itself. It operates at a much higher heat, and the transfer of heat through the water tubes is done with liquid sodium, which in itself is a major engineering problem. It is the problem of the waste and the plutonium that has not been solved, and the scientists in the United Kingdom are not sanguine about it. The possibility of accident cannot be ruled out. It is ever present and accidents are occurring all the time, even with precautions such as those taken at the most up-to-date station in the world. An inquiry is being conducted into Windscale at the present time. It started off as an investigation of Windscale and the difficulties it is encountering with plutonium, but it has since expanded into a review of the entire nuclear operation in the United Kingdom. Even while the inquiry was proceeding there appeared in *The Times* of the 25th June, an article under the headline "No danger from waste leak" which pointed out that an incident which occurred on the 21st June was slight and there was no danger to men.

Mr Laurance: Do you think it is surprising that, despite that inquiry, last Saturday the British Labour movement voted in favour of the fast breeder reactors?

Mr H. D. EVANS: That was not as a result of the inquiry at Windscale. The report of that inquiry has not yet been brought down and the problems have not been resolved. The problem of waste disposal has certainly not been resolved, and with plutonium we are talking of a half-life of 200 000 years. The disposal of waste is one of the major and most critical situations. Where there is one station it can be contained, and under the stringent conditions applied by the British scientists it could probably be looked at.

However, with 300 in Western Europe, 238 in the United States, and the proliferation that will be occasioned in South America, South Africa, and South-East Asia, there will be literally thousands of these breeder reactors operating before the end of the 1980s. Where we might have a chance to contain one, certainly we would not be able to contain so many.

The DEPUTY SPEAKER: The member has four minutes.

Mr H. D. EVANS: At the same time a report in the *Sunday Times* of New York of the 28th June, tells us that 280 lb. of nuclear fuel has gone missing. It was shown that in a period of 18 years a company which supplied fuel for nuclear submarines had lost unaccountably 280 lb. of fuel. The company attributed this loss to wastage, leakage, leaky pipes, waste during processing, and bad accounting. Another incident occurred in the United States where an entire shipload of fuel vanished in transit. Surely this indicates the probability of extending the danger of nuclear war. Not only does it illustrate the dangers of waste storage and the extension of the possibility of nuclear war, but also it goes far beyond that.

I would like to refer to the reports on this matter that have been issued, and the conflict contained in them. Some of the comments made in a pseudo-scientific approach just do not bear close examination. I have here a pamphlet entitled, "Armchair intellectuals are costing us jobs". I do not know who authorised this publication, but probably it was a close associate of the large mining companies. When the whole pamphlet is examined, it is completely worthless; it is playing purely on the immediate emotion of the fear of unemployment. On the other hand we have seven prominent scientists who say, "Halt on uranium". This shows the conflict in the media at the present time and, as I pointed out, it makes the whole subject very difficult for the public.

Australia is in a unique position. As the Fox report shows, the amount of income that will be generated from the sale of uranium overseas on export markets is 0.5 of 1 per cent of the national

product. So the enticement and suggestions of people like the Premier who say that uranium will be a tremendous money-spinner, the all-time saver of industry, and that it will rectify the unemployment situation, are so much nonsense. Australia has a unique opportunity, as a potential supplier from 20 per cent of the world's proven uranium deposits, to initiate and support international discourse on the problems of uranium and its storage. However, time is needed to do this.

Australia has a chance to take a real lead in world progress on this matter and, at the same time, we could show a moral lead on a vital question involving the whole of humanity.

At the present time America has 74 million gallons of nuclear liquid stored in steel tanks, and the life of the steel tanks is infinitesimal in comparison with the life of their contents, which is anything between 100 000 and 500 000 years half-life. These steel tanks will be all right for the first generation, but the succeeding generations for the next 250 000 years or more will not do very well at all.

The amendment moved by the Leader of the Opposition highlights the three problems in connection with the utilisation of uranium. Time is needed for this State and for this nation to make a proper contribution. This is an instance where we can take a proper lead in international affairs, and we are throwing away the opportunity under pressure from mining companies and other vested interests. I support wholeheartedly the amendment moved by the Leader of the Opposition.

MR MENSAROS (Floreat—Minister for Industrial Development) [7.45 p.m.]: Mr Deputy Speaker, when one listened to his speech, the Leader of the Opposition, displayed about as much enthusiasm for the subject in opposing our motion and moving his amendment as I can recall the member for Victoria Park, when he was Minister for Health, displayed for scientology. That is about the comparison. I listened with interest to his uninterrupted speech.

Mr H. D. Evans: Now just a minute—

Mr MENSAROS: The honourable member was listened to uninterrupted, as was his leader.

Mr H. D. Evans: You have made your point, but if he had come in hard, you would have accused him of emotionalism. That is the difference.

Mr MENSAROS: It was interesting to listen to his speech and particularly the amendment, because he did not really oppose our motion, let alone oppose our motion fiercely. He did not oppose our policy.

Mr Barnett: I will.

Mr MENSAROS: He did not support his own party's policy, and neither did he support the policy of the ACTU. The amendment contained no mention of a moratorium and no proposal for a referendum. The amendment actually endorses our policy.

Mr H. D. Evans: You had better read it at this stage before you go any further.

Mr MENSAROS: The amendment commences—

> notes the decision of Federal and State Liberal Governments—

This is the policy of these Governments. The amendment does not say it endorses the policy, but that would be too much to expect from the Leader of the Opposition. The amendment says that the policy is noted.

Mr Jamieson: The amendment could not say "deplores", otherwise it would have been out of order.

Mr MENSAROS: In my opinion the amendment then continues rather illogically, and I would be happy to submit my reasoning to any arbitration. The amendment continues to outline three points which are claimed to be lacking from our motion. In fact these are included in our motion.

In other words the amendment deplores a failure which is not a failure because it is incorporated in the Government's motion.

Let us attempt to examine these three supposed failures.

Mr Barnett: Talk about uranium.

Mr MENSAROS: I am talking about the amendment. The honourable member never talks to the subject.

The three failures which the Opposition deplores are as follows: Firstly, the Government's motion did not ensure that the conversion of Australian uranium from peaceful to military purposes should not take place. Part (3) of our motion proposes clearly that research should be undertaken into the use of uranium and products derived from uranium for peaceful purposes. So that is a contradiction already.

Our motion endorses the Commonwealth Government's policy, and I point out that the Commonwealth Government has taken every safeguard. One safeguard is that any country which wishes to import Australian uranium in the form of yellow cake will have to comply with the

International Atomic Energy Commission's rules and codes.

Mr Barnett: Is it a fact they can get out of that within 90 days?

Mr MENSAROS: It says specifically that uranium or yellow cake should not be enriched to more than 20 per cent. I appreciate some people have studied the subject, and it must be common knowledge that to use uranium for nonpeaceful purposes—in other words, for nuclear weapons for military purposes—a beneficiation rate of up to 97 to 99 per cent of U_3O_8 must be achieved.

It must be mentioned in connection with this that according to all knowledge, nuclear weapons have not been manufactured from the by-products of electricity generation. I understand there are about seven different ways to manufacture the enriched substance up to 98 per cent for use in nuclear weapons. All of them are more convenient and cheaper than having a reactor for electricity generation and using its by-products. The only question which came up was in connection with India, but even there, all reports indicate they have manufactured a weapon probably by a phosphoric method.

In any event one does not need Australian uranium in order to manufacture weapons from nuclear material, as one can do so from any small quantity available elsewhere.

The second alleged failure mentioned in the amendment is that the motion does not care about nonproliferation. Again I refer to our own motion which says that research should be done so Australia has a voice internationally to require conditions of sale to be directed at nonproliferation of nuclear weapons. So the alleged failure is in fact included in our motion and is not a failure.

In addition to this expressed positive statement in our motion, we supported the Commonwealth's actions and the Commonwealth particularly said in all its announcements that the uranium could be exported only to countries which are signatories to the nonproliferation treaty, and in fact it went a step further. It is quite interesting because it said that condition was not enough. The Commonwealth said the other nations had to have a bilateral agreement with Australia as it might be legally possible, of course, for a nation to leave the treaty. This bilateral agreement binds other nations so that they will not use uranium imported from Australia in any way towards nonpeaceful purposes.

I often wonder why people think of weapons when referring to nuclear energy. That is only a small part of the usage of nuclear energy. I read somewhere that this is similar to people, when talking of electricity, who would only talk of the electric chair.

I could not quite understand the reasoning of the Leader of the Opposition when he said that Australia might become a wealthy corpse. I wonder whether the fact that we mine and export uranium or whether we do not makes us more liable to an attack. If one wishes to go to such an excess, it seems logical to my mind we would be more liable to attack by energy hungry countries if we do not provide the raw material for their energy needs rather than if we provided it, unless he talks about an attack for entirely unrelated reasons.

The third alleged failure in the Government motion is that there are no adequate safeguards for radioactive wastes. I think one should spend a few minutes at least of the short time available to talk about the myth of nuclear wastes. There is no doubt there will be a lot of improvements in the handling of wastes from nuclear generation. I make it clear, as did the Leader of the Opposition, quite rightly so, that I am not talking about wastes which will come from the mining or processing that we envisage in Western Australia. Obviously we are talking about waste coming from electricity generation by nuclear reactors.

Mr Jamieson: That is a problem too. Look at what happened at Rum Jungle.

Mr MENSAROS: As far as the Rum Jungle problem is concerned, I hope during the discussion on the motion that I will have more time to deal with the Western Australian aspect. The member for Warren referred to this subject of waste and people are very often mistaken when they talk of a half-life of hundreds of thousands of years.

In fact there are 150 days of very extensive radiation and after this the radiation of wastes from a 1 000-megawatt generator will rapidly decrease. Do not forget that 1 000 megawatts is almost the total capacity of the SEC for the total grid system in Western Australia. It has a capacity of about 1 028 megawatts. So, from a 1 000-megawatt generator after the 150th day there are four million curies of radioactivity present. This decays to 30 000 curies within 100 years and to 100 curies after 1 000 years. That 100 curies compares with 30 curies which is existent in the natural state of uranium ore buried in the ground.

I am not saying that the problem has been 100 per cent solved or that there would be no improvements in the present handling of wastes. It would be stupid to say the situation will not

improve, but what I am saying is that instead of creating fear in people's minds by talking of a million years the very most we can talk about is 1 000 years. If one considers the pyramids, Stonehenge and the cathedrals in Europe, one must realise that they have lasted over 1 000 years without the safeguards associated with the storage of uranium.

Mr Jamieson: What do they have to do with uranium?

Mr MENSAROS: After 1 000 years what is left from a half-life is almost negligible. This is three times as much as radiation from uranium in the ground.

Mr H. D. Evans: The 74 million gallons in the United States have a half-life of over 200 000 years.

Mr MENSAROS: This particular emphasis on wastes is almost like talking witchcraft, as we have toxic elements in many medicine cupboards whose life, not half-life, is not hundreds of thousands of years but eternal. Some of those elements are more dangerous than the hypothetical evidence that 4½ tons of plutonium waste could kill mankind.

Mr Jamieson: It is 4½ kilograms.

Mr MENSAROS: If that plutonium were to be spread equally around the world and then spoon fed to every individual, all people could be killed. However, this is true of any arsenic or other chemical poison. It is very interesting that the three alleged failures objected to by members of the Opposition, which are their only objections to our policy—and I repeat, without supporting their own policies or those of the ACTU—are not directed towards Western Australia or Australia.

I suppose the Leader of the Opposition agrees in the main with our motion which supports the exploration, mining, processing, and exporting of uranium. The hazards and dangers in these exercises are very minimal indeed.

The radiation involved is so small and one subjects oneself to radiation in many other ways, such as X-rays, to a higher degree. I say again that I hope to deal in an explanatory way with this aspect which is important to us at a later time when we discuss the motion.

The Government's motion only asks the House to endorse the necessity to research the need, the timing, and the method of electricity generation in Western Australia. Therefore, all these dangers which are connected with electricity generation have nothing to do with the immediate endeavour of the motion; that is, the mining, processing, and exporting of uranium. The Government only says it wants to research whether we need it, when we need it, and what methods we should apply for generating electricity, from which the alleged dangers can come.

The ACTING SPEAKER (Mr Watt): The Minister has five minutes.

Mr MENSAROS: Undoubtedly we will need nuclear power, but not within the next 20 or so years. So it stands to reason that during this time, if we as I said before belong to the club, we have a chance to choose the newest and best method and the best timing for our first nuclear generating plant. The motion does not say we should have such a plant; it says we should research whether there is a need for it.

Therefore, on this question I virtually sympathise with the Opposition members because they had a very difficult task. I watched the Leader of the Opposition, and he had a difficult task because he had to toe a political line with which he undoubtedly does not quite agree. He noted our policy and alleged three failures which I have pointed out do not exist.

Mr Jamieson: They do, of course.

Mr MENSAROS: I can understand his difficulty, because this is not a political subject. The policy of the Labor Party now is entirely different from its previous policy. Let me state just one part of its previous policy which was stated by the late Rex Connor in the Federal Parliament when he said—

> ... This statement is to outline the Government's program for the rational development of uranium resources in the Northern Territory; a program which will return substantial economic benefits to Australia from our supply of this vital energy resource to our overseas trading partners who face such grave difficulties in securing their energy requirements ...

That is a very interesting sentence, because that was the policy of the Australian Labor Party only a few years ago.

The member for Gascoyne mentioned by way of interjection that the United Kingdom Labour movement accepted not only the ongoing electricity generation by nuclear power, but also the further research and continuation of the fast breeder reactors.

It is also interesting how politics can change. I have participated in many conferences at which the Premier of South Australia (Mr Dunstan) and his Minister for Fuel and Energy have advocated nuclear energy more vigorously than anyone else. Significantly, an authoritative report,

commissioned by the South Australian Government, concluded that employment opportunities on the statistical data for the already established North American uranium industry—on which all statistical data is based—would be such that a fully developed uranium industry in Australia could support directly and indirectly about 500 000 persons, starting with a work force of about 5 000.

I think that is a bit of an exaggeration, but there is no doubt that the benefits are much larger proportionately in Western Australia than in the whole of Australia. They are particularly much larger in the eastern goldfields and Murchison areas, because there we are talking about very few people and a large proportion of them would have the benefit of employment. The economic spin-off for the regions would be immeasurably larger than it would be throughout the whole of Australia.

Mr Grayden: What statement were you referring to?

Mr MENSAROS: I was referring to a report which was commissioned by the South Australian Government under Mr Dunstan.

Mr Bertram: You will give that due weight, no doubt.

Mr MENSAROS: It is a very interesting report.

I submit that the amendment is only a tactical opposition to our motion; in all logic it accepts our policy—

Mr Jamieson: No, it doesn't, and you know it.

Mr MENSAROS:—and it accepts our motion. Therefore, it is absolutely unnecessary, and I oppose it.

Debate (on amendment to motion) adjourned, on motion by Mr Shalders.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 24th August.

MR CARR (Geraldton) [8.06 p.m.]: When the Minister for Local Government introduced this Bill he led us to understand it is a very minor Bill and very much a formality to make minor amendments to section 37 of the Local Government Act to plug a small gap which had occurred and which had recently come to notice. It seems to me that the Government's approach is a totally inadequate one.

Mr Bertram: Inept would be better.

Mr CARR: Perhaps it is also inept. It seems to be that when one looks at section 37 one finds it is a totally inadequate, totally outmoded, totally ancient, and totally unacceptable section which should not be in any Act which is passed through this Parliament.

Section 37 is alleged to be a provision which deals with pecuniary interest and the disqualification of members of local government. It purports to be a section which protects local government and ensures that only appropriate people participate in it.

It was suggested by the Minister that the amendment in the Bill is consistent with the purposes of that section. I would suggest that is about the only complimentary thing one could say about the amendment before the House: it is consistent with that totally inadequate, totally outmoded, and totally unacceptable section 37 of the Local Government Act.

The Minister suggested that urgent repairs were needed to this section to cover up the situation in respect of Councillors Mallabone, Michael, and others. I would draw an analogy and describe section 37 as a horse and buggy section. The Government has suddenly found out that one of the horse's hooves has lost its shoe, and we are putting a shoe on the hoof of that horse and buggy section; whereas what the Parliament should really be doing is looking for a totally new vehicle which is much more modern, much more in line with community standards, and much more able to do the job which section 37 purports to do; namely to see that proper people participate in local government and to see that there is no scope for abuses to occur.

The Opposition does not like this amendment for several reasons, and I would like to deal with a number of points in turn which we find unacceptable. We do not like the amendment, we do not like the whole section, and we do not like the Government's handling of the whole situation.

At this point I would compare the attitude of the Opposition and the attitude of the Government to the important subject of pecuniary interests of elected members of government—government at all levels. In discussing this local government issue, I think it is fair to acknowledge that the same type of problems occur in State and Federal Governments.

We in the Opposition recognise that it is considerably difficult to ensure that we have safeguards against any misuse of power. We must have safeguards against land sharks who may be in local government to obtain information about possible future rezonings for their own pecuniary

benefit. We must guard against that sort of person and have legislation which provides strong protection for the community against such people at all levels of government.

At the same time, we have to make the way open for a well meaning, honest, sincere, genuine, altruistic person who also happens to be in a similar occupation, to go into local government or any other level of government and make the contribution which he is able to make and wishes to make for the community's benefit.

The difficulty, of course, is that we must have one provision which covers both of those situations. The same provision which allows or disallows the genuine, altruistic person is the provision which will deal with the odd person who may be otherwise inclined. I make the point at this stage that I am not talking about a lot of land sharks but about the odd person who abuses the system.

The attitude of the Opposition is for full disclosure of all interests held by elected representatives, to be held in a register of interests. We have argued this point in this House before, as it concerns the State Parliament and its members, but I would suggest the same requirements exist for local government. If we have a register of interests, the responsibility will then lie with the peer members of the various councils to keep an eye on each member's interests. At least then, if a matter comes before council, the other councillors will know that councillor so and so has a certain interest, and to the best of their ability they will be able to weigh up his interest against the case he is putting, and consider whether or not the point he is suggesting is appropriate. What we are suggesting is that if there is sufficient disclosure so that everybody in the council knows what every other councillor owns—or so that every member of Parliament knows what every other member of Parliament owns—we will then have a self-regulating brake on any abuse which could occur.

On the other hand, how can we possibly have a brake on abuse if we do not know what the interests of the other members may be? It is all very well for the Minister to say—as he probably will say in his reply—that the councillors refrain from participating in any discussion on a matter in which they have an interest. But, of course, that does not overcome the problem which arises when somebody simply does not declare his interests. Once again, we are not talking about a lot of people, but that type of person could exist and we need to guard against that situation.

The situation could arise where a group of councillors who perhaps share business interests in the town and are good friends both inside council and socially, outside, may inadvertently display a bias to one of their colleagues. They may say, "We know him; we are very good friends with him. He has declared an interest in a particular matter." They are then inclined to think, "Well, we really know about his business and we trust his tender, so we will give the job to him." Those problems do exist; we must accept they exist and do the best we can to avoid the sort of problems which can arise.

As I have said, the present position is totally inadequate, and this Bill does nothing to assist the situation. The same problems occur at State level, as we saw only last year when there was some discussion in this House which reflected on the Hamersley Iron agreement, which transferred reserves at Paraburdoo to Hamersley Iron. It came to light a considerable time later that the then Minister for Industrial Development held shares in Hamersley Iron; this was not known to Parliament at the time the decision to transfer the reserves was debated. Surely in this day and age such a situation is not acceptable.

In contrast to the Opposition's attitude, which certainly recognises the difficulty of drafting legislation, I suggest the Government does not even recognise the problem. In fact, the Government seems to believe it is in order for any businessman to go onto a council without any disclosure, and without any register of interests. The Government's attitude seems to be, "If a problem occurs in section 37, we will just add to the exemptions", so that a particular businessman who may be faced with a little bit of difficulty will have his problems sorted out for him by the Government.

In my opinion, section 37 of the Local Government Act is a farce. What section 37 says, firstly, is those people with pecuniary interests are disqualified from being elected to the council. It then proceeds to provide a number of pages of exemptions, which apply to just about everybody in almost every business situation. Section 37 provides exemption for a sole trader, for a business with up to 20 members, and for a business with more than 20 members. What it simply means is that exemptions are provided for everyone, in every sort of business. In other words, it makes a complete and utter farce of the whole section of the Act.

On the other hand, of course, the Government does not provide exemptions for workers. I refer to a letter I received from the secretary of the municipal employees' union, which discussed this matter quite strongly. Employees of a council are

disqualified from becoming members of that council because of their pecuniary interest. If they receive a wage—an income—from the council they are precluded from taking their seats on the council. I refer members to an example which arose in Geraldton recently, where a retired pensioner who had a part-time job for a few hours each weekend at the rubbish tip, telling people where to dump their rubbish, would have had to resign his job, for which he received only a token income, had he been elected to council. These workers who are precluded from taking their seats on council stand to gain much less than the odd land sharks, to whom I referred earlier, because the land sharks stand to make thousands of dollars if they become aware of particular zonings, and exercise their business interests to take advantage of that knowledge.

I believe that the person who works for a council and who has no other interest other than his wage similarly could disclose his interests on a register. If the Labor Party's proposal were introduced, and a register of interests were kept by the councils the councillors would know that councillor so and so had an involvement in the council because he received so many dollars a week from the council in wages. Then, when any matter came before the council, that councillor's expressed opinion on the matter could be weighed against his particular interest. For example, if the council grader driver was seeking to have a new grader purchased by the council, everyone would know his involvement in the matter, and would consider the information and opinion he put forward in the light of that knowledge.

It is also worth pointing out that in some country areas, the shire council is the major employer. In many small country towns there is no major industry, and the largest group of workers comprise the shire council work force. If we preclude them from participating in local government, we have an imbalance where workers are not allowed to participate, but where only people representing business and farming groups are permitted to take their seats on council.

It is also worth pointing out that very often council employees are more aware of the problems involved in the operations of the council. We could well be leading towards worker participation if we allowed workers to participate on council. What I am pointing out is the anomaly of the Government's attitude in saying that any businessman, irrespective of the size of his business or the type of his involvement, may sit on council, but no worker may participate. It is perhaps also worth pointing out that some council employees occupy very prominent positions in other areas of the community, be it president of the bowling club or whatever, yet they are not permitted to participate in the deliberations of shire councils.

Another possible exemption which I would like to query with the Minister is the position of union officials who are involved with unions which have contracts with a council; for example, the secretary and organisers of the Municipal Employees Union and the Municipal Officers Association. They are signatories to an agreement with the council and I would be very gratified to have their position clarified by the Minister.

We on this side of the House do not like the aspect of retrospectivity of this amendment. It is in fact making something legal which was, at the time of its conduct, illegal. I believe that is something which is unacceptable in a modern democracy.

We have heard may times, in many legal situations, that ignorance is no excuse. Why should this particular measure be an exception? Why should this measure cover a situation where ignorance is treated as an excuse? Some councillors have been big enough to accept the penalty which has been imposed. They have accepted their disqualification and have gone to the electors again for re-election. I would like to compliment people like Councillor Michael and the Perth City Council and similar organisations which have been prepared to accept the situation.

Councillor Michael and the other two councillors who were involved, Councillor Mallabone and Councillor Fernihough, did not know they were breaking the law. However, when they found out that in fact they were breaking the law they took the appropriate action; they resigned and contested the election.

The Perth City Council did the right thing. It requested the councillors to resign. I cannot pay the same compliment to other local authorities and councillors—or in fact to the Government—who have taken a totally different action. I have no respect for other councillors who have breached this particular provision and have not resigned; who have not taken leave of absence, or taken any other appropriate action.

I do not have respect for those councils which have suggested to their councillors that they take no action. I have no respect for the Minister's public statement that he advised councillors in this situation to take no action because, "We are going to fix it up." It seems to me that the Government's attitude in allowing illegal acts to be covered up is typical of the inconsistent manner in which this Government treats law and

order. The Government enforces the law strictly in some instances, but it completely overlooks the law in other instances.

I am sure every member of this Parliament is aware of a number of cases in this State where the law is simply not enforced. We can also point to cases where the law is rigidly enforced. I would draw the attention of this law and order Government to questions such as casinos and gambling. Everybody in this Parliament knows that casinos exist and gambling does occur in Western Australia. It is illegal but nothing is done about it.

Then there is the question of prostitution. Every member of this House knows that prostitution occurs in Western Australia. However, very little is done to enforce that particular law. Homosexuality is illegal at the present time in this State. But nothing is done to enforce that law. The question of electoral expenses is another instance. We recently had an answer to a question in this House which indicated that members of this Parliament had breached the law in respect of electoral expenses. They had either omitted to furnish a return or had made a return of a figure which was above the limit. I also suggest that in some cases members made dishonest returns. Nothing has been done about that. This Government says it is a law and order Government and the law should be obeyed.

Mr Taylor: Where is the Minister for Labour and Industry? He is usually an authority on this subject.

Mr CARR: I do not suggest that prostitution, gambling, homosexuality and so on which are illegal should be illegal. I am just pointing out the hypocrisy of a Government which on the one hand professes to be a law and order Government, but on the other hand allows such things as the breaches in the councils to go unheeded.

We have a different situation with strikes and the smoking of cannabis and things of that nature where the Government, having introduced laws to suit its own particular ends, very rigidly enforces those laws. It enforces those laws in a spirit of political emotion for its own political ends and I accuse this Government of hypocrisy with regard to enforcing law and order in the particular instances I have mentioned.

Members on this side of the House do not like the inordinate haste with which this amendment has been introduced into Parliament. We see no reason why it should have been rushed in to protect a few particular businessmen. Those people who had broken the law should have been required to allow the law to take its course and they should have accepted the course of the law.

Members on this side also do not like the Government's ready acceptance of private legal opinion. The Minister has declined to table in the House copies of the legal opinions that have been obtained. I asked the Minister this afternoon whether the Crown Law Department had provided his department with a legal opinion. I did not give the Minister any notice of that question but I would have thought if this issue was as important as it appears to be and as it had attracted so much attention from the Minister, that he would at least have known whether the Crown Law Department had provided his department with a legal opinion. He was not able even to tell me that. I ask the Minister again—I obviously could not put the question on notice—did the Crown Law Department provide his department with a legal opinion on the particular question that we are discussing? If it did, what was the substance of that legal opinion? If it did not provide a legal opinion then what is the Government doing seeking to amend this legislation on the basis of one private legal opinion?

We on this side of the House also do not like the verbosity that the Crown Law Department—or whoever drafted the amendment—has used with regard to this particular amendment. There are, for example, two paragraphs each of which consist of one sentence, and each of which contains at least 100 words. These two paragraphs barely make sense in English and I would have to defer to my legal colleague on my left as to whether they make sense in law.

Mr Nanovich: He would not know.

Mr CARR: In view of the number of points associated with this amendment which the Opposition does not like, we were tempted to oppose it outright, to vote against the Bill and to divide on the Bill. That, of course, would achieve nothing because in this Parliament nothing that the Opposition does receives very much attention from the Government. The Government would have used its numbers and rejected our opposition and that would have been that.

I propose a rather more constructive approach than that. On the day I was first elected to the shadow Cabinet I telephoned the Minister's office. Although I was unable to speak to him personally, I asked his secretary to give him a message. The message was that I hoped I would be constructive in my approach to this particular portfolio and I hope to try to proceed in that

manner in this instance. Therefore, we will not be directly opposing the legislation. This situation needs a much more comprehensive revision of the whole of section 37 and in fact the whole of the provisions throughout this State dealing with pecuniary interest at both local government and State Government levels.

The Opposition also considered carrying out a complete redrafting of the whole of section 37 and presenting that to Parliament in the form of an amendment. However, we knew that also would be rejected because the Government could not possibly bring itself to consider that there was any merit in anything coming from this side of the House. We knew this proposal would be rejected.

What we are doing is something a little different. We foreshadow that at some later time we will seek a full-scale examination by a parliamentary Select Committee of all matters relating to pecuniary interests of all elected members of the State and local governments in Western Australia and also all the senior nonelected officers involved. I would just emphasise the last few words, "senior nonelected officers" because quite obviously these people are in positions of very considerable influence and it is important to know what particular interest they may have in any matter. It is important that such an investigation should have all-party involvement. Quite obviously if it is to be accepted throughout the community and if it is to be successful in practice it needs the support of all parties. When I say "all parties" I mean the participation of all parties in a parliamentary Select Committee—not the type of thing which occurred last year when the parties privately got together on a committee with a couple of representatives from each. Therefore, I foreshadow that at a later time we will be introducing into this Parliament a motion for a comprehensive inquiry into all matters relating to pecuniary interests in Western Australia.

Of course, in this debate we can move to refer only what is contained in this Bill to a Select Committee. I give notice—and I hope you, Mr. Speaker, will give me the call at the appropriate time—that at the end of the debate at the second reading stage we will be moving that this Bill be referred to a Select Committee.

MR B. T. BURKE (Balcatta) [8.31 p.m.]: I support the remarks made by the member for Geraldton and I congratulate him on the manner in which they were made. One remarkable thing about this Government is simply that in no previous period has local government been in such tumult and in no previous period has the system so obviously broken down as it has under the very sure guidance of this Minister for Local Government. He has been quite inadequate to handle the responsibilities thrust upon him, and I think that has been adequately proved by the disruption, the nonperformance, and the confusion into which many local authorities have been thrown.

During his introductory speech the Minister mentioned that he believes that other sections of the Local Government Act which prevent interested parties from voting on or discussing a particular measure would provide adequate safeguards. Of course, that is not true; and if we look at the two instances which presumably gave rise to this legislation we can see that really they were two quite separate sorts of occasions.

In one case the councillor had given notice that he had an interest in a particular matter and was found to be ineligible to hold his seat because he did not give continuing notice of that interest on subsequent occasions. That seems to me to be very different from the other case which was one of a man whose business was involved in a simple transaction of which he had no knowledge and of which we could not expect him to have had knowledge.

In the first case I think the councillor concerned obviously realised his responsibilities, at least on one occasion, and failed to fulfil them on another. So I do not think it is sufficient to say that these circumstances were identical and that they both gave rise to the need for the same sorts of change.

I think it is certainly true that the safeguards provided by section 174 and section 174A of the Local Government Act do not provide adequate protection. It is well known by all members that local councillors are usually well known to each other. It is also well known that although one councillor might favour a certain thing in one ward, he will not be the principal agent in effecting that change but will co-operate on a *quid pro quo* basis with councillors from other wards.

I think it is important that an interests book be kept and that all councillors be required to write down their interests or to notify them to the council. Obviously from the two examples I have drawn it can be seen that there is some need for change. In the second case it seems clear to me that Councillor Mallabone was the innocent victim of something of which he had no knowledge and, as a result of that lack of knowledge, over which he had no control. While admitting that that sort of thing is undesirable, I do not think the same applied in the case of

Councillor Michael. Without presuming that he was any less innocent than Councillor Mallabone, it seems to me the two examples were quite clearly different.

That leads to one of the main criticisms of this amending Bill; that is, rather than appropriately changing the law to cover those circumstances which require change, it is now exposing the whole of the Act to open slather and we are moving from one extreme to the other. By this legislation we will be admitting all sorts of people who need to be protected from themselves and who obviously need to be seen by the public to be involved in something in which they have an interest.

It is just not good enough to say that because of two or three incidents we should change the law in such a far-ranging and wide-reaching manner. I believe the restrospective legalising of what has happened is very bad; it is something to which the Opposition has been constantly opposed and to which the Law Society has been constantly opposed. It leads to a situation in which we are now able to say that throughout this State there are many councillors who, if the law as it now exists were interpreted strictly, would be disqualified from holding the seats they now hold.

This Government is being a party to the practice by which these people not only need not face up to their obligations but can also avoid them and escape them because of parliamentary protection instigated by the Government. This situation is not good enough. It is unclear who is responsible for enforcing this law. Is it the shire clerk or the town clerk? Or is it the individual councillor who, we are told, must look at his own position and make a decision about it? Is it the individual councillor acting on his own advice, legal advice obtained from the councillor's solicitors, or advice obtained from the Crown Law Department?

The Government, through its Minister, has studiously avoided disturbing the vote in any way. It has studiously avoided provoking a situation in which councillors who are breaking the law tonight are forced to resign their seats. It is a convenient and easy way of avoiding trouble; and it is well known that the attitude of the Local Government Department is "Let's not rock the boat; amending legislation is going through the Parliament; tell the people not to worry too much". The Opposition believes this is a reprehensible attitude.

We need to know who is responsible for enforcing this law, if it is to be enforced, and we certainly need to realise the implications of opening up the situation as widely as this legislation will open it. The original legislation was introduced for a very good reason: local government is open to corruption in many areas—many more areas than in State Government. This is because local governments have such wide control over such things as rezoning, development, subdivisions, and so on, that large amounts of money can be made by unscrupulous people. That problem was recognised when the relevant section was originally inserted in the Act; and that problem remains today when the compunction on and provocation for people to make money and to be affluent are much greater than previously was the case. Because that is the problem the Government has no right—and is extremely silly to do so—to open the Act so widely.

By this legislation we will lack proper control; we will move from one extreme to another more ridiculous and—more importantly—more dangerous extreme by allowing all sorts of people, whose interests should certainly be the subject of close scrutiny, to enter council activities.

The whole problem can be traced back to the "old boy" attitude with which some people seem to view local government. We will never have a responsible or efficient system of local government in this State until councillors are paid and until they have a responsibility for their positions in a very true sense to the people who elect them. Until we have a situation in which all people, regardless of their incomes, are free to contest wards in local government elections, local government will be reserved to those people who have the money, those people who are able to spare the time, and—more importantly—those people who preclude other people with a genuine interest in local government but without the financial capability from participating in it.

Local government has degenerated and deteriorated for many years in this State. It is getting worse and worse. It will not get better by constant visits to local authorities by the Minister. We have seen the result; he now has more trouble on his hands than any previous Minister has had.

It will not be solved by amending the Local Government Act in a way which will entice, provoke, and attract the sorts of people against whom the public needs to be protected. I support entirely the need to refer this matter to a Select Committee. In fact the whole Local Government Act has grown so unwieldy, gross, and confused in its presentation that it is time the whole operation of the system was looked at. As the member for Geraldton pointed out that is not possible now, but it is certainly possible to study this amending

Bill and its relationship to other parts of the Act; and it is certainly possible to avoid some haste where fools rush in on a matter as important as this one.

MR HODGE (Melville) [8.41 p.m.]: The amendment to the Local Government Act before the House this evening on the surface appears fairly simple and straightforward; but it is only a very temporary and totally inadequate proposition and does not go any of the way towards solving the basic problem at issue: the whole question of pecuniary interests of elected local government representatives.

Section 37(1) sets out the type of people who are not qualified to be elected as mayor, president, or councillor of a local authority. The next 22 subsections, covering four pages of the Act, then qualify and exempt most of those people who were disqualified under subsection (1). The amendments proposed in the Bill, which has been rushed into Parliament with incredible haste, propose to add yet another three subsections and widen an existing subsection so as to add even more grounds for exemption from disqualification by reasons of pecuniary interests.

The amendments are a very hasty, patch-up job. They appear to be motivated solely by one council's legal opinion. To my knowledge the alleged deficiencies in the Act have not been considered or tested in a court. Along with the member for Geraldton I would be very interested to know the Crown Law Department's legal opinion.

The Act is deficient because it is not good enough for an Act merely to provide for the disclosure of pecuniary interests to a council prior to an election by those persons who have an interest in an incorporated company which consists of at least 20 members as provided for in section 37(2)(b)(ii). The two other main escape provisions, subsections (3) and (4), are also inadequate because they provide for only some disclosures, under certain sets of circumstances, to the Minister for Local Government.

The proposed amendment to subsection (2)(b)(ii) widens the scope of the section so far that virtually it negates the previous subsection (2)(b)(i). It virtually appears to exempt from disqualification any person who has an interest in any company whether or not that company is an incorporated body and whether it has more than or less than 20 members.

It is a pity that while the Government was in a reforming frame of mind and was supposedly amending the Act to rid it of injustice and inequality that it did not look further and study those sections which discriminate against workers and their union representatives.

Section 37(1)(d) disqualifies any council employee from standing for office. In many country areas the largest employer of labour is the local authority, and yet that section virtually excludes from standing for office any local person who works for the council. Many of those workers would be ratepayers and responsible members of the local community, probably active in local sporting and bowling clubs. Yet, under that section of the Act they are excluded from standing for office. This means that in country towns the local councils are usually dominated by businessmen and farmers, because all those people who work for the local authority are excluded.

It would not pose any serious problem to the council if workers were elected to it. I know some people would suggest that they would be in a position to influence the council on their own wages and working conditions. I believe that that problem would not arise. It would be no different from the position of the local businessman on the council being in a position to influence the council to bring about some personal gain or advantage to himself.

Section 37(1)(e) appears to me to exclude from standing for office a union official who has an industrial agreement with a council. For instance, the Secretary of the Municipal, Road Boards, Parks and Race Course Employees' Union of Workers or the Secretary of the Municipal Officers Association would be excluded from standing for election to any local authority. That section needs to be studied by the Government.

The question of the pecuniary interests of public representatives is vexed and complicated and is coming under close scrutiny in most democratic countries. These amendments before us do nothing to solve the question of pecuniary interests. They merely complicate it further.

Parliamentary inquiries into pecuniary interests have been held in the United Kingdom, the United States of America, Jamaica, Canada, Germany, and many other countries. An inquiry has been conducted also by the Australian Parliament, the New South Wales Parliament, and the Victorian Parliament. An urgent need exists for a proper parliamentary inquiry into the whole question of pecuniary interests and the way they affect local government representatives and members of State Parliament.

The rules and laws relating to possible conflict of interest of members of Parliament and local government councillors in Australia generally are obscure and ineffective. The House of

Representatives Standing Order No. 196 precludes a member from voting in a division on a matter in which he has a direct pecuniary interest not held in common with the rest of the subjects of the Crown. Sections 44 and 47 of the Australian Constitution also similarly deal with the subject.

Standing Orders in the Western Australian Legislative Assembly preclude a member from voting in a division on a matter in which he has a direct pecuniary interest. Standing Order No. 195 states that no member shall be entitled to vote in any division upon a question in which he has a pecuniary interest, the main problem with that being that there is no requirement for any member of Parliament to disclose his pecuniary interests. It is entirely up to the individual member.

Mr Davies: It is all right on this side.

Mr Jamieson: When that has been raised with Speakers in the past they have ruled in exactly that way.

Mr HODGE: The sections of the Local Government Act dealing with pecuniary interests are likewise ineffective and unworkable. It is desirable and essential for members in public office to declare properly their pecuniary interests. Such a requirement should apply to all members of Parliament and local government councillors.

In Australia we cannot rely on the Press to disclose cases of malpractice or corruption in local government politics or State Parliament. Because of the defamation laws investigative journalism is almost impossible. The *Washington Post* reporters would never have been able to research Watergate if they had been operating under Australia's defamation laws. Most Australians would consider it unthinkable for a judge or juryman to have any sort of pecuniary interest in any matter coming before him for a decision. There is a law that requires medical practitioners to put the interest of their patient before their own, and it is becoming accepted that stockbrokers should not act on inside information.

In all these cases the well-being of the community or the client is put first. I cannot understand why members of Parliament and local government councillors should not be required to have that same obligation. The community has a right to believe that the elected public representatives act ethically and are free of any conflict between public activities and private interests, and they should be seen to be free.

I concede that there is no simple solution to this matter and it is even more complex in relation to local government councillors than to members of Parliament. The problem has been tackled in different ways in various countries. For example, the United States Congress has adopted sweeping new laws which not only require the disclosure of interests, but also restrict the income which members of Parliament can earn outside Congress.

The Congress was stirred into action by the rapid decline that their standing in the community took after several scandals had rocked the Houses of Parliament in the US, and also as a result of the recent Watergate scandal.

Mr Harman: Something similar occurred here.

Mr HODGE: In a recent nationwide survey in the USA, the American people were asked their opinions of the leaders of 10 major national institutions. Members of Parliament rated only eight out of 10 in esteem. They were rated even lower than corporation executives and trade union officials. I daresay the same case would apply here.

Members of the US Congress are restricted to earning no more than 15 per cent of their congressional salary outside of Congress, which allows them $8 625 in addition to their current salary. Some members of the US Congress have disclosed that they have, in fact, earned in excess of $100 000 outside of their congressional jobs. The Speaker of the House of Representatives in the US (Mr O'Neill) was quoted in *Time* magazine, of the 14th March, 1977, as saying—

> This issue is credibility, restoring public confidence in this Congress as an institution, restoring confidence in its membership.

This type of restriction may not be suitable for Western Australian conditions, or suitable for local government councillors. However, there is another system in operation which we could, perhaps, investigate. I refer to the system adopted by the British House of Commons. Under that system a register has been established whereby all members are required to disclose the source of remuneration or benefit received, or any gifts received outside of their parliamentary incomes. So far as property or land is concerned, under the British system it is the general nature of the interest rather than a detailed list of the holdings that is required.

I believe that system could be introduced fairly easily into this State to cover local government representatives and State members of Parliament. Similar registers to that established in Britain have been established in Canada and in Canadian provincial legislatures. Jamaica has exceptionally strict laws on disclosure, and New Zealand is in

the process, I understand, of establishing a register of pecuniary interests. Even Papua-New Guinea is ahead of Australia in setting up a system to prevent conflict of interests.

A register of pecuniary interests is not just a method of policing public representatives, but also acts in the interests of those public representatives by protecting them from unfair accusation or suspicion founded on hearsay, rumour, or spiteful allegation.

The Liberal Party leader in New South Wales (Sir Eric Willis) said in the State Parliament on the 15th September, 1976, that his party warmly welcomed the initiative of the New South Wales Government in its move to set up a joint parliamentary Select Committee to examine the whole question of pecuniary interests. I hope the Liberal Party leader in this State will adopt a similar attitude.

There is a strong case for registers to be established in Western Australia so that the pecuniary interests of local government elected representatives, and members of Parliament, may be entered in registers along the lines of the British system. The credibility of local government representatives and members of Parliament in Western Australia is not very high at the best of times, and some of the recent events in local government have not helped that attitude. A full and frank disclosure of pecuniary interests in a proper register would help restore public confidence. I urge the Government to drop its piecemeal approach to this question of pecuniary interests, set up a proper parliamentary committee, charge it with the task of urgently examining this whole question as it relates to members of Parliament and local government councillors, and request it to report back to this Parliament.

MR BERTRAM (Mt. Hawthorn) [8.55 p.m.]: The best thing that the Minister and the Government can do with this Bill is—

Several members interjected.

The SPEAKER: Order!

Mr BERTRAM: —to withdraw it. Clearly, it is an unjustified and inept attempt—an unjust attempt—to cover up a situation which has developed. It is as clear as a pikestaff and it needs to be brought home with clarity so that members opposite may appreciate fully the monstrosity they are imposing on this Parliament—and that is what it is, depending of course on whether or not one has any sensitivity or any decency or, as we say in this place, "dignity" in a rather odd sense.

I also point out that what I will have to say is not aimed at any councillors who have been named, or about whom we have read in the newspapers; my remarks are not aimed at them at all. I will talk on the general canvas of the problem; I want to make that clear at the outset.

This Bill deals with honesty or, if one likes, with cleanliness in government or in local government. It is a most unusual Bill because its provisions will be retrospective, and that is a very dangerous sort of thing to invoke. It is something Governments of either side rarely invoke.

As I have said on previous occasions, when an odd situation arises it is most important to sit up and take notice because it is a warning to us that something is wrong. When an unusual situation arises the probability is that there has been some mischief, or a problem has arisen somewhere.

What other citizens in this State can commit an offence of the significance of the one under discussion, and then just ring up the Premier or the Minister for Local Government—or somebody else—to have the whole Parliament stop work on matters of importance and turn back the law? Who else can do that?

I am concerned that the Minister representing the Attorney-General is not here at the moment because the Attorney-General has a peculiar responsibility to ensure that where there is an offence, without fear or favour, and without political bias or anything else, he pursues it. That is what Mr Ellicott wanted to do, but Fraser prevented him and as a consequence Attorney-General Ellicott had to resign. He believed a certain type of offence had occurred and he intended to pursue it irrespective of the political ramifications or implications. His leader, Fraser, would not allow him to pursue it, and he had to resign as a consequence.

We now have in this State the situation where, without any question at all—I gather the Minister does not question it—there have been certain serious offences against section 37 of the Local Government Act, and the Attorney-General has remained silent. Absolutely, the Attorney-General has not said to people that irrespective of what they believed had occurred, he was going to see to it that the law was enforced.

Today the Minister representing the Attorney-General avoided a question because he had not received notice of it. That question was to be as follows—if it had not been interrupted—

> Has he been consulted concerning the breaches or alleged breaches of section 37 of the Local Government Act?
>
> If Yes—
>
> (a) by whom and when;

(b) does he condone the Government's Bill to retrospectively validate the offences against that section and if so, why?

We are in the position that we do not know what the Attorney-General's attitude is, and in this vacuum we can only assume that he has given the nod and is condoning this situation. The No. 1 lawgiver and lawmaker in this State has permitted this to happen, and there is no evidence at all in the Minister's speech to justify what he is doing.

It may well be that in some of these cases the Government should invoke section 21 or section 669 of the Criminal Code, but as for bringing in legislation like this, it is unconscionable and should not be inflicted upon the Parliament. The fact is he is riding roughshod over the 300 000 people in this State whom we represent but who very rarely get a hearing in this place or in any other realm of government.

I remember the Minister for Labour and Industry recently standing over there and explaining to us, with all the "apparent" conviction he could muster, that if there were any breaches of the law he and the Government would see to it that the offenders were prosecuted and the law was enforced. Then he suddenly turns a deaf ear to this debate. It is the same Minister who a short time ago got quite a bit of copy in the Press, not by saying he was going to play merry hell in the Parliament but in effect that is what he was saying on the question of law and order. This is what he is reported to have said to a reporter of *The West Australian* on or about the 19th July—

> The Minister for Labour and Industry, Mr Grayden, predicted yesterday that Labor's stance on civil liberties would be a key issue in the parliamentary session starting on July 28. He said that the question of civil rights for employees would test the ALP's sincerity to a limit which had not happened in the past 10 years.

Then we get another big issue, with the same Minister speaking—and he has no difficulty doing that, although the other night he was not firing so well—

> The Government sees civil liberties as a strong political issue and is clearly determined to use it in an attempt to overshadow any moves the Opposition might make to attack the Government on other issues.

There was to be a full-scale debate here on law and order. It has not turned up yet. The little difficulty with Mr Ellicott might have upset the apple cart. Some of the little instalments relating to events in the Kimberley, which we have been receiving from day to day, may have something to do with it. The fact is the Government has said that irrespective of how many members of Parliament have breached the Electoral Act it is not going to do anything about the matter.

Mr Grayden: No-one has breached the Electoral Act, as you might find to your sorrow.

Mr BERTRAM: The Minister had better take that up with the Deputy Premier.

Mr Grayden: You and the Leader of the Opposition have made all sorts of statements in respect of this, as though you have some prior knowledge. Tell the House whether or not you have.

Mr Jamieson: You are an idiot.

The SPEAKER: Order!

Mr Jamieson: You are not talking about the same thing.

The SPEAKER: Order! The member for Mt. Hawthorn.

Mr BERTRAM: I am glad the Minister for Labour and Industry is responding a little. He is not contributing much; he is just waffling on. The Minister for Labour and Industry was going to introduce a full-scale debate on law and order. He has not done that, and we have been told certain people can breach the Electoral Act with impunity, with knowledge, and being completely guilty, and the Government will do nothing about it. This is the matter of law and order which the Minister for Labour and Industry was going to pursue at every opportunity.

Quoting a "Hawke-ism", on the other hand, we have the hypertechnical offences under the Electoral Act where a person is being prosecuted and the fact of the prosecution has been written all over *The West Australian* newspaper throughout the length and breadth of this State. Members of Parliament will not be prosecuted but little people who are miles away from anywhere, who are probably doing no harm at all, but who are in technical breach are being prosecuted, and the fact of their prosecution is being publicised throughout the whole State. This is the law and order which the Minister for Labour and Industry and the Premier are in favour of.

What does the Attorney-General say, in his peculiar position of obligation, about treating members of Parliament as superior to the little people outside the Parliament? He says nothing; he has been completely silent. That is a shambles and a disgrace. I do not put myself above the people outside and I do not want to be tainted by the atmosphere which is being introduced into

this Parliament by the Government and members opposite.

The Leader of the Opposition had a little to say about the Minister for Labour and Industry who was going to hop into this law and order debate but suddenly lost all desire to do so.

Mr Grayden: You will get it before the session is out.

Mr BERTRAM: The article quotes the Minister for Labour and Industry as follows—

> He said that Mr Jamieson had been silent on whether charges should be dropped against 21 people involved in last month's incident at a Fremantle fuel depot.

Mr Grayden: How would you expect the Leader of the Opposition to take a point under a question of law and order? He would not under any circumstances, would he?

Mr BERTRAM: I am now quoting the Minister.

Mr Grayden: Tell us the occasion on which the Leader of the Opposition has done this.

Mr BERTRAM: The article goes on to say—

> He said that Mr Jamieson aspired to be Premier and voters were entitled to know how he would uphold the law.

It seems he would not have to work hard to uphold the law to a greater extent than the Minister for Labour and Industry and the Premier do.

Point of Order

Mr BLAIKIE: The point of order I raise is that the member for Mt. Hawthorn's comments hardly seem relevant to the Bill.

Mr H. D. Evans: Are you reflecting on the Speaker?

Mr BLAIKIE: No.

The SPEAKER: I take it the member for Mt. Hawthorn is using the present quotation to make a point in support of the remarks he is addressing to the Bill before the House.

Debate Resumed

Mr BERTRAM: Thank you, Mr Speaker. It is only a momentary digression—if it is a digression, which I do not admit. The article continues—

> Mr Jamieson had to resolve the question in the public mind once and for all.

What did the Leader of the Opposition say? This is one excerpt which time will permit me to read—

Mr Grayden: You have to say this with tongue in cheek.

Mr BERTRAM: The article continues—

> Mr Jamieson said he believed there had been selective law enforcement . . .

And so do I. So does anybody who has had a look at this position.

Mr Grayden: Ask Rob Cowles about it.

Mr BERTRAM: In Fremantle we have 21 people who have been charged, tried, and convicted, or dealt with under section 669 of the Criminal Code. How many people who have committed an offence under section 37 of the Local Government Act are being let off by an Act of Parliament, no less?

Mr Blaikie: How many are there?

Mr BERTRAM: That is a good question.

Mr Blaikie: Are there any?

Mr Jamieson: There are some.

Mr Blaikie: You are insinuating it—

Mr Pearce: Don't you come in during question time?

Mr Blaikie: —by innuendo and inference.

Mr BERTRAM: Not only does the Minister not know, but also he is determined he will not find out and we will not be told. That is where the cover-up really comes in.

Mr Grayden: That is an untrue statement; you realise that, don't you?

Mr BERTRAM: I certainly do not. I do not have the habit of making untrue statements here or anywhere else. I would like to inform the Minister that I have found generally the truth is a good way to explain a case, and if one has a good case—

Mr Grayden: You would not begin to understand what is truth and what is not.

Mr Spriggs: As you are making a true statement, you said there are a number of these councillors. Give us the numbers.

Mr BERTRAM: What can I do from the Opposition side? We on this side of the House can do less about things than Government members can do, and the honourable member knows how much that is.

Mr Spriggs: You are condemning hundreds of councillors.

Mr BERTRAM: I am?

Mr Spriggs: By saying things you are not prepared to back up.

Mr Taylor: This amendment is to protect them.

Mr McIver: They can do with a stir up!

Mr BERTRAM: Is it suggested that the Government of this State could bring in a Bill such as this because of a transgression by one, two, or three councillors?

Mr Spriggs: Quite obviously none of the Opposition ever sat on a council because otherwise they would know something about it.

Mr Jamieson: What are you talking about—some of them were councillors longer than you were.

Mr Spriggs: Quite obviously they do not wish to get on councils because councillors are not paid.

Mr BERTRAM: Is it suggested that the Government is prepared to go to all this work and expense to introduce a Bill of this kind to deal with one, two, or three councillors?

Mr Jamieson: Why worry about pay when there is payola?

Mr BERTRAM: If the Government does not know what it is doing, that also calls for an explanation. The Minister has gone out of his way to see to it that he does not know how many councillors have transgressed.

Mr Grayden: Whom are you referring to?

Mr Spriggs: What is the number? Tell us.

Mr BERTRAM: What would an ordinary Government Minister do when it came to his knowledge that a breach of section 37—or some other vital section of an Act he administered—was occurring? Would he not make some proper inquiries in a proper manner from councillors, and send out letters?

Mr Spriggs: What about a member who is prepared to slander councillors and not give the numbers?

Mr BERTRAM: Let us look at the question that was asked. It reads—

> How many councillors in this State are currently disqualified by the provisions of section 37 of the Local Government Act?

I do not recall the precise wording of the Minister's answer, but it was to the effect that quite a few councillors were disqualified but these councillors did not know they were disqualified, and therefore, he did not know the number. So we do not really know who this Bill is to benefit. We might have some very good ideas who it is designed to benefit—one does not have to be Speed Gordon to work that out. However, we do not know the names of the people concerned, and we do not know the number concerned. All we know is that certain people are being shown extraordinarily wonderful but completely unjustified favouritism. That may please members opposite; it should not, and it does not please members on this side.

Mr Spriggs: What is in it for them?

Mr BERTRAM: When we are to debate a Bill, surely it is most desirable that the parties who are to take part in the debate should be given as many of the facts and opinions of law as is reasonable and possible. Was that done in this case? Question 635 asked the Minister the following—

> For the general convenience, information and assistance of members, will he table all reports, legal opinions and information in his possession and/or in the possession of the Perth City Council relative to the facts and law said to give rise to the Bill to amend section 37 of the Local Government Act?

The Minister replied as follows—

> No. I believe matters affecting questions of law should not be tabled.

This debate today deals with a question of law; section 37 of the Local Government Act.

Mr Blaikie: Read your Standing Orders.

Mr BERTRAM: Why should the Opposition be denied knowledge of opinions from a legal practitioner or legal practitioners specialising in local government legislation? Why should we be blocked from that knowledge?

Mr Grayden: If you confined yourself to the facts, you would be mute.

Mr Tonkin: You are quite right; the place is a farce.

Mr Grayden: The member for Mt. Hawthorn agreed.

Mr BERTRAM: I can just imagine what the media—and I do not mean the ladies and gentlemen of the Press who come here to report the debates, but the boys in a higher echelon—would do to us if we were in Government and had instigated that interlude at Fremantle recently when 21 people were charged with obstructing traffic and similar offences, and if we were attempting to introduce a Bill of this kind. We can just imagine what would happen—there would be a hullabaloo.

Mr Tonkin: Get them off the hook.

Mr BERTRAM: There would be cries for the Government to resign and we would be accused of favouritism, corruption, and the like.

Mr Blaikie: First of all, you would not have charged the 21 people at Fremantle.

Mr Grayden: Do you realise the 21 people came along abjectly and asked that the slate be wiped clean?

Mr Tonkin: That is not the point he is making; the point is that you should not legislate to get people who have broken the law off the hook.

Mr BERTRAM: We do not even know how many are involved or who they are.

Mr Tonkin: Or whose friends they are.

Mr BERTRAM: We do not know to which party these councillors belong. Surely members on the other side do not think we are completely silly!

Mr Blaikie: Yes.

Mr Old: That is a leading question.

Mr Grayden: So the import might sink in, and *Hansard* might record it, please say it again, but slowly and deliberately.

Mr Tonkin: You say there are no politics in local government.

Mr Barnett: Do not say it slowly and deliberately—draw him pictures.

Mr BERTRAM: Just a few months ago a Bill to amend this same section was before this Parliament. That measure was to introduce new subsections (3) and (4) to section 37. Until someone can show me to the contrary, it seems to me that people caught up in the type of situation described to us could have protected themselves easily merely by taking advantage of either of those two subsections. However, either they did not know of the existence of those subsections—

Mr Spriggs: Protected themselves from what?

Mr BERTRAM: —or, with the knowledge of those subsections, did nothing about it. If one does not know what the law is, one is in the same boat as so many other people who break laws and who do not know they have broken them. Why should any of these councillors be given special treatment?

On the 7th September, and referring to his second reading speech on this Bill, I asked the Minister for Local Government the following question—

> Is there any reason why councillors disqualified under section 37 of the Local Government Act could not have protected themselves by taking advantage of the provisions of subsection (3) or (4) of section 37 of the said Act; if "Yes", what is it?

The Minister replied "Yes", so that means there was a reason. The Minister continued with the reply, and if it is a good reason, it will be an interesting point. He said—

> Subsections (3) and (4) of Section 37 were enacted in 1976 and were effective only from 12th November, 1976. Therefore some members were already in office.

Mr Grayden: Do you think it is a good reason or not?

Mr BERTRAM: They were in office and section 37 caters for them. To continue—

> There are instances where members are unaware of the transactions which cause disqualification.

Let us take that type of situation. One member of a small country shire, possibly the only grocer in the town, found that after the Bill of 1976 became law he had to go to the Minister, as the subsection prescribed, and indicate his dilemma. He had to tell the Minister that he sold tea and sometimes the councillors entertained and served tea. They bought the tea from him and therefore he wanted to be protected under this section. Why could not councillors do that?

Mr Spriggs: They are protected now.

Mr BERTRAM: They were not aware that the transaction could cause disqualification? That is not a justification for a Bill of this kind. It is justification for the use of some prerogative or for something to be done by a court. If we are to come here with a Bill every time someone makes a slight slip or omission we will be extremely busy. We know we would not come back for that purpose and therefore we know there is something wrong with this Bill. Someone is being given special treatment.

Mr Spriggs: Rot!

Mr BERTRAM: The Minister's answer simply does not provide a justification. If someone is travelling along a road and breaches some obscure provision of the Road Traffic Act is he now to be allowed to go to the Government and get a Bill introduced in Parliament? Will anyone be able to say that he did not know he had breached the law or that it was a silly law anyway and it should be changed? One can imagine the reception he would get.

The proper way to deal with this is by an administrative measure, not by an Act of Parliament. This Bill is setting a dangerous and unacceptable precedent. I repeat: the best thing to happen to this Bill would be for the Government to withdraw it. It is not worthy of being here and it would not be the first time I have succeeded in getting a Bill withdrawn.

Mr Spriggs: You have little chance here.

Mr Harman: There is no chance of its being withdrawn.

Mr BERTRAM: This Government has a very sad record on questions of pecuniary interests.

Mr Grayden: That is in your opinion.

Mr BERTRAM: It is not just my opinion. I have evidence, or does not the Minister think evidence is relevant?

Mr Grayden: You would not know.

Mr BERTRAM: The matter of pecuniary interests is dealt with in only seven lines in our Standing Orders. Standing Order No. 195 states—

> No Member shall be entitled to vote in any division upon a Question in which he has a pecuniary interest.

In any division mark you, Mr Speaker. He can have any amount of pecuniary interest as long as he does not cross the floor to vote in a division. On page 58 of the Standing Orders we have the other four lines. They are—

> "Pecuniary Interest" means an immediate direct personal pecuniary interest and does not include such an interest which is general.

That is how much we think about this matter in this Parliament. Whether it is right or wrong, it is a fact that many members of the community have the gravest suspicions about the activities of councillors. I do not necessarily share that view but a lot of people do have suspicions about councillors and their interests in various matters which come before the council and so on. I imagine it is because of the recognition of that state of mind of members of the public that we have this section 37 which has ever so much more to say about pecuniary interests affecting local government rather than affecting us here.

Once again we have a law, or perhaps a lack of a law, for members of Parliament and another law for members in local government. If one takes a quick look at section 37 one might think the Government is really fixing the question as it concerns local government, but as the member for Geraldton has said, a further look at section 37 reveals that it is full of nothing. It is full of provisos and similar things.

Mr Grayden: You are using the expressions of a charlatan.

Mr BERTRAM: The Minister is seeking to be objectionable and that is characteristic of him.

Mr Grayden: Have you ever heard of the establishment in Claremont, and have you ever thought of going there on some occasion?

Mr BERTRAM: That is typical.

Mr Tonkin: He is grovelling in the gutter again.

Mr Spriggs: At least he is not slandering 1 300 councillors who are voluntarily working for the community.

Mr Tonkin: A guttersnipe.

Mr Grayden: Would you like to repeat that outside?

The SPEAKER: Order!

Points of Order

Mr TONKIN: I rise on a point of order as to whether in fact that comment by the Minister constitutes undue interference with a member's duties and privileges in this place and whether in fact a breach of privilege has occurred? I might say that when I asked your predecessor this question he thought it was a joke and I trust you will not in the same manner refer to this as lightly. We in this place should consider that such behaviour may be fitting in the streets but certainly is not fitting in this Chamber, especially from a person who has taken an oath to uphold the law of the land.

The SPEAKER: Order! In my view there is no point of order. I believe that the member who issued the invitation ought to desist from issuing such invitations.

Mr GRAYDEN: On a point of order, Mr Speaker, I want to take exception—

Mr B. T. Burke: Over how many rounds?

Mr GRAYDEN: The member for Morley made some sort of statement to the effect—

Mr Davies: What is your point of order?

Mr GRAYDEN: I was hoping to accommodate him and I am prepared now or at any future date but—

Mr Davies: What is your point of order?

Mr GRAYDEN: —on what point is the member for Morley taking exception to anything I said, because I simply responded to a statement he made?

The SPEAKER: There is no point of order. I call the member for Mt. Hawthorn.

Mr TONKIN: Mr Speaker, if you maintain there is no point of order, will you rule whether it is a matter of privilege or whether we in this Parliament are to be subjected to blatant threats by a person who, in fact, is a Minister of the Crown? I would add, furthermore, that I believe this is very important and that we should understand the law with respect to this. It is not just a question of Standing Orders or some quaint usage of them but of the law which is on our Statute book.

The SPEAKER: I believe there has been no breach of privilege. I call on the member for Mt. Hawthorn.

Debate Resumed

Mr Davies: You should know better than that,

Bill. For God's sake! After all the time you have been in this House. Disgusting!

Mr Grayden: What did you say?

Mr Davies: Disgusting.

Mr BERTRAM: Because of the fact that the Local Government Act contains so many provisions concerning the question of councillors' obligations and positions in the case of debates in the council on the one hand and votes in the council on the other hand—and also contracts with the council—no councillor should reasonably be able to say he does not know the law on this matter. It may well be some councillors can honestly say they are not aware of the provisions of section 37, but it is rather unlikely there would be many of them; nor should there be.

As to whether there should be any amendment at all, it is interesting to look at comments of people whose expertise on the matter would generally be accepted. This is what the former Secretary of the Local Government Association (Mr A. E. White) is reported to have said in the Press on the 23rd July, 1977—

> But a former secretary of the Local Government Association, Mr A. E. White, who was on the committee which drew up the existing Act, believes there is no reason for amending it.

By that he means there is no good reason; although there are reasons for it of which we on this side are well aware. The report continues—

> He said the whole purpose of the section relating to pecuniary interests was to ensure that no councillor was placed in a position where he was the supplier and receiver of goods.

There is no doubt why the amendment is before us. This is one of the authors of the section speaking. The report continues—

> It was designed so that he could not be placed in a situation where he could be accused of making a profit out of being a councillor.

Mr Rushton: You have made my day.

Mr BERTRAM: That comment comes from a man who is recognised for his experience, capacity, and knowledge in respect of matters to do with local government and the Act.

Mr H. Stickland, President of the Local Government Association, said in the newspaper of the 27th July, 1977, that he thought the section should not be altered hastily. That is rather mild. He went on to say—

> It precludes people from nominating for a council for their own benefit.

So the absolute importance of the principle of section 37 to ensure that local governments, Governments, and Parliaments, are healthy and clean and honest may be readily seen.

The SPEAKER: The member has five minutes remaining.

Mr BERTRAM: Thank you very much, Sir.

I repeat that this is a Bill which should be withdrawn. It makes a travesty out of the law and it kicks justice in the face. It is said by the Minister that the Bill involves a technical point. The answer to that is that the law bristles with technical points; that is what it is all about. I recall a learned practitioner who, when told by the judge, "That is a technicality", explained to the judge that was what his profession was, dealing in technicalities and, no doubt, where possible winning as a result of technicalities. Technical points are not an excuse for this method of dealing with legislation.

I have said before the proper way for this to have been dealt with was to allow the law to run its course. In my view the Attorney-General should have insisted upon that, and he has his remedy if the Government wants to stand over him and shut his mouth and refuse to let him function. He has his remedy which other Attorneys-General have used; Mr Ellicott used it recently.

The law should have been allowed to run its course, to determine whether these people were disqualified or not. Ousting procedures are available under the Act, and there is also provision for a fine of $100 for every day on which a person sits as a councillor after he has committed a breach of the kind we are talking about.

These are significant offences; they are not technical offences but important ones, although some people on the Government side may think they are minor. However, others think they are far more serious than the 21 offences committed at Fremantle recently. Remember that many of those people charged at Fremantle did not have the faintest idea of what they would be charged with, and the police were not too sure either.

Mr Spriggs: You would be joking.

Mr BERTRAM: I watched a television segment, and the police were setting up these people for an offence which was different altogether from the one with which they were ultimately charged.

As a member of Parliament, and certainly as a

member of the Opposition, I take an extremely dim view that a Bill of this sort should be introduced to protect people whilst the ordinary citizens cop the full force of the law. That is thoroughly unfair; it is unjust; and whatever I can do to stop it I shall certainly do.

MR RUSHTON (Dale—Minister for Local Government) [9.38 p.m.]: In reply to the members for Geraldton, Balcatta, Melville, and Mt. Hawthorn, I would group them together because they digressed considerably from the amendment. To be kind to them, in the main they waffled, and often they were hypocritical in the extreme. They demonstrated they have no understanding of local government and certainly have no feeling for it.

Mr Pearce: To be kind, that was waffle.

Mr RUSHTON: It is clear to me that all local government councillors in Western Australia are being branded as rogues and vagabonds by the Opposition.

Mr Bertram: Nonsense; can't you do better than that?

Mr RUSHTON: When the member for Mt. Hawthorn was speaking I interjected that he had made my day. This resulted from his understanding of what Mr Bert White, the past Secretary for Local Government, had said, and later I will show the member how he has put both his feet in his mouth.

No member has made a claim of improper conduct in local government; no-one has claimed that any councillor has been guilty of misconduct. Members have only implied misconduct and have not named any councillors. That speaks for itself.

The Bill rectifies an anomaly in the Act; it proposes to make the Act read as it was intended to read when it was drawn up in 1960, largely under the influence of Mr Bert White.

The Bill is designed to rectify an anomaly which previously was not apparent. People who are frank and honest, and willing to take a common-sense approach realise we are simply removing an anomaly. For members opposite to maintain that the actions of a councillor in a company with over 20 members are reasonable and acceptable but in a company with 19 members in some circumstances are unacceptable and wrong, and that in fact a member of such a company who sits on a council is guilty of misconduct, shows how crazy people can get in drawing the long bow.

I cannot see why innocent and dedicated councillors should be disadvantaged and embarrassed by being placed in such a position. I am delighted that the councillors from the City of Perth who were caught up in this anomaly were re-elected unopposed. I think it shows the confidence people have in these two councillors. It speaks particularly well of the ratepayers of the City of Perth to acknowledge an anomaly exists.

I add to that recognition the fact that my own department, which is most jealous of the integrity of local government, sees this as an anomaly and has acted swiftly to remedy the situation. It is always conscious of the good name of local government, and it wanted to see councillors not disadvantaged unnecessarily by an anomalous situation. My own officers were flabbergasted to learn that this anomaly was contained in the Act; they could not believe it because they had been administering the Act for years, and the problem had never arisen before.

The member for Geraldton may have been present at a meeting of the Country Shire Councils' Association at which the president of the association, spontaneously, raised the issue of the anomaly in the Act and asked for an opinion from the big gathering. The meeting supported that we should rectify the anomaly with great haste. In addition, I have received similar requests from the executive of the Local Government Association.

One of the most amusing things to come from the Opposition tonight was the reference by the member for Mt. Hawthorn to Mr Bert White. I raised this issue at that same public meeting which was attended by a large gathering of good and dedicated local government representatives from all over the State. I received an acknowledgment from Mr White—spontaneously—that his first assessment of the situation was incorrect and he agreed that, indeed, the situation which had arisen was anomalous. That contradicts and disposes of the argument put forward by the member for Mt. Hawthorn.

Mr Bertram: Oh, does it? What about the other 15 arguments?

Mr RUSHTON: In the main, they did not apply to the Bill which is why I do not propose to deal with them in any detail.

No suggestion has been put forward that there has been any lack of integrity among any councillors. For the Opposition's argument to stand up tonight we would have needed some proof of some lack of integrity. But no, all we have heard has been innuendo and inference, which I find offensive not only on my own behalf but also on behalf of those many dedicated councillors throughout the State.

Mr Nanovich: They should be ashamed of themselves for making such comments.

Mr RUSHTON: The provisions in the Act have been cited and also those for disqualification, and for declaration of interests.

Mr McIver: Do not make them out to be better men than they are. Some have to resign because they will not pay their rates. Do not build them up to be messiahs.

Mr Nanovich: There are a lot of good people involved.

Mr McIver: Yes, and a lot of vagabonds.

Mr Nanovich: That is rubbish!

Mr McIver: I have been involved longer than you.

Mr Nanovich: No you have not.

Mr McIver: Yes I have. You are like the song.

The SPEAKER: Order!

Mr RUSHTON: After those asides, which have added nothing to the debate—

Mr McIver: They were not all perfect; do not get carried away with them.

Mr RUSHTON: To that, I can only respond that nobody is perfect.

Mr McIver: And they were not! They took what they could get out of it, and they are still in it.

The SPEAKER: Order! I ask the Minister to resume his seat. The member for Avon and the member for Whitford will discontinue their conversation, and allow the Minister to resume his speech.

Mr McIver: Noted, Mr Speaker, noted!

Mr RUSHTON: It would have been very interesting to hear a submission that councillors in fact were not acting in the best interests of their ratepayers. Tonight, by interjection and by direct speeches we have been shown the feelings of the Opposition towards local government, and I am sure this will not go unobserved.

Mr Davies: What rubbish you talk. That is your construction on the statements, and it is not true. You cannot face the facts; that is your trouble.

Mr RUSHTON: One would not need to go very far through the various speeches made by Opposition members to gather that the Opposition has a complete lack of understanding of what local government is all about. Very few thinking people in this State would agree with the Opposition's contention that local government councillors are only a group of rogues and vagabonds.

Local government bodies carry out a tremendous task on behalf of the people of this State, and deserve every support possible from the ratepayers and the people living in the various communities. Local government basically is the very backbone of the administration of the State. Because it is so close to the people, the election of local government councillors reflects the will of those communities.

Mr Bertram: All the more reason they should abide by the law.

Mr RUSHTON: Councillors are elected by local people, with whom they live and work, and they answer to their ratepayers by frequent elections. This in itself provides a very great protection, quite apart from the Act itself, which goes to extreme lengths in protecting the integrity of the actions which take place in council.

Mr Bertram: And so it ought to.

Mr RUSHTON: I am glad the honourable member agrees with me; that is what it is all about, and it is something about which local government is most sincere and sensitive. The Act protects the integrity of local government at its every move. Local government itself is conscious that it needs to be seen to be responsible and to maintain its integrity in the eyes of the ratepayers and citizens.

In summary, I would say that, generally, members have not addressed themselves to the Bill, but have used the legislation as a vehicle to bring forward their pet theories which we have heard many times before. I believe the suggestion that we should establish a Select Committee is totally unacceptable and unwarranted. This is not the proper vehicle for such a move. If the Opposition wishes to move for a Select Committee, they can do so at the appropriate time; I believe this would test the sincerity of members opposite. I appreciate the remarks which have come from the Opposition tonight because they have clearly disclosed their feelings for local government. It has been a sad experience to hear the Opposition cast such doubts upon the integrity of councillors.

Question put and passed.

Bill read a second time.

Reference to Select Committee

MR CARR (Geraldton) [9.51 p.m.]: I move—

That the Bill be referred to a Select Committee.

In so moving, Mr Speaker, I repeat what I said earlier in the previous debate: that this amendment which has been proposed by the

Government is quite inadequate to deal with the question of pecuniary interests of councillors.

I said in that debate, and I will repeat it, that what is required is a much more considered study of this matter so that all parties in this Parliament who have an interest in local government are able to give the matter greater attention and arrive at something which is much more suitable than the amendment which has just been debated by the House.

The Government has not illustrated a need for haste with this matter. There is no reason why the law should not be allowed to take its course and why this matter should not be dealt with in the normal course of events. I suggest that the matter of pecuniary interests is one of concern to all elected representatives at all levels and in particular I am sure all councillors would be concerned to have the integrity of local government protected by adequate legislation to safeguard their position.

I am sure those councils throughout the State which have concern and respect for the good name of local government would not wish to see an amendment such as this passed because it casts a shadow over local government. Let us face the situation. It is not only important that justice be done. It is important that justice be seen to be done. Justice will not be seen to be done when the Government hastily rushes through a measure which will open up the floodgates and create a situation where any businessman may stand for council.

Justice is more likely to be seen to be done if we have solid, constructive legislation which has been carefully thought out by members on both sides of the House in an atmosphere of co-operation. The Minister has endeavoured to imply that I and other members of the Opposition do not respect local government. I totally reject those accusations. I emphasise that I have the very greatest respect for local government and for the people who are involved in it. I may not have had experience in local government but that does not in any way decrease my interest in it, my respect for local government councils and my concern with the entity of local government.

Some members opposite seem to think that because members on this side may not, for various reasons, have been involved in local government, we do not have any respect for it. I totally reject that and I repeat that I personally have the greatest respect for the integrity of local government.

To follow on from there, I do not like having that integrity threatened by a shadow such as this particular amendment casts over all local government councils. I am sure most local councillors would far rather have justice seen to be done and would far rather be controlled by a stronger and more significant piece of legislation.

The question of pecuniary interest is one that this Government must face. The Government can face it tonight or it may be delayed. However, this Government must face the subject of pecuniary interest and it will have to come to grips with it. I say that because members on this side of the House will pursue this question in a series of measures over a period of time until some reasoned, sensible legislation is introduced which really comes to grips with the subject of pecuniary interest and does not dismiss it in the manner in which the Premier is so ready to dismiss it.

Sir Charles Court: We would have had it already had it not been for the Opposition members who were on a committee last year.

Mr CARR: The Premier said we would have had worth-while legislation had it not been for the members on this side who were involved in a committee last year.

Sir Charles Court: That is right.

Mr CARR: That committee was not a committee of the Parliament. It was not a Select Committee. It was not formed of this Parliament. It was instead a committee formed purely from party origins as a result of letters between the various parties agreeing to set up some sort of committee. It is true that committee met disaster because the various members apparently were not prepared to proceed to its logical conclusion.

Sir Charles Court: Your people just walked out.

Mr Tonkin: They voted on party lines. It was a farce from the beginning.

Mr Young: You were not there, so how do you know?

Mr Tonkin: It was a farce because you would not turn up at the meeting. I moved the only motion put to that meeting.

The SPEAKER: Order! The member for Geraldton.

Mr CARR: I would suggest—

Mr Tonkin: The only motion put to that meeting was put by me and it was rejected on party lines.

Mr CARR: —that a committee of the Parliament, appointed by the Parliament, is much more likely to come to some sort of a consensus as to what is in the best interests of this State than is a committee which has originated entirely from party sources.

Sir Charles Court: What is this place all about? Why have we got Government and Opposition?

Mr CARR: I am critical of this Parliament because it does not have a worth-while committee system. There is nothing that has annoyed me more than that in this Parliament. After having spoken to a number of other relatively new members on both sides of the House I have come to the conclusion that there is nothing that has annoyed new members of this Parliament more than this "them and us" attitude which comes up in this Chamber.

Nothing has annoyed me more in this Chamber than the fact that we have two sides standing a long way apart from each other, abusing each other and grandstanding to the Press gallery. This Parliament more than any other Parliament in Australia lacks character and the feeling that it is an entity in itself. I suggest this is because we spend so much time at such a distance hurling abuse at each other. It is my opinion that if committees of this Parliament were set up on a whole range of issues—but I am referring to this Bill at the moment—that took five members of this House out into a quiet room away from the Press to consider the matter that may be before the committee at that particular time, much more would be achieved. Naturally there would be differences of opinion and there would not always be unanimous results. However, I would suggest on many more occasions some sort of a consensus would be arrived at. I would certainly suggest that the personal bitterness which seems to dominate this Chamber would be less evident as members became a little more personally aware of each other's points of view, and we learnt to respect the views that come from the other side of the House.

Sir Charles Court: You have no right to depart from your party's policy. You have no right whatsoever.

Mr CARR: I do not know what the Premier is attempting to say. There is nothing in my party's policy which prevents me from supporting this motion.

The SPEAKER: Order!

Sir Charles Court: Caucus has the final word as far as you are concerned.

Several members interjected.

The SPEAKER: Order! The interjections will cease and I would ask the member for Geraldton to address his remarks to the Chair and confine them strictly to the matter before the House.

Mr CARR: I was just about to conclude my remarks on this particular motion. A comprehensive committee of inquiry into the whole matter of pecuniary interests is needed. We cannot at this point establish a wide-ranging committee of inquiry. We can, however, deal with this particular amendment that is before the House. I repeat that in its present form it casts a shadow over local government because it questions the integrity of local government. If we have a more considered measure I am sure we can arrive at something that will be more upholding of the dignity of local government.

The SPEAKER: Is there a seconder?

MR TONKIN (Morley) [9.59 p.m.]: Yes, Mr Speaker, I wish to second the motion.

I believe we need to take this Parliament far more seriously. We have seen a great deal of levity tonight when members on this side have tried to make a contribution to the debate. If, say, five members can get together in a proper and more manageable atmosphere, and examine the whole question of pecuniary interests then we might get somewhere.

We sit here as a Committee of the Whole House which is not a committee at all but is a contradiction in terminology. This whole question needs to be examined with great care. It has been said that a committee was established which comprised members of Parliament. But that was not a parliamentary committee and we had fruitless meetings. The only motion of any substance which was put to that committee was moved by myself and was rejected on party lines. We do not believe that was a very useful exercise.

Mr Bertram: What was the motion?

Mr TONKIN: The motion was that we should recommend to this House that legislation be prepared and considered.

Sir Charles Court: Be precise. It concerned the adoption of your Bill which the House had previously rejected.

Mr TONKIN: How many amendments to that motion were put forward? There was no attempt to amend it; it was just rejected out of hand.

Mr O'Neil: We said that you had put us in an impossible situation and we asked you to reconsider it. Then you went back to get advice from Caucus, picked up your football and went home and sulked.

Mr TONKIN: If members opposite think that is going home and sulking—

Mr O'Neil: What was it?

Mr TONKIN: It was a realisation of the reality that the Liberal Party will not stand up to this problem. The Liberal Party has far too much to hide. We are prepared to look at the matter of pecuniary interest, not to stuff it under the mat to

get one of our mates off the hook, which is what this piece of legislation is doing. We are prepared to look at the whole question of pecuniary interest. We are prepared to reveal where our money comes from. This is something from which the Liberal Party runs away time and time again because it does not want it to be known that the great multi-national companies and insurance companies are pouring money into its coffers.

The SPEAKER: Order! The member for Morley will resume his seat. I believe I have been extremely tolerant in allowing the debate to drift as far away from the question before the Chair as I have allowed it to drift. I now ask the member for Morley to address himself to the question.

Mr TONKIN: Thank you, Mr Speaker; you have indeed been very tolerant. I am very happy to reiterate the comments made by the member for Geraldton. What is needed is a look at the whole question of pecuniary interest. It is of no use waiting until someone falls foul of a law, changing that law to accommodate the person concerned, and then weeks, months, or a year later once again changing the law. We cannot have good government while that is the way we deal with fundamental problems; and conflict of interest is a fundamental problem.

A person elected to a local governing body or to this House does have a problem because there are many facets to his responsibility. He has a duty to his electorate, he has a duty to the people of Western Australia, and he is also a person with various interests. He might be interested in race horses. Like the member for Whitford, he may be interested in quarter horses. He might have an interest in all kinds of things.

In a materialistic and acquisitive society such as ours a person may receive an income which will affect his decision on certain matters which he has to consider in his capacity as an elected representative; and it is no use just running away from this issue. The Australian Labor Party is quite prepared to consider this question; we are quite prepared to examine it and to adopt something that will be equitable and reasonable for elected representatives. We acknowledge the great work done by members of local government. They act in a voluntary capacity which takes night after night of their time for which they are not paid anything. This involves great sacrifice and a great amount of work being done by members of local government.

Mr Williams: I am glad you acknowledge that.

Mr TONKIN: I am also glad I acknowledge it; that makes two of us! Accordingly, the position must be fair to those people. But it must also be fair to people whom they represent. We must accept that by the very nature of things their interests may at times conflict. Therefore, this is a fundamental problem; it is not a marginal or ephemeral problem which occurs once in a hundred years. It is endemic to our type of society and our system of representative government, whether we are talking of this level, the national level, or or local government level. Therefore, it needs more than the hour or two which is allotted to us at this time.

I believe we should be looking at the problem in depth. I do not know why the Government is so afraid of Select Committees. During the time of the Tonkin Government the Parliament had seven such committees which produced very good reports on issues ranging from homosexuality to hire purchase. I believe members who sat on those committees—and you, Sir, were one—learnt more as a result of the activity of those committees. We acquired knowledge which we would not otherwise have acquired. What can be the Government's objection to five members of this House sitting on such a committee and knowing more about a subject when they have finished than when they started? What is wrong with that? That is basic to the way in which this Parliament must operate.

If this Parliament is to be just a rubber stamp to the Executive with the Cabinet meeting in secret and coming to its decision and the Parliament rubber-stamping a Bill through, then that is the responsibility of the people who have the majority in this place. But if we conscientiously believe that we should be legislators in fact and that we should examine proposals put to us, especially ones as thorny and fundamental as this one, we should be prepared to set up a Select Committee to consider it.

There is no need for great delay. It is within the competence of the House to set a time limit in which such a committee would have to report back to the House. Anyone who believes that the Parliament of Western Australia should discharge its responsibilities in a proper and thorough manner and not just go through a show of discharging its responsibilities will agree that a Select Committee should be established when it becomes obvious that the very big problems facing us on a particular Bill have not yet been clearly understood by the House.

MR RUSHTON (Dale—Minister for Local Government) [10.08 p.m.]: In order to give consideration to a request for the establishment of a Select Committee one would have to have regard to the presentation of a case; and anybody who examined every word uttered by the member

for Geraldton and the member for Morley would be aware that no evidence has been produced to support their case. It was quite obvious that they were talking only in generalities.

It is very clear to the House that the amending Bill does not seek to change the intention of the Act in one way.

Mr Bertram: It most certainly does.

Mr RUSHTON: It does not seek to change the intention of the Act in one way. In fact the powers contained in the Act are exactly as intended by the people who drafted the original legislation in 1960. All this nonsense tonight is just a performance, and nothing more.

Mr Bertram: Your side would know a bit about that.

Mr RUSHTON: Members opposite have not demonstrated the need for a Select Committee.

Mr Tonkin: You are frightened one.

Mr RUSHTON: Not one claim of misconduct has been made.

Mr Bertram: Nonsense.

Mr RUSHTON: Let the member for Mt. Hawthorn support the claims concerning who has committed a misconduct.

Mr Bertram: Are you suggesting you introduced this Bill because two people were affected?

Mr RUSHTON: No I am not.

Mr Bertram: Oh, I see.

Mr RUSHTON: I have already referred to the lack of sensitivity of members opposite in relation to local government. The Opposition is quite prepared to allow good, honest, and dedicated people to be put to the inconvenience and disadvantage of being disqualified, standing for re-election, and being re-elected, merely because of an anomaly in the Act. Members opposite have no consideration for people who volunteer for this wonderful service—no consideration whatever. The inconvenience means nothing to members opposite, nor does the embarrassment they suffer. Members opposite have not supported their claim of misconduct or lack of integrity. Surely there must be evidence on which the Opposition must base its request for a Select Committee.

Mr Bertram: Is an offence misconduct in your vocabulary?

Mr RUSHTON: Members opposite have given no names.

Mr Bertram: You cannot suggest any names yourself?

Mr RUSHTON: One should not listen to the member for Mt. Hawthorn.

Mr Tonkin: No. He speaks the truth and it is awkward.

Mr RUSHTON: Members opposite have not produced a single shred of evidence to support their request for the appointment of a Select Committee, and I oppose the motion.

MR BERTRAM (Mt. Hawthorn) [10.12 p.m.]: If the Minister really meant what he said, he would support the motion. In the time-honoured manner adopted by Governments and conservatives, he seeks to throw mud at and make allegations against members of the Opposition instead of confining his remarks to the facts on the question before the House.

The facts are that on the 23rd September last year the Minister—inept in my submission—patched up section 37. Now, less than one year later again he is patching up section 37. Then, if the Bill goes through in its present form, very shortly it will be patched up again. How many times are we supposed to revamp section 37 because of the slapdash efforts of the Government, and of the Minister in particular? Do we not have an obligation to members of councils throughout the State to come to grips with section 37 and enable them to know once and for all where they stand and ensure that section 37 is not altered at intervals of one year? Why should we be fiddling around inefficiently once a year when the job could be done properly once and for all? Is that not a common-sense thing to do?

There is a marked and obvious resistance on the part of the Government to any sort of real attempt to come to grips with the question of pecuniary interests. Members of the public, reading *Hansard*, can ask the question—and probably find the answer themselves: Why should the Government be offering such firm and resolute resistance to a proposition as good as this one? What have they at stake or to lose? What is it which causes them to be so dogmatic, difficult, and obstructive?

I am aware that not last year, but this year, the Premier has become concerned about following certain procedures of the House of Commons. For quite a few years past he has shown very little inclination to follow those procedures on certain points. However, the House of Commons has dealt with this matter and therefore the Premier has a precedent. It is not as though he has to do anything on his own initiative. Conservatives love precedents because they are fearful of taking the initiative themselves. Why should they? They are

in the box seat. Why rock the boat? Leave things as they are! That is very conservative and if I were a conservative I would adopt that attitude also.

I repeat that the question of pecuniary interests is vital and requires urgent attention. Councillors throughout Western Australia are entitled to know the law and they are entitled to have a firm law, not one which is altered from year to year by a Minister who does not know what he is doing.

I forecast that this Bill will go through in its present form because the Opposition has no say really. It is only going through a rigmarole. Because the Bill will go through in its present form the same section will be before us again in another year.

The Minister has told us—it is one thing to tell us and another to mean it—that he has an extraordinary concern for local government. We are the ones with the concern and we are manifesting it. We want the question dealt with in detail and with a degree of efficiency and effectiveness. We are not here for the purpose of making smart comments and condemning members on a personal basis.

Councillors and the limited number of people who are allowed to vote for them are entitled to know the law. There is a greater hypersensitivity in people about the activities of councillors than about the activities of members of Parliament, because local government is closer to them and they are more familiar with it. The people are entitled to be reassured that the laws in respect of pecuniary interest are as straightforward as they can be and that they are firm and not altered each year. They should also be assured that if the law is broken an offence is committed—not a civil offence. A breach of section 37 is not a civil offence. It is as much an offence as is speeding, drunken driving, or any of the other similar offences, and is dealt with in the same court.

Let us study the position. The disqualification of a councillor is a singularly solid penalty. We should not be having to deal with section 37 of the Local Government Act every year and revamping it, as Billy Snedden revamped the Liberal Party platform. That is from whence came the inspiration; that is, Billy Snedden! That is why section 37 has been revamped and patched up. Let me make a forecast. As I have already indicated, the same section will be before us again in a year's time because the Minister does not know what he is doing with this Bill, and his heart is not in it anyway.

Question put and a division taken with the following result—

Ayes—18

Mr Barnett	Mr T. H. Jones
Mr Bertram	Mr McIver
Mr Bryce	Mr Pearce
Mr Carr	Mr Skidmore
Mr Davies	Mr Taylor
Mr H. D. Evans	Mr Tonkin
Mr Harman	Dr Troy
Mr Hodge	Mr Wilson
Mr Jamieson	Mr Bateman

(Teller)

Noes—27

Mr Blaikie	Mr O'Connor
Mr Clarko	Mr Old
Sir Charles Court	Mr O'Neil
Mr Cowan	Mr Ridge
Mr Coyne	Mr Rushton
Mrs Craig	Mr Sibson
Mr Crane	Mr Spriggs
Mr Grayden	Mr Stephens
Mr Grewar	Mr Tubby
Mr Hassell	Mr Watt
Mr Laurance	Mr Williams
Mr MacKinnon	Mr Young
Mr Mensaros	Mr Shalders
Mr Nanovich	

(Teller)

Pairs

Ayes	Noes
Mr Grill	Mr P. V. Jones
Mr T. J. Burke	Mr Dadour
Mr B. T. Burke	Mr Sodeman
Mr T. D. Evans	Mr Herzfeld

Question thus negatived.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Mr Rushton (Minister for Local Government) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 37 amended—

Mr BERTRAM: Section 37(2)(b)(ii) states that a person is not disqualified on the ground that he has a direct or indirect pecuniary interest in an agreement to which the municipality is a party by reason only that, in the ordinary course of business, and in good faith, he sells goods to, supplies services, or does work for, the municipality, or for any person who has entered into a contract with the municipality.

That section refers to the ordinary animate person who has a contract with a municipality which is transacted in the ordinary course of business. The purpose of the amendment now before us is to enlarge the provisions of the Act so that the provision will extend not only to that animate person, but will also extend to a company of which he is a member, a director, a manager, a secretary, or a firm in which he is a partner.

There is another Act in force in this State—I think it is the Business Names Act—which recognises the difference between people who trade in their own names, and people who trade in some other name. Because of that distinction,

section 37 of the Local Government Act is worded in its present form. If councillor X enters into a transaction with his council, everybody knows his identity, and no-one is misled. However, if X decides to trade under the name of the AB Company, his identity is well and faithfully lost or concealed.

To amend section 37 of the Local Government Act in the way proposed will render the provision thoroughly inefficient. It will be necessary to have an army of clerks, or a section of detectives or a fraud bureau, in order to try to find out who on earth happens to be the proprietor of a particular company.

It is a thoroughly impractical proposition. The way the Act is now worded, a person can know exactly with whom he is dealing. That is completely different from dealing with an entity in the ordinary course of business when one cannot know who he is unless one undertakes a search. If it is done in this way for a purpose, a different situation occurs. Where a councillor trades in his own name we can have full knowledge of the fact. He can trade quite lawfully, and I am not complaining about it. But the people who wrote this amendment would be aware of the handicap imposed upon people trying to find out whether these sections are being breached.

There is an excellent reason for the existence of the section. It was included in the Act to help ratepayers and councillors and to assist the administration of councils. The proposed amendment will hinder them and will again be a significant step in the breaking down of the effectiveness of section 37, which we consider should not be broken down but should be built up and improved.

Mr RUSHTON: I do not hold the member for Mt. Hawthorn's point of view. The amendment broadens the provisions of the section to bring in the people omitted by the anomalous situation which prevailed. It was the intention of those who drafted the original Act to cover all these people, and the simple amendment in the Bill removes the anomaly. I ask the honourable member to give further consideration to the wording of the amendment and have regard for the legal expertise of a number of people who have given attention to the drafting of it.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Rushton (Minister for Local Government), and transmitted to the Council.

EDUCATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 9th August.

MR PEARCE (Gosnells) [10.35 p.m.]: This is a very significant Bill. It is perhaps one of the more significant Bills we will consider during the current session. It has already generated a good deal of controversy both inside the House and in the outside community, and many of the people to be affected by its provisions have voiced, through the Press and at public meetings, their strong opposition to some or all of the provisions of the Bill.

Because it is a significant Bill it deserves fair consideration by this House. The Minister gave a very brief second reading speech which hardly did justice to the sweeping and significant changes he was proposing to pre-school education in this State.

The Bill abolishes the existing Pre-School Board and puts its functions under a new section of the Education Department, to be called the "Early Childhood Education Section". It makes provision for child care centres for children up to four years of age.

The Opposition is strongly opposed to the Bill on a number of grounds. It is our opinion that the Pre-School Board as at present constituted has operated very well and has a number of advantages in the way it operates over the suggestions coming forward from the Government to put the operations of the body under the Education Department.

The history of pre-school education in this State is fairly long and quite honourable. It has grown from the people of the State themselves, originally working on their own behalf. In 1911 Mrs Bessie Rischbieth had a meeting with others to consider the whole question of pre-school education and they decided in that year to establish the Kindergarten Union. In 1912 the union established its first kindergarten in Pier Street, East Perth. By 1913 the premises were expanded to include a kindergarten teachers' training college.

In 1921 the operations of the kindergartens and the training college had expanded to such an extent that larger premises were needed, and they

transferred to the present location at 1186 Hay Street, West Perth. In 1929 Mrs Rischbieth and her husband granted the Kindergarten Union a legacy which enabled it to buy the building and put it in the union's name. After the second World War there was a significant expansion in pre-school education, and by the middle 1960s it was necessary to extend the existing building considerably, particularly in regard to its function as a kindergarten teachers' training college. This was done through public fund-raising on behalf of the union, and subsequently, in the early 1970s, by Federal Government subsidies.

In 1975 another significant change was made. The training college segment was moved to the Institute of Technology and the building in Hay Street was used for running a child care certificate course.

In 1977, 316 city and country centres are attached to the Pre-School Board, which is operating very efficiently. One of the big advantages of the present mode of operation is that it is not very far removed from the original concept of people working to provide pre-school education within their own communities. That was the motivating force in 1911; and it is the motivating force behind many of the 316 community groups to establish and continue to run their own pre-schools in their own communities in a decentralised way and with very little supervision or authoritarianism from any particular structure.

The Pre-School Board provides the staff and some funding, support, and advisory structures, but essentially the parent and community groups which operate the kindergartens have a real say in their organisation. Local shires are often involved in the provision of sites, loan funds, or complete buildings for pre-school centres, and the local authorities and the community, working together, are in a position to provide good pre-school education.

Of course, the role of the Pre-School Board has been to maintain standards overall, and to provide staff with the requisite degree of training. That is a system that has worked well. We find, in this year of 1977, that moves are being made to abolish the whole system, and the reason given by the Minister is that a dual system has been created in the State and there is a need to rationalise that dual system; that is to say, because there are two systems of pre-school education, some degree of inefficiency is involved. To dispose of that degree of inefficiency, it is necessary for the Pre-School Board to be abolished and for half of the pre-school system—the Education Department—to take over the other half.

If that is so, we should look at how this dual system came to be established. It all comes back to the Nott committee which looked into pre-school education in the early 1970s during the life of the Tonkin Government. The committee made a series of recommendations about extending pre-school education because, in all fairness, it must be said that there was insufficient access to pre-school education at that time. This came about because insufficient funds were available and community groups were not always in a position to set up pre-school centres. Ironically it was during the later years of the Tonkin Labor Government in this State with the accession of a Federal Labor Government under Mr Whitlam that a sufficient amount of funds became available for all areas of education to enable the massive expansion that has taken place in this State.

At the 1974 State election the present Government went to the electors on a rather amazing educational policy. It was amazing for a number of reasons, perhaps the first of which was that it proposed sweeping changes to the education structure in this State with very little consultation with educationists who would have been responsible for implementing it.

That policy included extending compulsory primary education to all five-year-old children; that is to say, the school entry age would be lowered by one year. What we are talking about in terms of pre-primary education now would have been subsumed by primary education, and that would have been achieved by dropping the age of entry into schools by one year, and taking in all five-year-olds.

The other week when we were debating this matter in the Address-in-Reply, the member for Karrinyup seemed to suggest that that does not comprise compulsory education, but that is a play on words.

Mr Clarko: I was on the original committee and at no stage did we propose compulsory education for children in the fifth year. The only people who have said this are colleagues of yours, and they have tried to suggest something insidious in what was a marvellous thing for these children.

Mr PEARCE: I will quote from the policy statement of the Liberal Party. As has been pointed out, the pages of this document are not numbered. It states—

> In primary schools—
>
> * We will lower the admission age to the year in which the child turns five.

Mr Clarko: Does that make it compulsory?

Mr Jamieson: It does not make it not compulsory.

Mr PEARCE: If the member for Karrinyup understood the provisions of the Education Act, he would understand that primary education is compulsory.

Mr Clarko: You obviously do not know that education is not compulsory until a child turns six. Almost every child in the State goes to school in February, even though perhaps he may not turn six until December. So the compulsory age is often many months after a child has commenced school.

Mr Jamieson: We will hear your version of this later.

Mr PEARCE: I am quite happy to hear the honourable member's version now.

Mr Clarko: I have given it before.

Mr PEARCE: I have heard it before, and I think the honourable member was misleading the House in giving it then and now.

Mr Clarko: I am not misleading the House.

Mr PEARCE: The member for Karrinyup can play on words if he likes.

Mr Clarko: Where does it say it is compulsory? We could say that we would admit children to school at the age of one year, but that does not make it compulsory.

Mr PEARCE: I did not hear that.

Mr Clarko: We could admit children to school at the age of one year or at the age of five years, but that does not make it compulsory.

The SPEAKER: Order! The member for Gosnells.

Mr PEARCE: If the honourable member were anything like a reasonable person, he would see the point I am making. The current admission age in our system of compulsory education is six years. If it is intended to lower the admission age to five years, it is still compulsory. I am sorry, I should have said that if the admission age is lowered from the year in which the child turns six to the year in which he turns five, it is compulsory education. We are talking about the year in which the child turns five or six.

I was on the Teachers' Union executive when this policy was discussed, and I remember only too well the early stage of the election campaign where the compulsory element was certainly included in the policy.

Mr Clarko: You are quite wrong.

Mr PEARCE: After that period we started to look at a system of non-compulsory pre-primary education which had nothing to do with the lowering of the school age. In fact, the original policy was never implemented; the National Country Party was brought in to free the Liberal Party from its policy commitments.

Mr Clarko: That is inaccurate too.

Mr PEARCE: Perhaps the member for Karrinyup will say that it was also optional to transfer the children aged 11-plus to high schools. Does the member for Karrinyup say that that policy was put forward also on an optional basis? We say again that everyone else believed it was put forward on a non-optional basis; that is, the transfer of year seven students to high schools.

Mr Sibson: That is completely wrong.

Mr PEARCE: That is not completely wrong. If the member for Bunbury wishes to read his own party's policy, he may borrow it from me.

Mr Clarko: You do not understand it. A child who commences school before his sixth birthday may stay away from school, and no-one would query it. You do not understand that.

Mr PEARCE: A child must attend school in the year in which he turns six.

Mr Clarko: You do not understand it.

Mr PEARCE: It is compulsory. It is no good arguing across the Chamber like this. If the member for Karrinyup wishes to step outside later, I will explain it to him, although rather more peaceably than the Minister for Labour and Industry might under similar circumstances.

Mr Grayden: What a mockery!

Mr Laurance: Disgusting!

Mr PEARCE: I will take the honourable member on verbally, but not in any other way. I went through this whole system because I was a member of the State School Teachers' Union executive at the time. The Minister for Education and the Director-General of Education came to explain the policy changes to us on many occasions.

Mr Clarko: You lost round one.

Mr PEARCE: I do not think I lost round one. In fact, the State School Teachers' Union lost all rounds in that particular struggle because it accepted foolishly the assurance of consultation and co-operation given by the Minister.

The union was disappointed when it did not receive that consultation and co-operation. Its members believed they would have some say in the final decision, when in fact the final decision had been made already.

In order to get out of the policy commitment

after the election, a system of pre-primary education was introduced and this system had nothing to do with lowering the admission age to five. At six schools in the State, pre-primary education centres were to be set up as a pilot scheme. Schools were chosen where there was a shrinking school-aged population and therefore school classrooms could be used for pre-primary children. A great deal of discussion took place between the Education Department and the State School Teachers' Union in regard to maintaining some standard of pre-primary facilities under the system implemented by the Government.

Mr Sibson: Do you say those classrooms would be below standard?

Mr PEARCE: They were certainly below standard.

Mr Sibson: They were not. You should come down to my little school in Bunbury.

Mr PEARCE: As the member for Bunbury should know, the school to which he refers was not one of the pilot projects.

Mr Sibson: Nobody said it was.

Mr PEARCE: I said that the six schools were chosen as a pilot project. I said that at least six of these pre-primary centres were to be set up.

Mr Sibson: I asked you whether the classrooms used for pre-schools were substandard and you said that they were.

Mr PEARCE: I was talking about the six schools involved in the pilot project. I am prepared to say that from then on the APA standards were observed largely in the setting up of pre-primary centres. However, as I pointed out later, the standards were departed from subsequently, and in fact, the current Director-General of Education made it a point of pride that he was no longer prepared to keep to the assurances he had given that the APA standards would be observed. I will come to that in a moment.

An evaluation programme was to be established in regard to the six pilot centres to see whether they were working; that is to say, whether or not there was any merit in the pre-primary system. As part of the buying-off price of the State School Teachers' Union, it was given two representatives on the committee.

Mr MacKinnon: You see a sinister aspect in everything.

Mr PEARCE: That was a foolish interjection; the honourable member should have held on to that one for 60 seconds.

The evaluation committee met to evaluate the matter and produced a report on the viability of the six pilot projects after another 14 were outlined. The committee had not met and 14 more were postulated.

Mr Blaikie: Of the six pilot schools started what were the opinions of the headmasters concerned? Be fair and do not tell us you will not answer that one.

Mr PEARCE: I make a point of answering every interjection which is far more than the effort of the members of the Government front bench. A series of meetings were held between the principals of the six primary schools where these pilot schemes were to be established and the Teachers' Union. These were held on several occasions. The Teachers' Union passed instructions to the principals of the six schools that they were not to enrol five-year-olds. The principals would not have done the enrolling. As I said, there was a series of meetings between the Teachers' Union representatives and those primary school principals.

My memory of the situation is that none of the principals were happy with having pre-primary centres in their schools. Some of them were very unhappy and others were unhappy to a lesser degree when they found theirs would be one of the six schools involved.

Mr Blaikie: I happen to have one of the schools in my area and what you are talking is rot.

Mr PEARCE: The most the member can say is that he knows of one case and that is only one case where the principal was happy with the situation.

Mr Blaikie: You are suggesting he is not.

Mr PEARCE: I am suggesting the principals were unhappy. The principal in the area represented by the member for Vasse may have been unhappy to a lesser degree.

Mr Sibson: He was highly delighted.

Mr Blaikie: What about Bridgetown and Greenbushes?

Mr PEARCE: The members on the Government side are foolish to suggest that the teachers involved were generally happy because, in fact, a referendum was held on this question at the end of that year.

Mr Blaikie: What about the teachers involved in the project themselves? What was their answer?

An Opposition member: Half wanted to resign.

Mr PEARCE: The referendum proposals were put to teachers generally and all three points of the Liberal Party policy statement were not agreed to. Generally the teachers did not like the

system. In trying to defend the establishment of their pre-primary system members opposite are overlooking what is the main thrust of my argument. I am not suggesting that the pre-school system need not be augmented. A greater influx of money and pre-school centres was necessary at the time. We support that statement. However, the Government was not correct in going about its actions in the way it did.

One very simple option was open to the Government in order not to build up the dual system. That was to put the money into the existing pre-school system and build more pre-school centres which would have come under the control of the Pre-School Board. The Government could have done that easily.

Mr Sibson: That is your opinion.

Mr PEARCE: That is accurate. There was a Pre-School Board set up before the Government was elected in 1974. It built up a separate structure through the Education Department for pre-primary centres. That is where the beginning of the dual system came about. There was disagreement at the setting up of these centres and there was a great deal of parent and teacher reaction. The key point is that the dual system was created in that year and no system required rationalisation before that. No member, and certainly not the member for Vasse, can argue with that. There was no dual system preceding that time.

Mr Herzfeld: You are forgetting about the financial arrangements.

Mr PEARCE: They were arranged through the Schools Commission established by the Whitlam Government. Under the Schools Commission many centres could have been built by the Pre-School Board.

Mr Blaikie: Have you been to see any of those pilot schemes?

Mr PEARCE: No, I have not, but it is not for me to say how many pre-primary centres or pre-school centres I have been to. Probably I have been to a lot more than the member for Vasse. Pre-primary centres are not inadequate in themselves but that is not the point at issue. It is this: the pre-school centres that operate under the Pre-School Board operate very well too and they have some advantages in their operations compared with those centres under the control of the Education Department in the pre-primary scheme. One feature is community involvement. Pre-school centres are set up by community groups and are operated by community groups.

Mr Sibson: What about the private scheme at Kudardup where they have community involvement?

Mr PEARCE: There is a good degree of community involvement but not as much as in the pre-school scheme. In defending the pre-primary scheme the member for Vasse is denigrating the pre-school system. He is suggesting, for example, that the pre-school centres do not operate with a great degree of community involvement. A lot could depend on the area in which the school is established and the basis on which it operates and the degree of co-operation by parents and teachers.

The point is that the dual system was established in 1974 by the Liberal Government. The rationalisation is to try to overcome the discrepancy the Government itself set up. An attempt has been made to rationalise the structure. That is essentially the situation. In being rationalised, the Pre-school Board and many parent groups under its auspices are not happy. They feel as I felt in 1974 and certainly as I articulated then. The Government ought to have had all its pre-school education under the Pre-School Board. In the years 1974 to 1977 the Government was guilty of inefficiency.

One might expect this move to be preceded by a policy statement because it came after an election was held. There was no suggestion in the 1977 election policy that the Pre-School Board was to be abolished. One promise was to abolish the pre-school levy, which apparently has been abolished, along with the Pre-School Board.

In speaking to the Address-in-Reply debate the other week the Minister suggested that the Pre-School Board was quite happy with what was happening to it. In fact, by moving to abolish the Pre-School Board, he thought he had created joy and happiness everywhere. I quote from the minutes of a meeting of representatives of the Pre-School Board held at 1186 Hay Street, West Perth on Monday, the 25th July, 1977, at 8.00 p.m. under the auspices of the Pre-School Board. The Minister was present at the meeting. The chairman, Mrs Lefroy, had the following to say, which indicates how happy the Pre-School Board was and, more importantly, how little it had been consulted on the question. The third paragraph of the report is as follows—

> It is nine weeks today since you invited Mr Johnston and myself to your office so that you could tell us about the press statement which was released a few hours later about the abolition of the Pre-School Board.

What did the Pre-School Board know of it? The board was called into the Minister's office only

hours before the matter was announced publicly. There was no consultation or talk of rationalisation or talk of how it might best be carried out; the members of the board were called in and told the board was to be abolished. Subsequently their advice was sought on how they might be abolished.

Mr MacKinnon: Is this the view of the board or the view of Mrs Lefroy?

Mr PEARCE: It is the view of the board as articulated by Mrs Lefroy. In the previous paragraph she said—

> I think that the representatives of the affiliated committees should know that the Pre-School Board has had no part in planning these changes. It does seem extraordinary that a group of people invited to become members of a statutory body because of their expertise and experience are not consulted when there is a plan to rationalise services.

If the Government were truly sincere in its efforts to go about rationalising the services, it would have brought the two sections of the system together to see how they might best be rationalised. For example, a fairer method may have been to go the other way and place pre-primary centres under the auspices of the Pre-School Board. In fact, that was raised by a gentleman at the meeting who asked whether that was one of the things that a consultative committee might recommend. Mr Taylor of Richmond asked—

> ... whether it was possible that the committee would recommend that it was in the best interests of the pre-school movement to abolish the Education Department's Early Childhood Branch and incorporate it in the Pre-School Board.

That is the system of rationalisation which that gentleman was suggesting, but the Minister said that within the present framework there was no possibility that would happen.

The Minister made great play of the amount of consultation held between himself and parent and community groups; but all of that consultation happened after the decisions had been made, and then only in respect of matters of detail and things in connection with which the Minister was happy to give a point here and there. On the essential question of the abolition of the Pre-School Board, no such consultation took place.

Why not? If in fact there is merit in this proposal for rationalisation—and this has yet to be proven—why not discuss the matter with the personnel of the board? I argued in my maiden speech that this is a Government which does not consult the people, and here we have another instance that illustrates that consultation does not occur. It is this lack of consultation which causes so much of the controversy about the place.

The member for Murdoch had the temerity to suggest that the fuss and confusion in respect of the pre-school situation had been created by the member for Dianella, as if he were able to whip up scare tactics. The reason there is confusion is that the Government said nothing about what it was proposing to do until it made the rather startling announcement about the abolition of the Pre-School Board. If anyone was to blame for the confusion then, it was the Government; and to suggest that the member for Dianella somehow caused the confusion is totally irresponsible. While on the subject of the member for Murdoch, I have been calling upon back-bench members of the Government to make contributions to these debates, and after hearing the member for Murdoch I was sorry I did so, because at page 1091 of *Hansard*, on the matter of consultation, he had this to say—

> Parent committees, as the member for Dianella is apparently unaware, have all received transcripts of and information on the Government's policy. A meeting was arranged by the Minister on the 23rd May which all pre-school committees were invited to attend. The Minister for Education has already announced to the House that he had a meeting with teachers on the 26th August. On leaving that meeting no teacher was dissatisfied, or at least none expressed dissatisfaction to the Minister at that time.

The member for Murdoch was saying that adequate consultation had taken place; in fact, more than adequate consultation had occurred. However, as Mrs Lefroy said, no consultation at all took place before the essential decision to abolish the Pre-School Board and repeal the Pre-School (Education and Child Care) Act was taken. That was the really essential decision, and there was no consultation or co-operation in respect of it. Maybe there was co-operation on matters of detail, but if one reads the appropriate transcripts one will see that when people asked questions the Minister merely said what the Government was going to do. In very few cases can it be demonstrated that the Pre-School Board or a community group or an individual parent proposed a particular change to which the Minister agreed.

Mr H. D. Evans: They are pretty quiet about that.

Mr PEARCE: Yes, they are quiet about that.

The teachers themselves are dissatisfied because whole areas of their future employment are still not clear. Any member who cares to suggest that those people who have done three-year child care courses at the training college, and who will now be placed in the same category as six-week trained aides in pre-primary centres, are happy that their course has been disintegrated and the value of their three-year certificate demolished and repealed, certainly has not talked to anyone in that category.

So there is still a good deal of opposition by parents, community groups, and teachers; and it is because there has been no consultation and co-operation. Had there been consultation and co-operation the Government would have received such strong pressure from community groups and others to continue with pre-school education under the auspices of the present board that it would not have taken this course.

Mr Shalders: Why are these people unhappy? Their kindergartens can remain independent.

Mr PEARCE: That is quite true; that is the point I was coming to. The Minister has given us assurances that independent, community-based pre-schools may continue to operate independently in the same way as they do now I will not dispute that. The point I am making has to do with the general structure of pre-school education, and if these other pre-schools can continue independently, I see no reason for the board to be abolished and for these people to have to relate to the early childhood section of the Education Department because there is a threat implicit in that. Over a period of time the Education Department could virtually put pressure on these groups so that within, say, 10 years they would all be directly controlled by the department. That is in fact the fear many of these independent centres have.

One of the things that need to be understood—and most people do not understand it—about pre-school centres is that parental involvement is generally over a shorter span than is the case in respect of primary and high schools, because the period of attendance of a child at a pre-school centre is one year. Even where there are three children in a family, the interest of parents spans a period of only three to five years, whereas in primary and high school the span would be 12 to 13 years. So there seems to be a high turnover of interested parents.

Mr Sibson: That is a most educational exercise.

Mr PEARCE: I am afraid I do not understand that.

Mr Sibson: I had seven children go through schools and I lived through it.

Mr PEARCE: I am sorry, I do not understand the point of the interjection.

Mr Sibson: You were suggesting that we don't understand it. That is what you said.

Mr PEARCE: That there is a large turnover?

Mr Sibson: You said it needs to be understood and most people don't understand it.

Mr PEARCE: I am pleased the member for Bunbury does understand that, and I withdraw any implication I may have made that he was lacking in understanding about the problem of seven children going through pre-primary or pre-school centres.

Because of the turnover of community groups in this way, people may well fear that a pre-school centre that is operating quite well and is independent at the moment may within three or four years for one reason or another be forced under the control of the Education Department. Those reasons could include departmental pressure, financial pressures, or because the local authority which has paid for and is maintaining the building wishes to opt out of the expense. These are fears that the parent committees in various pre-school centres have.

I feel there could be some foundation for those fears. That is why so many parent groups do not want to see the abolition of the Pre-School Board. If members opposite who have been interjecting are permitted to enter the debate and are prepared to do so, I would like to hear them suggest there are parent groups who are asking for the abolition of the board. One has heard many statements from members on this side of the House in support of the board, but I have not heard any statement except from members opposite that there is anyone in favour of the abolition of the board. I cannot think of even one person or parent group which has been in favour of that move. Why then is the Government taking this action in the face of such great opposition? The answer it gave was to rationalise the system because a dual system of pre-primary education was inefficient. That is quite true, but it is an inefficiency which was built in by this Government after the 1974 election.

What the Government has done in two steps has been to create a dual system, which it then called inefficient. It then abolished the system which was operating quite effectively before the Government hove on the scene in 1974. So, as a result of its promise three years ago to lower the age of admittance to primary school to five, the Government has succeeded in wrecking a

kindergarten system which was built up by the people of this State since 1911.

Essentially, that is why the Opposition is opposed to this Bill. We feel the community-involvement aspects of pre-school education always have been of benefit in this State. Probably thousands of parents have been involved over a time in the operation of this small area of education in their own communities, and I believe that sort of parental involvement is a good thing. The Pre-School Board operated in a decentralised way so that the individuals were close to the community and thus in many ways reacted to community needs in order to fulfil those needs and aspirations. It is a worthy objective to have the parents involved in the education of their children. For all these reasons, the Pre-School Board should have been allowed to continue, and the present situation ought never to have been allowed to build up.

We are not happy with the very brief second reading speech delivered by the Minister; it was not at all adequate to cover the situation. The Government, by its bungling and ineptitude over 3½ years has created this situation. The Opposition particularly rejects the sneering answers members opposite gave to amendments to the Address-in-Reply motion. The whole tenor of their remarks was that the only thing wrong with the education system was the Opposition, that the Labor Party was stirring up this matter as a political issue, and that if we on this side were not around, nobody would comment on the matter. Everybody would be hooraying and cheering the wise moves the Government was making.

Mr Grayden: That is your story. Now let us hear the facts.

Mr PEARCE: Is the Minister inviting me outside? I notice he disappeared earlier; I thought he must have invited himself outside.

The one other point I think needs to be made is the fact that back-benchers on the other side—it started with the member for Murdoch—seem to believe that because they have inspected half a dozen pre-schools, somehow that makes them experts on the way the education system in this State operates, and because not one person has expressed dissatisfaction to them, that makes them experts on the way things are going.

Mr Sibson: You probably have not seen more than that yourself.

Mr PEARCE: I have seen far more pre-schools than the member for Bunbury. I admit I have not seen the pre-school in Bunbury.

Mr Grayden: You have stated the facts as you see them; now sit down.

Mr Bryce: What a disgrace! The Minister is trying to intimidate the member for Gosnells.

Mr PEARCE: I am not intimidated by the Minister. If he is going to tell us about another caravan, I will be perfectly prepared to give way to him. I do not think it is fair for members opposite to set themselves up as experts in the field of education simply on the basis of a few visits to pre-primary and pre-school centres in their electorates, without some knowledge of the wider issues and without some studied investigation into what has happened over previous years. One member—I think it was the member for Bunbury, but I am not sure—did not even understand his party's policy during the 1974 election!

I commenced my remarks by saying this Bill would have far-reaching effects on the education system of this State. I fear that is true; the effects of this legislation will be disruptive, not just during this year but also next year, when the actual transfer takes place. It will have an adverse effect on community-operated pre-school education in years to come. For that reason, and for that reason alone I feel the Bill is an unfortunate one, and the blight it will put on the children in our community will be felt for many years to come.

Mr Grayden: The member has resumed his seat; thank God!

Debate adjourned, on motion by Mr Herzfeld.

CONSTRUCTION SAFETY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 4th August.

MR TONKIN (Morley) [11.15 p.m.]: First of all, I should like to defend the reputation of a person who was slandered in this place by the Minister for Labour and Industry when I was speaking earlier about the Perth Medical Centre.

Points of Order

Mr GRAYDEN: Mr Acting Speaker, there will not be any situation in this world where the member for Morley can make a statement like that and get away with it, as far as I am concerned. It is unparliamentary, and I ask that it be withdrawn. If the honourable member wants to make the statement elsewhere he is welcome to do so at any time.

The ACTING SPEAKER (Mr Watt): Order! I am afraid I did not hear the words to which the Minister is referring. I ask him to advise the words to which he has taken offence.

Mr GRAYDEN: The member for Morley talked in terms of a statement I made being slanderous. I never made a slanderous statement, therefore the word is objectionable and unparliamentary, and I ask that it be withdrawn. If he does not withdraw, I will be placed in the position of having to request him to withdraw it elsewhere.

The ACTING SPEAKER: Order! As I understand it, the Minister has objected to a statement by the member for Morley that the Minister slandered somebody. In the circumstances, I do not believe that to be unparliamentary, and I ask the member for Morley to resume the debate.

Mr GRAYDEN: Mr Acting Speaker, may I ask for *Hansard* to indicate to you the statement which was actually made. What the member for Morley said was completely untrue; it was to the effect that I had slandered somebody. I reject that statement entirely, and I am not prepared to accept it. I ask that it be withdrawn, but first of all, I ask that we get the *Hansard* reporter to indicate the statement which was actually made.

Mr TONKIN: Mr Acting Speaker, on the same point of order, I realise you are being placed in a difficult position by the Minister for Labour and Industry. However, the Minister should know he cannot debate your ruling, which was that my statement was not unparliamentary. The only way the Minister can disagree is to move to dissent from your ruling; that course is open to him. However, I suggest that the Minister is out of order if he is complaining about your ruling. I am sure the Premier could advise him on that.

Mr BRYCE: On a further point of order, Mr Acting Speaker, I draw your attention to a point of procedure. If the Minister wanted *Hansard* to indicate to this House the precise word used, he should have made that request at precisely the time he first objected to the word, not after you ruled him out of order. He is not permitted to debate your ruling.

The ACTING SPEAKER: Order! I consider there is no point of order, and I would ask the member for Morley to resume the debate.

Mr BERTRAM: On a point of information, Mr Acting Speaker, the Minister a few moments ago used words—

The ACTING SPEAKER: Order! As I understand it, there is no provision in our Standing Orders for any member to rise on a point of information.

Mr Cowan: Sit down!

Debate Resumed

Mr TONKIN: The person to whom I was referring was Mr Arthur Benfield. The Minister said that the man to whom I referred had been appointed as a safety officer, and he was sacked after he had pointed to the scaffolding being unsafe. The Minister did say—this is why I used the word "slander"—that he "wandered around the place doing nothing" as though he spent his days not doing the work he was being paid to do.

Mr Grayden: Just a moment ago you said, "I used the word 'slander' " Would you care to repeat that?

Mr TONKIN: I was saying—

Mr Grayden: I am asking you to repeat the word or withdraw it.

Mr TONKIN: The Minister is his usual self tonight. He asked that the words be withdrawn. He then decided to debate the Acting Speaker's ruling without moving dissent and now he is asking me to repeat those words so that I can withdraw them.

The SPEAKER: I would ask the member for Morley to continue so that we may make some progress with the debate.

Mr TONKIN: Thank you, Mr Speaker. Very briefly, I would like to say that Arthur Benfield, who the Minister said was no good and had been wandering around the building site and not doing his job, as *Hansard* of a few weeks ago will show, in fact had been employed by A. T. Brine for 11 years. This indicates that he was not a worthless man but in fact one who had been held in high esteem by his employer for some time. Certainly we do not have a militant here, but a very conscientious man who was concerned because the job was unsafe. Anyone who now likes to inspect the Perth Medical Centre will find it is a model of safety.

Mr Grayden: For very good reason.

Mr TONKIN: I know there is a very good reason.

Mr Grayden: Because the Government did something about it and you know perfectly well that is the situation.

Mr TONKIN: That is very good. The Government did do something about it. It is a pity that in order to protect their lives and achieve this measure of safety people had to go on strike for several weeks.

Mr Grayden: That is perfectly untrue and you should be absolutely ashamed of yourself for having made that statement. It is just an indication of the sort of person you are that you should have made that statement. There is no truth in it.

Mr TONKIN: That there was a strike at the Perth Medical Centre?

Mr Grayden: There was no truth in it and you know that.

Mr TONKIN: I think there was a great deal of truth in the comment that there was a strike at the Perth Medical Centre. The strike was about safety and the sacking of Arthur Benfield. It is just as well that the Premier is not listening to the appalling display by his Minister otherwise he would be very concerned about what is happening.

Arthur Benfield was employed by the one employer for 11 years and to say that he was worthless because he happened to do his job as a safety officer—

Mr Grayden: He did not do his job at all and you know it.

Mr TONKIN: That is where we disagree.

Mr Speaker, one of the reasons that the Perth Medical Centre is the safest job in Perth is that we do have tripartite discussions between the employee, the employer and the Government. This is a very desirable development and we hope that the Government will encourage this type of discussion to continue.

The Bill we are considering tonight is designed to amend the Construction Safety Act which was introduced by the member for Cockburn when he was the Minister for Labour and Industry. I applaud the work he carried out when the Act was introduced in 1972. I also acknowledge the work of the present Deputy Premier. There is no point in my saying this because he is not listening. He is too busy working out tomorrow's Orders of the Day.

Mr O'Neil: I am working out tonight's Orders of the Day.

Mr TONKIN: The Deputy Premier, as Minister for Labour and Industry, sat on a committee and assisted in the formulation of this legislation. The Opposition also acknowledges the work he performed in connection with the Construction Safety Act.

I shall now speak about one or two of the problems associated with this legislation. The industry is usually regarded as being fairly safe when it is building cottages. However, this is not necessarily the case. The Department of Labour and Industry inspectors very rarely go near the cottage industry. They concentrate on the construction of bigger buildings. Maybe that is a question of priorities and there are insufficient inspectors. This is not meant as a criticism of the Department of Labour and Industry inspectors.

Certainly it is a fallacy to suggest that there are no problems with the cottage industry. On occasions there is a lack of scaffolding. In fact there are a large number of accidents associated with this industry. One often sees the situation where there are 44-gallon drums with planks placed on them and the mortar board is too wide for the three planks that can fit on top of a drum. Indeed, the other day I saw a situation on a building site where there were three drums on top of one another at one end and three drums on top of one another at the other end, with planks in between. There was no bracing whatsoever. There was no putlog to secure these planks. This was a most dangerous situation. I would suggest to members that it is very common to find that type of situation in the cottage industry. "A" frames are quite satisfactory. However, this method of using the 44-gallon drum is not satisfactory.

When a carpenter puts a wall plate at the top of a house he very frequently does not use a ladder because none is provided. He has to climb onto the top of the house and balance on a brick 4½ inches wide. It is not surprising that there are a number of problems and many accidents associated with this type of operation. Very rarely is any first-aid equipment available in the cottage industry.

There are many problems in the major construction industry. I know the Minister is safety conscious and this is recognised in the industry. However, there are some matters which should be investigated. For example, there is the matter of vents which are not properly railed off. They could be railed off or they could have boards placed over them and held in place by a ramset gun. If that were done the vents would be safe. There was a terrible death two or three years ago at Allendale Square. A man was killed when he fell through one of these vents. It might have been a lift shaft or an air-conditioning vent. This type of situation should be looked at. Another example is the conduit which sticks up, perhaps three or four inches. If a person is not properly balanced there could be an accident because of this. Sometimes lift shafts are not walled off. They may have only a drum on either side. I have seen instances where there is a drum on either side of a lift well with a plank placed across them.

It is all very well to say it is obvious that this is a walled off lift shaft. But if a person loses his balance and kicks one of these pieces of conduit which are sticking up he can easily fall. If he falls down a lift shaft that is the end of him.

Greater attention should be given to the use of the ramset gun to fix planks in place, to wall off lift shafts or put a flooring across to make sure it is quite safe. Some firms are very concerned with

the matter of safety. Firms such as Civil and Civic and E.A. Watts have very good names as far as safety is concerned. These are only two names that spring to mind of firms that react very quickly when a request is made to them in the matter of safety.

Of course, I have already indicated to the House that Multiplex has a very bad record and the Perth Medical Centre is only one example of the cause of this bad reputation. A.V. Jennings has also caused a number of problems in the industry. It is a pity that such firms do not take a leaf out of the book of firms like Civil and Civic, E.A. Watts and others which do the right thing and show concern for the lives and the welfare of the men employed by them.

Admittedly there are hazards associated with the type of occupation we are involved in here. We saw a hazard earlier on tonight. However, I believe the people in the building industry have many other hazards to contend with which are far greater than anything we experience in this House. It is up to us to see that a great deal more protection is given to them.

One of the provisions which is very often breached is that a ladder must project above the top of a landing for a certain distance. Very often the ladder protrudes for only two or three inches. A workman who is off balance can kick his foot against this with very dangerous consequences.

Recently there was an occasion when the Building Workers Industrial Union acted by asking for protection to be given to shoppers in an alley from Wellington Street to Murray Street at the east side of the Telecom project. The principal contractors on the site were H. A. Doust. There was no cover on this alley through which shoppers were moving. It is very easy to drop a hammer or some other object and no protection at all was given. This kind of request should not have to be made. Fortunately notice was taken of the request but if no notice had been taken we would have had a dispute. As I said previously, there should be no need for people to go on strike over a question of safety.

We also quite frequently see electric cables lying about in water, which is obviously a very dangerous situation. Those are some of the hazards which we see quite frequently on building sites; they are not isolated examples. I draw them to the attention of the Minister because we believe this is a very important matter.

Our attitude to the Construction Safety Act Amendment Bill is consistent with our whole philosophy which is that the working man should not be treated as a piece of disused machinery and discarded in cavalier fashion. Working men are people of flesh and blood and everything should be done to ensure that their welfare is kept to the forefront at all times. This is what we really wish to emphasise tonight.

We support the Bill. We believe that on the face of it this Bill seems to provide the kind of deadlock-solving mechanism which is needed when, as the Minister explained in his second reading speech, two orders have been issued which may be in conflict with each other. Therefore, Mr Speaker, we indicate our support of the measure.

MR GRAYDEN (South Perth—Minister for Labour and Industry) [11.32 p.m.]: I shall be extremely brief. I wish to say first of all that I have listened to some hypocritical speeches in my time but never to anything quite like the speech which has just emanated from the member for Morley. He talked in terms of the Government not being conscious of the problems confronting the working man and not worrying about the welfare of the working man.

He also mentioned Multiplex, a firm at which there was a dispute for several weeks concerning a safety issue. I stated that the individual concerned, instead of performing his duties as a safety officer, was spending his time skulking out of sight. The member for Morley said this was a slanderous statement but I am prepared to back it up with the facts. But the member for Morley, of course, is not prepared to go beyond making that allegation.

Mr Tonkin: I pointed out that in fact he was employed by A. T. Brine for 11 years. Is that worth nothing?

Mr GRAYDEN: Does the member realise that this matter went to the Industrial Commission which found that in fact he was doing precisely this?

Mr Tonkin: Do you realise that earlier than that twice Commissioner Cort had recommended he be reinstated?

Mr GRAYDEN: For different reasons altogether.

Mr Tonkin: Oh yes!

Mr GRAYDEN: And the member should know that.

Mr O'Connor: The company agreed to pay his wages too.

Mr GRAYDEN: The company agreed to do not only that but also to keep him out of sight, because it did not want him on the job.

Mr Tonkin: Why didn't it want him on the job? Because he had drawn attention to this unsafe

scaffolding and this was drawn to your attention by your inspectors.

Mr GRAYDEN: That was a straight out lie and the member should know that he did not do that at all.

The SPEAKER: Order! I ask the Minister for Labour and Industry to withdraw the word "lie". It is unparliamentary.

Mr GRAYDEN: I unreservedly withdraw that statement.

Mr Tonkin: Now—is it or is it not true?

Mr GRAYDEN: The statement is completely untrue.

Mr Tonkin: Which statement?

Mr GRAYDEN: There is absolutely no substance in it. There is no foundation for the member for Morley to make this sort of statement which he frequently makes. On each occasion he makes them it is without any justification at all.

Mr Tonkin: Which of the statements is untrue?

Mr GRAYDEN: He has made it and he cannot substantiate it. I challenge him to ask questions so that I might have the opportunity in this House to answer them. Alternatively, let him make the allegation outside this House so that we can answer this deliberate untruth.

Mr Tonkin: What is the deliberate untruth? Tell me. You have forgotten what the statement is.

Mr GRAYDEN: That here was a safety officer conscientiously performing his duties and he was sacked by Multiplex.

Mr Tonkin: I said that he said the scaffolding was unsafe and that the Department of Labour and Industry inspectors said it was unsafe, and you said that was a lie.

Mr GRAYDEN: Our inspectors have said it was perfectly safe.

Mr Tonkin: They went there and said it was perfectly safe?

Mr GRAYDEN: If the member for Morley wishes to make an issue of it let him ask some questions in this House. That is his prerogative and he does it frequently. If he asks them we will get to the basis of this question, but he is not prepared to do so.

Mr Tonkin: Yes, I am prepared to ask questions.

Mr GRAYDEN: I do not believe the member is.

Mr Tonkin: That is your bad luck. I am quite happy to ask questions.

Mr GRAYDEN: Let the member ask them. Having established that—

Mr Tonkin: Established what?

Mr GRAYDEN: We intend to wait for the member for Morley to ask questions. I do not believe he will do so because on every occasion that he gets into a similar situation he studiously refrains from pursuing the matter any further. But apparently he is going to do it on this occasion.

Mr Tonkin: Why didn't you deny the comment that the Department of Labour and Industry inspectors had found that scaffolding to be unsafe when it was made weeks ago?

Mr GRAYDEN: Because it is a very complex sort of situation.

Mr Tonkin: You have just denied it. You said it was untrue. In fact you said it was a lie.

Mr GRAYDEN: We have had reports all along the line which clearly show that the statements the member for Morley was making are—I shall not say "lie" because I would be asked to withdraw—untrue. I am simply saying that they are completely untrue.

Mr Tonkin: You just said they were so complex you could not answer.

Mr GRAYDEN: They were completely untrue. The member for Morley knows they are untrue. In those circumstances why does he not just be quiet?

Mr Tonkin: That is rubbish. You know they are not untrue at all. The Department of Labour and Industry inspectors said that scaffolding was unsafe.

Mr GRAYDEN: I challenge the member for Morley to ask questions. He will not ask questions because he is so used to getting away with this sort of situation.

Mr Tonkin: The Department of Labour and Industry inspectors said it was unsafe.

Mr O'Connor: The commission ruled in favour of Multiplex in that case.

Mr Tonkin: After a long period of time, but the Department of Labour and Industry inspectors said that the scaffolding was unsafe. There is no question about that. That is what the Minister for Labour and Industry has said several times was untrue.

Mr GRAYDEN: The member for Morley is just repeating an untrue statement over and over again. He is not prepared to ask questions because he knows the sort of reply he will get. For how long must we waste the time of this House by inviting members of the Opposition to ask this

sort of question when we know they will not ask them? But unfortunately it happens over and over again. Let us get away from this matter. I am leaving it on the basis that the member for Morley will ask some questions about the matter, and all it will prove is that one safety officer instead of doing his work looking after scaffolding was skulking behind certain buildings on the Multiplex site—

Mr Tonkin: Did you try to get him a job when he lost his job?

Mr GRAYDEN: —and was wasting his time under the pretence that he was looking after the safety of others.

Mr Tonkin: Did you try to get this man a job when he lost it at Multiplex?

Mr GRAYDEN: We are not prepared to put up with the situation—

Mr Tonkin: You are not prepared to answer that.

Mr GRAYDEN: —where someone comes along masquerading as a safety officer, without any qualifications virtually, and talking in terms of looking after the scaffolding, and then skulks behind various buildings. That is the situation which the Opposition is trying to defend.

Mr Tonkin: We are talking about unsafe scaffolding. Did you try to get that man a job?

Mr GRAYDEN: Get him a job?

Mr Tonkin: Did you?

Mr GRAYDEN: I know what I would do with him.

Mr Bryce: Exactly what the Premier should do to you tonight—now. Sack you because of your performance.

Sir Charles Court: Don't you talk—

Mr Bryce: That is what you should do.

Mr GRAYDEN: If a person lost an arm or a leg or was grievously injured—

Mr Bryce: Look at him and say you are proud of his performance.

The SPEAKER: Order!

Mr Bryce: Let us hear the Premier say it.

The SPEAKER: Order!

Sir Charles Court: Don't you talk about disgraceful efforts.

The SPEAKER: Order!

Mr Bryce: You either.

The SPEAKER: Order! I would ask the Minister for Labour and Industry to address his remarks to the Chair; and I would ask that interjections cease. The Minister for Labour and Industry.

Mr GRAYDEN: I would like to tell the member for Morley and the Opposition that, contrary to what they might believe—and I do not honestly believe that they would believe this—

Mr Skidmore: You do not honestly believe that they believe what they believe!

Mr GRAYDEN: —this Government is more conscious of industrial safety than any previous Government has been in the history of Western Australia; and it is as simple and as cut and dried as that.

We have approximately 73 officers in the Department of Labour and Industry—the number differs by one or two from day to day—concerned with industrial safety, and every single individual in the department knows that of all the issues which are raised in the department the one we place in top priority is safety in industry. All other issues are virtually put aside—

Mr Barnett: Disregarded.

Mr GRAYDEN: —if this particular issue arises. If anyone in the department is not conscious of that fact he should not be in the department. That is the situation.

We have sought the co-operation of the TLC as it says it represents the unions throughout Western Australia.

Mr Barnett: They are not all concerned with safety.

Mr GRAYDEN: At a substantial cost we increased our film library on safety by the addition of 40 films. They have been there for 12 months or so, but so far as I am aware not one application for them has been received from the TLC.

Mr Tonkin: How many have you shown?

Mr GRAYDEN: We went out of our way to provide a film library of tremendous consequence, but did not receive a single application for a film, so what did we do as the Government? Two or three weeks ago we wrote to the TLC telling it about the films and asking it to show an interest in safety by using them. In the last couple of days we received a letter back from the council saying that it would do so. Similarly we wrote to the Confederation of WA Industry and received the same sort of letter back.

What many people in the community have overlooked is the fact that of all the issues that are of consequence in the department, industrial safety is No. 1 concern. So anyone who questions the sincerity of the Government on this issue—

Mr Tonkin: I have not questioned it.

Mr GRAYDEN: No, that is true, and I thank the honourable member for it.

I have advised the TLC that we want to make the maximum use of the 73 to 76 officers we have in the department. We want people throughout Western Australia to act as spotters and advise us of any complaints they might have. If we receive such a complaint we immediately send an inspector to investigate it. Unfortunately we do not receive such requests from the TLC or from any union in Western Australia. Why?

Mr Skidmore: Maybe they have given up.

Mr Tonkin: Are you sure you did not get any requests from any unions?

Mr GRAYDEN: Quite possibly we did receive some—hopefully we did.

Mr Skidmore: That is different.

Mr GRAYDEN: I am not aware of any.

Mr Tonkin: I am sure you did.

Mr GRAYDEN: I am not gaining the co-operation I have requested. If unions know of anything which is unsafe, we want them to advise the department whereupon an officer will be dispatched immediately to investigate the situation and launch prosecution proceedings, if necessary. This is not being done. Therefore I dismiss any statements which accuse the Government of being lax on industrial safety.

I mentioned earlier that I did not want to take up the time of the House, particularly at this late hour. This Bill will ensure that the legislation will be even more effective in protecting the workers in the community. That is the objective of the Act.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Grayden (Minister for Labour and Industry), and transmitted to the Council.

PHYSIOTHERAPISTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 4th August.

MR BATEMAN (Canning) [11.50 p.m.]: I do not intend to waste the time of the House on this very simple Bill. It has been introduced into Parliament for the purpose of providing for an officer, other than the commissioner, to be appointed to represent the interests of the Public Health Department.

The commissioner is not always available, and at present there is no provision for a deputy on the small board. As the Minister said, it is desirable that the commissioner should be given the opportunity to nominate a medical officer employed by the department to the board to represent the department, and the amendment will make provision for that alternative appointment.

This is a most desirable move on the part of the Public Health Department. The Bill contains one other amendment, to which the Opposition has no objection. With those remarks, I support the measure.

MR RIDGE (Kimberley—Minister for Health) [11.52 p.m.]: I thank the member for Canning for indicating the support of the Opposition for this very simple measure, and I commend the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Ridge (Minister for Health), and transmitted to the Council.

COAL MINE WORKERS (PENSIONS) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 4th August.

MR T. H. JONES (Collie) [11.54 p.m.]: This amendment will increase from $17 to $34.50 per week the amount an incapacitated pensioner under the Act may earn without affecting his pension entitlement. The Act provides that a coalminer can cease work at 60 years of age and

receive a pension until the responsibility for the pension is accepted by the Department of Social Security.

The amendments contained in the Bill were requested by the combined mining unions of Collie and, as a consequence, I do not intend to oppose them. The first amendment will allow a pensioner to earn, in addition to his pension, a sum of $34.50 per week which will bring him into line with other pensioners under the Act.

The second amendment is also important. At the present time, when a mineworker receiving a pension becomes a patient as defined under the Mental Health Act, his pension is cancelled automatically. This has caused some problems, and a number of people have been admitted to mental homes with no source of income with which to purchase their necessary personal needs. The tribunal will now have discretion in relation to the payment of a pension.

I have much pleasure in supporting the amending Bill.

MR MENSAROS (Floreat—Minister for Mines) [11.56 p.m.]: I thank the member for Collie for his support of the Bill. He no doubt comprehends the provisions quite correctly and, for that reason, he supports them.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Mensaros (Minister for Mines), and transmitted to the Council.

House adjourned at 11.59 p.m.

QUESTIONS ON NOTICE

ABORIGINES

Lockridge, Beechboro, and Swan Valley

654. Mr SKIDMORE, to the Minister for Health and Community Welfare:

(1) Have members of the special task force set up by the Department for Community Welfare spoken with the Aborigines since they moved to the campsite at Lockridge?

(2) If "Yes", when did the talks take place?

(3) Have the Lockridge Aborigines expressed to the department an attitude against their movement into conventional houses?

(4) Is he aware that the Aborigines at Lockridge seek to gain a title to the land they now occupy or other suitable land in the area?

(5) Have talks taken place with the Lockridge Aborigines or others on land rights in the areas of Lockridge, Beechboro or the Swan Valley?

(6) Would he release an interim report on the task force's findings to this date?

(7) (a) Have the Aborigines camped at Saunders Street made request for the supply of ablution blocks;

(b) If they have, when will they be erected?

Mr RIDGE replied:

(1) Yes.

(2) Members of the special task force have visited the Lockridge camp at least once a week and discussions have taken place on several occasions during these visits.

(3) Some of the Aborigines at Lockridge have expressed an attitude against movement into conventional housing. Others have indicated that they would accept conventional housing if it were available.

(4) Yes.

(5) There have been no talks concerning land rights, although there have been discussions about suitable camping sites in the Swan Valley area.

(6) An interim report on findings will be made available by the end of September, 1977.

(7) (a) Yes. They have made requests to the Swan Shire and to the Aboriginal Lands Trust;

(b) It would not be practicable to erect ablution blocks at Saunders Street as the first four houses will be ready for occupation within a few weeks.

CITY OF STIRLING

Meetings

669. Mr WILSON, to the Minister for Local Government:

(1) Did certain council members of the City of Stirling Council walk out of the chamber of a scheduled meeting on 19th July this year?
(2) Who were the councillors who left the chamber?
(3) Was the meeting of 19th July consequently abandoned because those councillors who walked out refused to attend the meeting, although they were within the precincts of the chamber?
(4) As a result of the abandonment of the 19th July meeting what items of business on the agenda for that meeting were not dealt with on that day?
(5) What are the details of that business not dealt with?
(6) Was there a further meeting of the Council of the City of Stirling on the 20th July this year?
(7) Did any councillor at the 20th July meeting refuse to vote on a motion before the chair and leave the chamber as the motion was put?
(8) Who was those councillors who—
  (a) refused to vote; and
  (b) left the chamber?
(9) What was the motion before the chair at the time when the councillors left the chamber?
(10) Did any of the councillors who left the chamber declare an interest in the matter before the chair or were they in any other way prohibited from voting on the motion?
(11) Is a councillor who is in the chamber expected to vote when a question is put?
(12) At a meeting between councillors Burkett, Britton, Rose and himself, did he indicate that he would consider the position of councillors who abdicated the chamber and refused to vote on a motion before the chair at Stirling on the 19th July and the 20th July this year?
(13) What conclusions has he reached with respect to those actions and what action does he propose to take?
(14) If no action is proposed, why?

Mr RUSHTON replied:

(1) to (10) The answers to these questions are not known by my department. It is suggested that they be directed to the council.

(11) I refer the honourable member to section 173(9) of the Local Government Act.

(12) Such discussions between a Minister and councillors are confidential.

(13) and (14) No action is proposed.

I have received no official submission from the Council of the City of Stirling proposing any action.

LOCAL GOVERNMENT

Councillors' Qualifications

670. Mr WILSON, to the Minister for Local Government:

Has his department agreed to the proposals initiated by the Department of Environment, Housing and Community Development (Local Government Branch) in Canberra and the various State local government examinations committees—

(a) to agree to reciprocal recognition of local government qualifications throughout the several States notwithstanding that there is a divergence of standards and units studied;
(b) that other academic disciplines—namely, accountancy and law—be admitted as recognised local government qualifications?

Mr RUSHTON replied:

(a) No. However, the joint steering committee of local government permanent heads is at present examining standards with a view to establishing reciprocity.
(b) No. The department is unaware of any such proposal.

LOCAL GOVERNMENT

Commissioners

671. Mr WILSON, to the Minister for Local Government:

(1) What qualifications does the Government require of people appointed to be commissioners in local government?
(2) What remuneration pursuant to section 32 of the Local Government Act would he recommend to the Governor that a commissioner be paid for his services?

Mr RUSHTON replied:

(1) None is prescribed.

(2) The amount would depend on the particular municipality and the person appointed. Some departmental officers who have acted as commissioners have received no extra remuneration.

CITY OF STIRLING

Inquiry into Staff and Administration

672. Mr WILSON, to the Minister for Local Government:

(1) Are all officers in a local government authority required to have local government qualifications?

(2) Have local government bodies wide discretion in the appointment of officers as it deems necessary?

(3) (a) Has he said that Mr P. E. Mullally the Executive Administrator at City of Stirling is unqualified;

(b) is he aware that Mr Mullally has an Honours Degree in Law from the University of Western Australia, is a Barrister and Solicitor of the Supreme Court of Western Australia and the High Court of Australia, has extensive commercial experience both in Australia and internationally, has been involved in local government advisory work and litigation and is enrolled at Perth Technical College to gain his town clerk's certificate?

(4) If he is genuinely concerned about the lack of Technical College qualification for this City Executive Officer (and others) why did he or his department agree to Mr Brian Prince being appointed deputy town clerk/Chief Administrator of City of Stirling and being elevated to equivalent status to the town clerk and on an identical salary to the town clerk?

(5) Why did he not impose conditions upon Mr Prince's appointment to that position as he imposed on Mr G. Bray at the Belmont Shire?

(6) Does the present Town Clerk of the City of Stirling have formal local government qualifications or is he entitled to be recognised by virtue of the length of service exception contained in the Local Government (Qualification of Municipal Officers) Regulations when they were adopted in 1961?

(7) Did he meet with Mr Tony Power of Messrs. Gleeson and Power in late March of this year and discuss with him Mr Mullally's qualifications and experience as Director of Finance and Administration with City of Stirling and express satisfaction of the recruitment and accept Mr Power's conclusions with respect to the city's management needs?

(8) Did he on or about the 4th July this year request the Mayor of the City of Stirling to prepare a report on the staff and management situation at Stirling?

(9) Has he criticised the decision by council to terminate the position of director of finance and administration within 24 hours of his request to the mayor to prepare that report?

(10) Is he aware that Mr J. Flanagan, a former Industrial Commissioner in Western Australia, is carrying out an investigation into staff and management at Stirling at the request of the mayor?

(11) Is he aware that Mr Flanagan has included in his terms of reference the right to interview former employees of the city as well as those presently employed?

(12) Did he recently instruct the Mayor of Stirling and/or Mr Flanagan for the latter to cease his inquiry?

(13) What are the terms of reference of the Local Government Department investigator Mr Paul Fellowes for his inquiry into the administration of the City of Stirling?

(14) Will he undertake to table in this House the report of Mr Fellowes and Mr Flanagan?

Mr RUSHTON replied:

(1) No.

(2) Yes. Except in respect of officers described in section 160 of the Local Government Act. Discretion then is exercisable subject to the limitations prescribed in this section.

(3) (a) This person is not qualified under the Local Government (Qualification of Municipal Officers) Regulations.

(b) No.

(4) The position occupied by Mr Prince was not subject to the provisions of section 160 and his appointment was not subject to Minister's approval. He was employed by the council prior to my assuming office.

(5) Answered by (4).

(6) Present town clerk possesses a certificate of qualification granted under the Local Government (Qualification of Municipal Officers) Regulations.

(7) (a) I have met with Mr Power.
(b) The balance of the question: No.

(8) The mayor was requested to examine the administrative structure of the city and to take any necessary action towards effecting improvement. He was requested to report to me giving details of such action.

(9) My expressions of concern have related to a number of situations in respect of the council administration and not specifically to this item.

(10) It is understood that the mayor did recruit Mr Flanagan to assist him.

(11) No.

(12) Upon the appointment of Mr Fellowes, I considered that the mayor's inquiry should be deferred and advised him accordingly.

(13) Mr Fellowes has been directed to undertake an inquiry into the general administration of the City of Stirling and to report to me on his findings and to recommend a course of action desirable to improve the administrative functions of the council.

(14) No.

EDUCATION

Childhood Advisory Committee

673. Mr TAYLOR, to the Minister for Education:

With respect to his Press statement of the 2nd September regarding the advisory committee on childhood services:

(1) Who are the members of the advisory committee?

(2) What is the background of each, relevant to their appointment?

(3) When is it anticipated that the committee will report?

Mr Old (for Mr P. V. JONES) replied:

(1) and (2)

ADVISORY COMMITTEE ON EARLY CHILDHOOD SERVICES

Mrs J. Biddle (Chairman)	W.A. Pre-School Board member; Lecturer, Ngala Mothercraft Home and Training Centre; President, Pre-School Teachers and Associates' Union; and former Principal, W.A. Kindergarten Teachers' College.
Mrs M. Aitken	Former Commissioner, Girl Guide Association.
Mr M. Beech	Finance Manger, Catholic Education Commission of W.A.
Mr J. Beresford	Research Officer, C.S.I.R.O.
Mrs M. Butler	President, Playgroup Association of Western Australia (Inc.)
Mr R. Coffey	Secretary, The Local Government Association of Western Australia (Inc.)
Mr D. Hewitt	Pharmacist and W.A. Pre-School Board member.
Mrs J. Innes	Director, The Lady Gowrie Child Centre.
Mr I. Johnston	Secretary, W.A. Pre-School Board.
Mr W. Kidston	Assistant Director, Department for Community Welfare and W.A. Pre-School Board member.
Mrs E. Lefroy	Chairman, W.A. Pre-School Board and former pre-school teacher.
Dr A. Little	W.A. Pre-School Board member, Director, Child Study Centre, University of Western Australia, and Senior Lecturer in Psychology, University of Western Australia.
Mr C. Mason	Assistant Director of Schools (Early Chilhood), Education Department of W.A.
Mrs J. Miles	Senior Lecturer, School of Teacher Education, W.A. Institute of Technology and former Principal, W.A. Kindergarten Teachers' College.
Dr T. Parry	Community and Child Health Services, Public Health Department.
Mrs A. Roberts	Pre-primary teacher, Huntingdale Primary School and President, Pre-Primary Teachers' Branch of State School Teachers' Union of W.A.
Mrs S. Stott	Former President, Pre-School Teachers and Associates' Union and former pre-school teacher, The Lady Gowrie Child Centre.
Mr B. Parkin (Secretary)	Education Officer, Education Department.

(3) It is hoped a report will be available by December, 1977.

ROTTNEST ISLAND

Motor Vehicles

674. Mr HASSELL, to the Minister for Lands and Forests:

(1) How many motor vehicles of all descriptions are now on Rottnest Island?

(2) How many vehicles of all descriptions were on the island in 1970?

(3) What is the policy of the Rottnest Island Board as to allowing motor vehicles to be taken to and used on the island?

Mrs CRAIG replied:

(1) 52.

(2) 33.

(3) Vehicles must be proved to be essentially required and prior board approval is required except in the case of Army vehicles.

BUILDING SOCIETIES

Interest Rates

675. Mr WILSON to the Premier:

(1) In view of the often expressed concern for a reduction in interest rates and the comments of the Federal Treasurer on an impending fall in interest rates, what comment can he make on the fact that in the latest Permanent Building Societies' Association statement, there is no mention of a reduction in interest rates for home buyers?

(2) What specific action has he taken to reduce permanent building societies' interest rates for home buyers?

Sir CHARLES COURT replied:

(1) It is difficult to answer this question without a long explanation of the key role played by the Government bond rate in determining the whole of the interest rate structure.

I will restrict my reply to saying that a reduction in the Australian Government bond rate of interest is the necessary first step to the lowering of interest rates generally, including rates offered on deposits and charged on loans by building societies.

If building societies were to unilaterally lower interest rates on loans for housing, they would also have to lower the rate paid on depositors' balances. Without a corresponding reduction in rates offered for alternative avenues of investment of community savings, there could be a rapid shift of deposits away from the societies. The inevitable result of such a movement would be that societies would have to cease lending for housing. There is no advantage in societies providing cheaper loans if the result is that they have no money to lend.

(2) Answered by (1).

COMMUNITY WELFARE

Women's Shelters

676. Mr WILSON, to the Minister for Health:

(1) What funds have been made available to the Western Australian Government from the Commonwealth Budget, for women's refuges this financial year?

(2) Is this amount more or less than in last year's Budget?

(3) What action does the State Government propose to take to ensure that refuges dependent on grants are able to carry on satisfactorily?

Mr RIDGE replied:

(1) $140 225.

(2) More—last year $120 900 was provided.

(3) The Government has already acted in relation to the two refuges now funded. Negotiations are taking place with the Commonwealth with a view to the possible extension of funding to other refuges.

HEALTH EDUCATION COUNCIL

Federal Funds

677. Mr JAMIESON, to the Minister for Health:

Referring to his answers to my questions 406, 464 and 571 of 1977, since there is an apparent contradiction between his answers inasmuch as he has indicated that some cutbacks in the drug education programme may be necessary but no specific programmes will be reduced or abandoned, can he now clarify the position and explain how the cutbacks will occur?

Mr RIDGE replied:

There has been no contradiction whatever. What cutbacks, if any, may occur, cannot be indicated until the State Budget is brought down.

PRE-SCHOOL CENTRES AND CHILD CARE SERVICES

Federal Funds

678. Mr JAMIESON, to the Minister for Education:

As his answers to my questions 514 and 580 of 1977 do not appear to—

(a) indicate whether he will familiarise himself with the effects of cutbacks in Federal Government funds paid direct to local government authorities, pre-schools and child care services;

(b) indicate whether he will give consideration to making up shortfalls in Federal Government grants in this area by the use of State Government funds;

(c) indicate whether he intends to make himself aware of the problems resultant from Western Australia's reduced allocation so that he is in a position to make representations to the Federal Government on the matter,

can he now provide additional information?

Mr Old (for Mr P. V. JONES) replied:

I am perfectly familiar with the effect of Federal Government funding in all activities relating to education at the pre-school level. The particular funds referred to by the honourable member in this questions do not affect education programmes.

INDUSTRIAL COMMISSIONER AND PUBLIC SERVICE ARBITRATOR

Powers Over Statutory Bodies

679. Mr TONKIN, to the Minister for Labour and Industry:

As he states that the Industrial Arbitration Act Amendment Bill and the Public Service Arbitration Act Amendment Bill (No. 2) presently before the House are to give the Industrial Commissioner "the power to include on the order any public statutory body established by this Parliament", will he—

(1) Indicate which bodies only it is intended to include in such an all-embracing provision?

(2) Indicate whether it will be possible for all employees of bodies established by State statute to be included within the ambit of the Public Service Arbitrator as a result of the proposed amendment?

Mr O'Connor (for Mr GRAYDEN) replied:

(1) The purpose of the Industrial Arbitration Act Amendment Bill is not to significantly change existing circumstances relating to industrial cover of employees of public statutory bodies by either the WA Industrial Commission or the Public Service Arbitrator.

Section 11A of the Industrial Arbitration Act at present provides that the Industrial Commission in court session may declare by an order naming Government departments, State trading concerns, State instrumentalities or State agencies that certain persons employed therein shall be "Government Officers" and hence subject to the Public Service Arbitration Act.

This is subject to the person being eligible to become a member of the Civil Service Association.

The Bill is to overcome a difficulty the Industrial Commission drew attention to which prevents the commission in court session from including some bodies in the order, such as—

Board of Secondary Education

Pre-School Education Board

W.A. Coastal Shipping Commission

Youth, Community Recreation and National Fitness Council

Tertiary Education Commission

Lamb Marketing Board.

The Bill would not alter the existing situation under which an application to the Industrial Commission to have the body included on the order is argued before the commission in court session with interested unions having the opportunity to state reasons against the body being named in the order.

It is not known what the attitude of the commission in court session would be to an application to include bodies such as those indicated above in the order.

(2) It will not be possible for all employees of bodies established by State statute to be included in the ambit of the Public Service Arbitrator as a result of the proposed amendment.

Section 11A of the Industrial Arbitration Act sets out the conditions which must be satisfied before a person is a "Government Officer" subject to the Public Service Arbitration Act. Those conditions will not be altered by the proposed amendment.

Currently there are employees of public authorities not under the ambit of the Public Service Arbitrator and this will continue.

HOSPITALS

Children's Burns from Flammable Clothing

680. Mr TONKIN, to the Minister for Health:

How many children received burns as the result of burning wearing apparel and were admitted to—

(a) the Princess Margaret Hospital;
(b) any other hospital in the State,

for periods of—

(i) less than one week;
(ii) one week to two weeks;
(iii) two weeks to one month;
(iv) one month to two months;
(v) in excess of two months;
(vi) and died as a result of their injuries?

Mr RIDGE replied:

(a) Princess Margaret Hospital
(i) nil
(ii) 2
(iii) 4
(iv) 2
(v) nil
(vi) nil;

(b) other hospitals
(i) nil
(ii) 1
(iii) nil
(iv) nil
(v) nil
(vi) nil.

The above figures relate to the year 1976.

ROTTNEST ISLAND

Board

681. Mr HASSELL, to the Minister for Lands:

(1) Who are the members of the Rottnest Island Board established under the Parks and Reserves Act 1895-1972?
(2) How long has each member served on the Board?
(3) Is there any public or private statement setting out the general policy of the board for the future development of Rottnest Island?

Mrs CRAIG replied:

(1) Hon. K. A. Ridge, M.L.A., Chairman.
Hon. A. D. Taylor, M.L.A.,
Sir John Parker,
Mr J. B. Fitzhardinge,
Mr H. A. Solomon,
Mr E. O'Callaghan.

(2) Hon. K. A. Ridge — 3 years 6 months.
Hon. A. D. Taylor — 6 years 2 months.
Sir John Parker — 11 years 6 months.
Mr J. B. Fitzhardinge — 6 years 2 months.
Mr H. A. Solomon — 2 years 11 months.
Mr E. O'Callaghan — 2 years 11 months.

(3) Statements are made from time to time by the board, the Minister for Lands, or the Premier.
The five year development plan for the island was the subject of a Press release on the 16th May, 1976, by the Premier, and a copy is submitted for tabling.

The development plan was tabled (see paper No. 240).

FRUIT

Tree-pull Scheme

682. Mr H. D. EVANS, to the Minister for Agriculture:

(1) Was any finance made available in the Federal Budget for the continuation of the "tree-pull' scheme, and if so, how much, and what will be the proportion received by Western Australia?
(2) Are applications still being received for assistance under the "Tree-pull" scheme and for how long?

Mr OLD replied:

(1) No. The 1977-78 provision of $1.3 million is to meet claims outstanding from 1976-77 in Western Australia and Tasmania.
(2) No. Applications closed on the 31st December, 1976

MEAT

Esperance Meat Exporters Ltd.

683. Mr H. D. EVANS, to the Minister for Industrial Development:

(1) What is the total amount of capital which will be required by Esperance Meat Exporters Ltd.?
(2) (a) What level of share capital has been raised by the company;
(b) what additional share capital has to be raised by the company to satisfy the minimum level required by the Government?

(3) From what source will the difference between the amount raised by the Esperance Meat Exporters Ltd. and the total capital required for the construction of the proposed abattoirs be obtained?

Mr MENSAROS replied:

(1) On the latest feasibility study submitted by the company the all up figure including working capital is $3 900 000. However, this could vary as costs are in the course of being updated.

(2) (a) As at the 30th June, 1977 $629 687.
(b) $970 313.

(3) Based on the figure of $3 900 000 the difference between $1 600 000 and $3 900 000 is to be financed by way of—

(i) Government guaranteed loan of $2 000 000 to a source yet to be determined;

(ii) Working capital accommodation from the company's banker of $300 000.

Should the all up cost exceed $3 900 000 as per above, the company is required to fund the difference from private raisings; i.e. the Government's contribution is limited to a $2 000 000 Government guarantee.

BIRDS AND ANIMALS

Export from Zoo

684. Mr H. D. EVANS, to the Minister for Lands:

(1) How many—

(a) birds;
(b) animals,

have been exported from the South Perth zoo in each of the past five years?

(2) What was the total of each species of birds and animals exported from South Perth zoo in the past five years?

(3) (a) What destinations have received birds and animals from the South Perth zoo in the past five years; and
(b) what species and what number in each case?

Mrs CRAIG replied:

The information sought by the honourable member concerning the years ended 30th June, 1973, 1974, 1975 and 1976 is contained in the Zoological Gardens Board annual reports which have been tabled in this House.

The following information relates to the year ended the 30th June, 1977.

(1) (a) birds—39
(b) mammals—39

(2) Birds—

White tailed black cockatoo	2
Western long billed corella	6
Sulphur crested cockatoo	4
Galah	11
Red collared lorikeet	2
Red capped parrot	2
Crimson winged parrot	2
Red wattle bird	2
Singing honey eater	2
Magpie goose	2

Mammals—

Western grey kangaroo	8
Western Euro	4
Red kangaroo	13
Agile wallaby	6
Brush tailed rat kangaroo	4
Hunting dog	4

(3) (a) and (b)

Chester Zoo, England

Western grey kangaroo	5
Red kangaroo	4
Agile wallaby	4
White tailed black cockatoo	2
Western long billed corella	2
Galah	4

Blackpool Zoo, England

Western grey kangaroo	1
Western long billed corella	4
Sulphur crested cockatoo	4

Rotterdam Zoo, Netherlands

Red wattle bird	2
Singing honey eater	2

Antwerp Zoo, Belgium

Agile wallaby	2
Brush tailed rat kangaroo	4

Munich Zoo, Germany

Magpie geese	2

Frankfurt Zoo, Germany
Hunting dog 4

Gladys Porter Zoo, Brownsville, Texas, U.S.A.
Western Euro 2
Galah 5

Higashiyama Zoo, Nagoya, Japan
Red kangaroo 7

Zoo Negara, Kuala Lumpur, Malaysia
Western Euro 2
Red collared lorikeet 2
Red capped parrot 2
Crimson winged parrot 2
Galah 6

Colombo Zoo, Sri Lanka
Western grey kangaroo 2
Red kangaroo 2

LESCHENAULT INLET

Management Authority

685. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

Further to my question 606 of 1977, would the Minister please advise what moneys have been made available to the Leschenault Inlet management since its inception?

Mr OLD replied:

None. Financial arrangements will be announced in the forthcoming Budget.

PROBATION AND PAROLE

Research into System

686. Mr DAVIES, to the Minister representing the Attorney-General:

(1) Is there any employee carrying out research into the effectiveness of the present probation and parole system?

(2) If not, in view of the fact that the annual probation report for year ended 30th June, 1977 advocates the appointment of a research officer on a full-time basis, what action is proposed in this regard?

Mr O'NEIL replied:

(1) No.

(2) Consideration will be given to such an appointment when staff budget approvals for 1977-78 are known.

INDUSTRIAL DEVELOPMENT

Financial Assistance to Industries

687. Mr DAVIES, to the Minister for Industrial Development:

(1) What financial assistance in the way of loans, guarantees, grants, etc., have been made available to assist industry in this State in each of the last three financial years?

(2) What are the—

(a) names of firms;
(b) amounts involved;
(c) terms of assistance,

in each instance?

Mr MENSAROS replied:

(1) and (2) See enclosed tables which I seek to table.

The tables were tabled (see paper No. 241).

WHALES

Mercury Levels

688. Mr BARNETT, to the Minister for Health:

(1) Further to his answer to parts (3) and (4) of question 611 of 1977, is it a fact that some whale processing by-products are sold to a large poultry growing firm in the area which in turn sells poultry to food retail outlets throughout the State?

(2) In view of the above, would he please advise if tests done on the whale by-products would have shown a higher mercury level than that acceptable under Public Health Department regulations?

Mr RIDGE replied:

(1) and (2) This is not known but if the honourable member supplies further information the matter will be investigated.

URANIUM

Yeelirrie Deposits: Assays and Treatment

689. Mr GRILL, to the Minister for Mines:

(1) What proving-up of the Yeelirrie uranium deposit has been done by Western Mining Corporation Ltd?

(2) What do the assays of the ore deposit reveal in terms of—

(a) size of the deposit;
(b) grade of the deposit;
(c) type of uranium deposit?

(3) How do these assay results compare with other uranium deposits such as Ranger and Mary Kathleen?

(4) Are there any problems envisaged with respect to the treatment of the ore?

(5) Is it possible to say whether the deposit is a commercially economic one at current world prices?

Mr MENSAROS replied:

(1) Western Mining Corporation have carried out an extensive drilling programme over the Yeelirrie deposit, and have put in two large cuts to obtain material for metallurgical testing.

(2) (a) The deposit is estimated to contain about 30 million tonnes of ore, or 46 000 tonnes of U_3O_8.

(b) The average grade of the deposit is 0.15 percent U_3O_8 (3.4 lbs per long ton), but 24 000 tonnes of U_3O_8 are in ore averaging 0.36 percent U_3O_8 (8 lbs per long ton).

(c) The Yeelirrie uranium deposit is classified as a secondary carnotite deposit in calcrete.

(3) The Ranger deposit is estimated to contain about 100 000 tonnes of U_3O_8 in ore averaging from 0.21 to 0.38 percent U_3O_8.
The Mary Kathleen deposit contains about 7 600 tonnes of U_3O_8 in ore averaging 0.12 percent U_3O_8.
Australia's largest known uranium deposit (Jabiluka) contains about 228 000 tonnes of U_3O_8 in ore averaging 0.38 to 0.39 percent U_3O_8.
Yeelirrie is Australia's third largest uranium deposit.

(4) No unusual difficulties in treating the ore are envisaged.

(5) Available information on mining and treatment costs of uranium ores suggest that Yeelirrie should be economic.

NICKEL MINES

Nepean, Redross, and Selcast

690. Mr GRILL, to the Minister for Mines:

(1) What marketing arrangements do the companies mining the nickel deposits at the Nepean, Redross and Selcast mines in the Eastern Goldfields have for their ore?

(2) Are any of those arrangements in jeopardy in the immediate or medium future?

(3) Is there any real possibility of the aforementioned mines closing down or suffering large-scale retrenchments in the immediate or medium future?

Mr MENSAROS replied:

(1) The marketing arrangements of the Nepean, Redross, and Selcast mines are matters which the Government is not at liberty to disclose.

(2) and (3) All nickel mining companies in the Goldfields are feeling the effects of the deteriorated market situation. The respective managements are continuously taking stock of the situation.

WELLINGTON DAM

Quantity and Salinity

691. Mr H. D. EVANS, to the Minister for Water Supplies:

(1) What is the present quantity of water stored in the Wellington Dam?

(2) Is it proposed to release any of this water to drain the salt, and if so—

(a) what quantity of water is to be released;

(b) what is the level of salt content in this water;

(c) what is the maximum level of salt which water can contain and still be considered suitable for irrigating pasture?

(3) What is the quantity of water required to meet the allocations of farmers in the irrigation season?

(4) What amount of water is it expected will be available for irrigation purposes from the Wellington Dam in the 1977-1978 summer season?

Mr O'CONNOR replied:

(1) 118.6 million cubic metres.

(2) Yes.

(a) Approximately 8 million cubic metres.

(b) Of the order of 2 000 milligrams per litre of total soluble salts.

(c) The effect of saline water on pasture is dependent on the soil type, the pasture species, the amount of water which leaches through the root profile and the amount of winter rainfall.
Tests carried out last year in the Benger area by the Department of Agriculture showed no measurable effect on pastures from using water of 800 milligrams per litre and it is believed that water in excess of 1 200 milligrams per litre could be used given adequate drainage and watering frequency.

(3) and (4) Approximately 60 million cubic metres which will be sufficient for at least the basic allocation of 9 200 cubic metres per rated hectare.

I believe this information was handed out to the Press last week and appeared in the *South Western Times*.

LAND

Salt Encroachment and Soil Erosion

692. Mr H. D. EVANS, to the Minister for Agriculture:

(1) What is the total area of agricultural land in Western Australia which is affected by salt encroachment to the extent when it has deteriorated to the level where it can no longer grow pasture or crops satisfactorily?

(2) How many trials or experiments to control salt encroachment are being carried out by the Government at the present time, and where are these located?

(3) Over the past three years have any landholders been compelled to take action in regard to—

(a) salt encroachment;
(b) soil erosion,

on affected land which they own, and if so, how many?

Mr OLD replied:

(1) The most recent estimate is 1 672 square kilometres. This figure is the total of individual landholders' estimates given to the Australian Bureau of Statistics in 1974 in response to the following question:—"Area of salt affected land at 31 March 1974 which was previously used for crop or pasture."

(2) The Department of Agriculture currently has approximately 50 trials in progress concerned with various aspects of the salinity problem in Western Australia. The trials are scattered over the agricultural areas from Pintharuka in the north to Esperance in the south.

(3) (a) No.

(b) No—except for conditions written into some mining and industrial agreements.

LAND

Salt Encroachment

693. Mr H. D. EVANS, to the Minister for Agriculture:

(1) Has Mr H. Whittington been invited or permitted to conduct restoration trials of salt affected land in Western Australia?

(2) If "Yes"—

(a) in what area are such trials or experiments being carried out;

(b) what assistance is Mr Whittington being given in each case by the Government?

(3) (a) If "No" to (1), is it proposed to invite or allow Mr Whittington to carry out restoration tests of salt affected lands; and

(b) if so, where and what assistance is it proposed to extend to him?

Mr OLD replied:

(1) Yes.

(2) (a) Mr Whittington has been invited by Government departments to participate in salt land restoration trials on farmland at Dangin and in the catchment area of the Wellington Dam.

(b) The Dangin experiment is being conducted by the Department of Agriculture on two small adjoining sub-catchments, one of which will be treated according to the Department's recommendations and one to Mr Whittington's recommendations. The Department will be measuring the effect of the treatments for an agreed period.

Mr Whittington has been invited to select an area on the Wellington catchment and design treatments which he considers will assist in overcoming the salinity problem. The Departments of Public Works and Agriculture will then examine the feasibility of monitoring the effect of these treatments.

(3) Not applicable.

ROCK PHOSPHATE

Location, Prices, and Production

694. Mr H. D. EVANS, to the Minister for Agriculture:

(1) Where are deposits of phosphate rock which can be developed commercially located on the Australian mainland?

(2) (a) Are any of these deposits in production at the present time;
(b) what amount is being produced annually from these deposits;
(c) what is the wholesale cost of this rock to manufacturers in comparison with rock received from other sources; and
(d) what is the expected production of phosphate rock from mainland Australia deposits expected to be in each of the next five years?

Mr OLD replied:

(1) North-west Queensland.

(2) (a) Yes.
(b) Currently about 300 000 tonnes per annum.
(c) This cost is not known.
(d) It is understood that production capacity is 1 million tonnes per annum.

RAILWAYS

Kalgoorlie-Esperance

695. Mr COYNE, to the Minister representing the Minister for Transport:

(1) Did the State Government make any approach to the Federal Government for financial assistance in respect of the Kalgoorlie-Esperance standard gauge railroad conversion?

(2) Did the Federal Government make any contribution whatsoever to the Kalgoorlie-Esperance standard gauge rail conversion?

Mr O'CONNOR replied:

(1) Yes.

(2) The Commonwealth Government made no direct contribution but, because certain narrow gauge works at Kalgoorlie—which were to have been carried out as part of the Kwinana-Kalgoorlie standardisation project—were made redundant by the Esperance project, it allowed funds for these facilities to be diverted to the Esperance standardisation project.

MEEKATHARRA-MULLEWA RAILWAY CLOSURE

Ammonium Nitrate Loading Gantry

696. Mr COYNE, to the Minister representing the Minister for Transport:

(1) Is it a fact that Westrail field officers are still pursuing their preparations in relation to the removal of the ammonium nitrate loading gantry from Meekatharra to Wubin?

(2) If the answer is "Yes" could not the transfer of this facility be regarded as premature in the light of the Premier's undertaking to set up an independent study on the Mullewa-Meekatharra railway?

Mr O'CONNOR replied:

(1) Westrail is looking at what measures would be necessary to transfer the gantry at the request of a major customer.

(2) No. The action being taken is to meet a contingency should it arise.
No commitments have been made.
If the gantry is moved alternative lifting facilities would be made available at Meekatharra to meet other customer requirements.

STATE ENERGY COMMISSION ACT

Amendment

697. Mr T. H. JONES, to the Minister for Fuel and Energy:

Does the Government intend to proceed during this session with an amending Bill to the State Energy Commission Act?

Mr MENSAROS replied:

Yes. The amendments are presently being drafted by Parliamentary Counsel.

QUESTIONS WITHOUT NOTICE

SILVER GULLS

Interdepartmental Discussions

1. Mr BARNETT, to the Minister representing the Minister for Fisheries and Wildlife:

   (1) Was there a meeting of an interdepartmental committee to discuss the problems associated with silver gulls held in Perth on the 13th July?

   (2) What Government departments were represented and which officers were present?

   (3) Were minutes of that meeting kept?

   (4) Were recommendations made by the committee?

   (5) Is he able to tell the House what those recommendations were?

   (6) If not, why not?

   Mr OLD replied:

   (1) Yes.

   (2) Mr N. Allen, Public Health Department;
   Mr P. F. Engler, Metropolitan Water Supply, Sewerage and Drainage Board;
   Mr D. W. Arnold, Department of Fisheries and Wildlife.

   (3) Yes.

   (4) Yes.

   (5) Yes.

   (6) Not applicable.

RENTAL ACCOMMODATION

Rent: Percentage of Income

2. Mr CLARKO, to the Minister for Housing:

   Since within our community it is generally accepted that 25 per cent of one's income is the desira le maximum that a house-holder should] ıy for his accommodation, would the Minister explain whether the State Housing Commission rental increases announced recently meet this criterion?

   Mr O'CONNOR replied:

   The honourable member will be aware that a code of rebate operates in conjunction with the rental structure to ensure that a tenant is not called on to meet a rental beyond his financial capacity.

   The following examples are given in explanation of the generally accepted criteria being adhered to:—

Type:	Rent: $	Rebate will apply when family income is less than: $	Maximum Percentage of Rent to Income:
2 Bdrm.	29.50	132.10	22.33
3 Bdrm.	31.50	138.10	22.80
4 Bdrm.	34.00	145.60	23.35

I would add that, in addition to the normal rebate, provision exists for the assessed rebated rent to be reduced up to $1.50 per week for dependent children beyond the first two.

RENTAL ACCOMMODATION

Rent: Rebates

3. Mr WILLIAMS, to the Minister for Housing:

   (1) Having in mind the rental increases that have been implemented in the past five years—

   (a) how many tenants have been in receipt of rebates as at the 30th June of each of the years 1974, 1975, 1976, and 1977, and what is the percentage represented in relation to stock;

   (b) what are the categories of tenants on rebated rents and the percentage in relation to stock for the same years?

   (2) Will the recent rent increases mean that tenants on rebated rents will be required to pay additional rent?

   Mr O'CONNOR replied:

   (1) (i)

30th June.			%
	1974	5 481	23.8
	1975	6 410	26.8
	1976	7 633	33.5
	1977	8 752	37.0

   (ii)

30th June.	Aged and Invalid Pensioners, Widows, Supporting Mothers		Others (Low income, Unemployed, etc.)	
		%		%
1974	5 232	21.9	249	1.9
1975	6 220	25.4	190	1.4
1976	7 309	31.3	324	2.2
1977	8 253	34.0	499	3.0

   (2) Tenants on rebated rents will continue to pay the same assessed rebated rental as hitherto, unless there is a changed financial circumstance as at the time of the normal six-monthly rebate review.

PUBLIC WORKS DEPARTMENT

Employees at Exmouth

4. Mr JAMIESON, to the Minister for Works:

   (1) Is he aware that on Friday, the 16th September, 1977, in Exmouth, a gazetted public holiday will be held to

celebrate the 10th Anniversary of the United States naval installation at north-west cape?

(2) Is he also aware that wages staff employed by the Public Works Department are not entitled to that holiday?

(3) Will he take steps to grant the half-day holiday to wages staff employed by the Public Works Department in Exmouth?

Mr O'CONNOR replied:

I thank the Leader of the Opposition for some notice of this question. The reply is as follows—

(1) Friday, the 16th September, 1977, is a proclaimed bank holiday in Exmouth.

(2) Yes.

(3) No. All wages staff employed by the Public Works Department are entitled to 10 public holidays each year, in addition to their annual leave. To grant an extra half day would establish an awkward precedent.

LOCAL GOVERNMENT ACT

Amendment of Section 37

5. Mr BERTRAM, to the Minister for Local Government:

Has the Minister made any attempt whatsoever to ascertain how many councillors have offended against section 37 of the Local Government Act? If the answer is "Yes", with what result? If the answer is "No", why not?

Mr RUSHTON replied:

I think this question was asked a few days ago, although I am not quite sure now. If it was asked, I refer the honourable member to the answer given on the previous occasion as it still applies.

RENTAL ACCOMMODATION

Rent: Percentage of Income

6. Mr B. T. BURKE, to the Minister for Housing:

Is it true, as a result of the latest increases in rentals announced by the State Housing Commission, that many State Housing Commission tenants are now paying in excess of 25 per cent of their net income in rental to the commission?

Mr O'CONNOR replied:

To my knowledge no-one will be paying more than 25 per cent of his gross income in rent.

Mr B. T. Burke: Net.

Mr O'CONNOR: I use the term "gross income" because, as the member knows, the percentage is applied to the gross income.

Mr B. T. Burke: What about in relation to the net income?

Mr O'CONNOR: If the honourable member has any further questions, I suggest that he should put them on the notice paper.

LOCAL GOVERNMENT ACT

Amendment of Section 37

7. Mr CARR, to the Minister for Local Government:

I wish to refer to a question asked last Wednesday by the member for Mt Hawthorn to which the Minister indicated that he would not table legal opinions received in regard to section 37 of the Local Government Act.

I now ask the Minister the following question—

Did he ask the Crown Law Department to provide an opinion with regard to that section, and if so, what was the result of such opinion?

Mr RUSHTON replied:

In reply to the member for Geraldton's question of which I have received no notice, for the sake of accuracy I ask him to put the question on the notice paper.

Mr Tonkin: How weak!

LOCAL GOVERNMENT ACT

Amendment of Section 37

8. Mr BERTRAM, to the Minister for Local Government:

I wish to ask a further question of the Minister because he answered my question on the premise that it had been asked previously. As it has not been asked previously, I again ask the Minister—

Has he made any attempt whatsoever to ascertain how many

councillors have offended against section 37 of the Local Government Act? If the answer is "Yes", with what result? If the answer is "No", why not?

Mr RUSHTON replied:

The answer to the question without notice of the member for Mt Hawthorn is "No".

HEALTH

Radium and Thorium: Tailings Dam

9. MR RIDGE (Minister for Health):

On Wednesday, the 7th September, the member for Rockingham asked a question in relation to tests that were being conducted to determine whether radioactive wastes had spilt into the water table in the vicinity of the Western Mining Corporation tailings dam. The results of the tests were not available at the time and I indicated they would be tabled when they were available. I seek your permission, Sir, to table them herewith.

The results were tabled (see paper No. 242).

RENTAL ACCOMMODATION

Rent: Rebate

10. Mr WILSON, to the Minister for Housing:

Is it true that if a State Housing Commission tenant's income is over $132.10 a week, he is not able to claim any rebate?

Mr O'CONNOR replied:

It depends on the circumstances.