

The Hon. GRACE VAUGHAN: Most of the professional people who knew about the introduction of the Bill were very pleased that there was to be a registration board and that qualifications would be necessary in order to be registered. However, they certainly did not dream that by implication they were to be left out. It is not a matter of the Minister saying that goodwill will prevail; it is a matter of what is printed in the Bill, and the interpretation of the contents of the Bill.

It is a dangerous business simply to register psychologists and exempt other people. I am well aware that in this House one can win all the arguments and lose all the divisions, but I again warn the Minister that this is a dangerous business.

We want a properly constituted board and a set of rules, and a more professional approach to the profession of psychology. We will have many problems consequent upon the passing of this Bill in its present form. Surely a practising psychologist should be able to be seen as a specialist, and to have patients and clients referred to him by doctors and by other psychologists.

The Hon. N. McNeill: You are showing very poor psychology tonight, if I might make that observation.

The Hon. GRACE VAUGHAN: Why, what have I done?

The Hon. N. E. Baxter: You are only waffling along for time, we know that. Get on with your speech so that I can go to sleep.

The DEPUTY CHAIRMAN (Clive Griffiths): Order!

The Hon. GRACE VAUGHAN: Am I entitled to speak in this Chamber, Mr Deputy Chairman, or can the Minister tell me not to speak?

The DEPUTY CHAIRMAN: The honourable member is entitled to speak, but you should have due regard to repetition, and speak to the Bill.

The Hon. GRACE VAUGHAN: I do not think I have specifically repeated myself at all.

The DEPUTY CHAIRMAN: I suggest the honourable member should get to the point quickly.

The Hon. GRACE VAUGHAN: Considering the lateness of the hour, and the fact that I am probably bashing my head against a brick wall, I will close with the exhortation to the Minister that he considers very seriously the consequences of including subclauses (1) and (2).

Amendment put and negatived.

Clause put and passed.

Progress

Progress reported and leave given to sit again, on motion by the Hon. N. E. Baxter (Minister for Health).

BILLS (4): ASSENT

Message from the Governor received and read notifying assent to the following Bills—

1. Hire-Purchase Act Amendment Bill.
2. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill.
3. Prevention of Cruelty to Animals Act Amendment Bill.
4. Artificial Breeding of Stock Act Amendment Bill.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. N. McNEILL (Lower-West—Minister for Justice) [6.16 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 2nd November.

Question put and passed.

House adjourned at 6.17 p.m.

Legislative Assembly

Thursday, the 21st October, 1976

The SPEAKER (Mr Hutchinson) took the Chair at 2.15 p.m., and read prayers.

QUESTIONS ON NOTICE

Postponement

THE SPEAKER (Mr Hutchinson): I advise members that questions will be taken at a later stage of the sitting, probably after the afternoon tea suspension.

ROAD MAINTENANCE (CONTRIBUTION) ACT AMENDMENT BILL (No. 3)

Introduction and First Reading

Bill introduced, on motion by Mr O'Connor (Minister for Transport), and read a first time.

STANDING ORDERS COMMITTEE REPORT

Procedure for Consideration

MR. THOMPSON (Kalamunda) [2.17 p.m.]: I move—

- (1) That the consideration of the Standing Orders Committee Report, laid on the Table of the House on 19th October, 1976, and ordered to be printed, be made an Order of the Day for the next sitting of the House; and

- (2) That the House, when considering the Report, allow general debate as on a substantive motion and, after the mover's reply, for deliberating each proposed new, omitted or amended Standing Order, use Committee procedure.

Question put and passed.

HEALTH ACT AMENDMENT BILL

Third Reading

MR O'NEIL (East Melville—Minister for Works) [2.18 p.m.]: I move—

That the Bill be now read a third time.

During the second reading stage, and later in Committee, I indicated to the member for Victoria Park that I would obtain some answers for him from the Minister for Health.

The honourable member's first query related to a quorum for meetings of the reconstituted Pesticide Advisory Committee. The Minister for Health advises that as the committee has only four members and they are to have deputies, it is considered that so few people are involved that meetings should be able to be arranged with full attendance on each occasion.

Secondly, the member for Victoria Park queried whether a doctor, when sending samples to the laboratory, identified the patient by name, age, and sex.

Mr Davies: Just age and sex.

MR O'NEIL: If the laboratory were required to advise the Public Health Department, it would be pointless merely to say the patient was a 54-year-old male.

The current position is that whereas on occasions a medical practitioner who sends a specimen to the laboratory for biopsy may put the patient's name on the specimen, there is an arrangement between the laboratory and doctors, which is frequently availed of, as to a coding system so that the laboratory can identify the report on the specimen by means of the mutually agreed code if it is considered by the medical practitioner that the security of the name of his patient is in doubt. Sometimes the name is included on the specimen and at other times it is not, but clearly there is a method by which the laboratory and the department can identify a male who has the disease.

MR DAVIES (Victoria Park) [2.20 p.m.]: I thank the Minister for obtaining that information for me. I am not entirely convinced it is not necessary to set a number for a quorum in regard to the committee. I pointed out during the Committee stage that under section 216 of the Health Act a quorum was called for in respect of a similar committee. It is true

that as there are to be four members and four deputies one would think there would be enough people to have a meeting at any time.

I know, Mr Speaker, that you have endeavoured to call meetings of certain committees of this House and at times there have been insufficient members to make up a quorum. Also, there is a danger that committee members may become fairly lax, but if one knew that a committee could not meet unless a certain number turned up, one would make an extra effort to be there.

I will suggest to my colleagues in another place that they might like to move an amendment to include provision for a quorum. It does not matter whether two, three, or four members constitute a quorum, as long as the number is acceptable to everyone. However, I am not prepared to leave the matter to chance.

This committee is really more than an advisory committee. It can initiate all kinds of regulations and rules to govern everybody in the State. It is true that regulations must be forwarded to the Minister for approval, but with the power this committee will have, I believe we should ensure there is proper representation on it at all times. I do not believe it would do any harm to add a provision to the Bill that a certain number of members shall constitute a quorum.

If we let this matter go without a protest, we will find the principle drifting into future legislation. Parliamentary Draftsmen have a habit of setting new standards, and if a new provision is not challenged, it becomes the standard. Similar clauses then find their way into other legislation and suddenly we will find we are in difficulties.

I thank the Deputy Premier for the information in regard to inclusion of the age and sex of the person concerned when specimens are taken for analysis. I was not worried about the inclusion of a person's name, because I am concerned to see that no-one is unduly penalised, libelled, or slandered. However, I wondered whether we should include in the legislation a provision that the laboratory should supply to the Commissioner of Public Health the age and sex of a person where that information had not been given to the laboratories by the doctor. Although the name may be written in code, the Minister did not make it clear whether the age and sex were to be coded also. I do not think such information needs to be coded.

This is vital information, and it would enable the laboratory to refer back to the doctor. As the member for Subiaco said, if the specimen proved the presence of some strange strain of venereal disease, it is important to ensure that the doctor is competent to treat that strain. When he spoke to this measure the member for Subiaco indicated that he believed more

people were attending the clinic rather than seeking private treatment. As I said before, this is a check on doctors and I am surprised they accepted it so readily. I am willing to accept the statement that the laboratories will have the necessary information.

The only point the Deputy Premier did not answer was in regard to the fact that a penalty is prescribed for doctors who do not supply this information, but there is no penalty for laboratories in similar circumstances. I said before that this is discrimination against doctors and I thought we would be told the reason for it. I do not think it will ever be necessary to impose such a penalty, and I doubt that it has ever been imposed before. However, if doctors are to be fined for not supplying statistical information in regard to venereal disease, I do not see why the laboratories are not in the same position. The other alternative would be to do away with the fine altogether.

MR O'NEIL (East Melville—Minister for Works) [2.26 p.m.]: I thank the honourable member for his comments. He asked some further questions, but I have some difficulty in answering them at the moment. This situation clearly shows the value of another place because the member has indicated that he will require these matters to be looked at there. In answer to the last query raised by the honourable member, pathologists are doctors.

I commend the Bill to the House.

Question put and passed.

Bill read a third time and transmitted to the Council.

ROYAL VISIT HOLIDAY BILL

Returned

Bill returned from the Council without amendment.

CENSORSHIP OF FILMS ACT AMENDMENT BILL

Second Reading

MR O'NEIL (East Melville—Minister for Works) [2.28 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to provide the Minister charged with the administration of the Censorship of Films Act, 1948-1973, with the necessary authority to take action, in extreme circumstances, to prevent the exhibition, or to impose conditions on the exhibition of a film in this State.

When the Censorship of Films Act was enacted in 1948 it was designed to set up machinery for the censorship of films, and to enable an agreement for that purpose to be entered into with the Commonwealth.

Under the Act, and the agreement contained therein, the Chief Commonwealth Censor and his staff censor films in this State on behalf of the Western Australian Government.

Approximately 1 000 films are viewed by the censor each year, of which about 4 per cent are rejected.

Such rejected films cannot be shown, but an appeal to a films board of review, established under the statutory rules of the Customs (Cinematograph Films) Regulations, is permitted. In addition, the Commonwealth Attorney-General has the power to instruct the Chief Film Censor either to register or refuse registration of a film.

Instances have arisen whereby a particular film has been unanimously rejected by the Chief Film Censor and his board, and a subsequent appeal to the films board of review upheld.

In such a circumstance, the Government has no power under the present Act to stop the screening. This is considered somewhat anomalous, particularly where the film is to be screened only in Western Australia.

Already two States, South Australia and Queensland, have legislation allowing them to alter film classifications, and to take action by refusing to classify, to stop a film from being exhibited.

This Bill seeks to give similar power in this State as provided in the South Australian Act. Basically, it gives the Minister the power to prevent a film being exhibited, or impose conditions on the exhibition of a film.

This State has found by experience that the agreement in most instances does work in a satisfactory manner, and we are sure that the authority sought will in no way interfere with the agreement, but will strengthen it.

There is no intention of obtaining the authority in order to set up an additional form of censorship that can be used in a general manner.

Mr Jamieson: You would not want to give that sort of ministerial authority to the present Premier, with his attitude to "Clanger Molloy".

Mr O'NEIL: As I understand it "Clanger Molloy" is not a film.

It is inescapable, however, that the Minister will have to adopt to a limited extent the role of censor, but this role will only be similar to what the South Australian, and Commonwealth, Ministers adopt under their legislation. Statistics show that there have been few occasions when they have felt impelled to act. The Government anticipates that a similar situation will apply in this State.

Nevertheless, inasmuch as the State Minister has the responsibility for the administration of the Act, it is proper

that he should have this power reserved to him. Particularly is this so where, as mentioned above, the film may be exhibited, or intended to be exhibited, only in Western Australia.

The Motion Picture Exhibitors executive has been consulted on the legislation, and the form of operation has been explained to it.

It is not the intention of the Government to use the authority to stop films that are already on exhibition, but to act following on expert advice against persons who are seeking to exhibit a form of undesirable film.

The Chief Film Censor has been brought into close consultation on this proposed legislation and, while indicating his approval, has expressed some surprise that such authority was not presently available.

The mechanics of the Bill are simple in that the action to prevent a showing, or to place a restriction on a showing, is done by withdrawing the classification placed on the film, and refusing to assign another—

Mr Jamieson: In other words, to damn it by faint praise.

Mr O'NEIL: The Leader of the Opposition by interjection appears to be indicating his party intends to oppose the legislation. For his benefit, I point out to the House that it was partly at the request of some members of his party that this action is being taken.

Mr Jamieson: We want to know who will be the Minister responsible for administering this legislation.

Mr O'NEIL: I repeat: The mechanics of the Bill are simple in that the action to prevent a showing, or to place a restriction on a showing, is done by withdrawing the classification placed on the film, and refusing to assign another and, in the case of the imposition of conditions, by simply altering the given classification or writing in of certain restrictions as to the showing.

At the present time, obligations are placed upon exhibitors in regard to the policing of the requirements in respect of "R" certificate films particularly, and in certain circumstances exhibitors themselves have expressed concern at the difficulty in enforcing these requirements.

The power of the Minister to impose conditions could be of assistance to exhibitors in certain of these instances.

Following upon the publicly stated intention of the Government, there have been many expressions of support from members of the community at large, who obviously feel there is a need for the State to have, and to exercise, such authority.

Also, it is to be admitted that there have been some representations to the Government expressing the need for caution in the exercise of such authority.

These views are respected, and it is emphasised that there is no power sought, or intended, either to introduce new classifications, or to change the existing basis of classification.

Rather is it intended that the exercise of the power now sought will be, in general, to supplement the actions of the Chief Censor and his board.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bryce.

INDUSTRIAL LANDS DEVELOPMENT AUTHORITY ACT AMENDMENT BILL

Second Reading

MR MENSAROS (Floreat—Minister for Industrial Development) [2.36 p.m.]: I move—

That the Bill be now read a second time.

The principal reason for bringing this amending Bill before the House is to clarify certain powers of the Industrial Lands Development Authority in respect of its past and future dealings in land.

The Industrial Lands Development Authority was established under Act No. 17 of 1970, which amended the Kewdale Lands Development Act, 1968. Under the 1970 amendment the way was opened for the very successful operations of the Kewdale Development Authority to be extended on a State-wide basis, with the intent of enabling the new authority to acquire, develop and sell or lease land anywhere in the State for the promotion of industrial development.

Section 5 of the consolidated Act establishes that the authority is a body corporate, having the capacity to do—and be subject to—all things normal to a body corporate, including acquiring, holding and disposing of real and personal property and suing and being sued in its corporate name.

The business of the authority has always been conducted in the belief that in addition to its powers relating to country areas, the authority had power to acquire land in the metropolitan area by private treaty and not only by resumption and that it could deal with the land under its control in its own discretion.

In fact, when first introducing the original Act the then Minister, the present Premier, undertook to acquire all land by way of negotiation and resort to resumption only in the most exceptional cases.

There have been a number of metropolitan acquisitions by private treaty over the years. For example, the authority has purchased zoned industrial land at Coogee from Cockburn Cement Limited. It has bought a residential lot adjoining land owned by the authority in the heart of the heavy industry area at Kwinana. It

has exchanged industrial land at Kewdale for industrial land at Coogee and currently it is involved in acquisitions in the Kwinana Beach area in connection with the State's recent agreement to provide additional land to CSBP & Farmers Ltd. There are a number of other examples, all of which show that the intention to provide the authority with the power to enter into such transactions was reasonable and desirable.

However, recent opinion has shown that the authority's power in this regard can be questioned and it is therefore the Government's wish to place the matter beyond doubt, at the same time ensuring that transactions which have been completed are placed beyond question. To achieve this objective, clause 3 (b) of the Bill sets out in clear terms the conditions under which the authority may purchase or otherwise acquire by agreement with the owner of the land, any land situated inside the metropolitan region as defined in section 2 of the Town Planning and Development Act, 1928.

It will be noted that such acquisitions are confined to land which is zoned for industrial purposes under either the Town Planning and Development Act or the Metropolitan Region Town Planning Scheme Act, 1959, and that the purchase of any land not so zoned requires the Minister's consent.

Clause 4 of the Bill places beyond doubt the validity of any acquisition, sale, lease or development of land effected by the authority. This is a natural corollary to the foregoing provisions of the Bill.

The necessity of the amendments described so far has given the opportunity to make other minor amendments including an amendment to the provisions under which one of the members of the authority is appointed.

Section 6 (c) of the Act currently provides for the Department of Industrial Development to be represented on the authority by the Executive Officer Industries and it is the normal practice that he becomes chairman of the authority. The Executive Officer Industries is head of the Industries Division of the department and this authority membership arrangement stems from the time when the department comprised only the industries staff, before a development division was created and the department was placed under the control of the co-ordinator.

Although the present representation is quite satisfactory it is considered desirable that the permanent head of the department should be able to become the representative and assume chairmanship. Under the proposed amendment the Minister is, however, left with some discretion in the matter.

Another minor amendment to section 8 (1) of the principal Act was made necessary because under the present wording of the Act there is doubt that the authority may sell or lease land under its control unless it has been developed by the authority. The extent or nature of development necessary in this context has not been defined and in any case it is clear that from time to time circumstances could arise where development is not appropriate. In fact there are examples where this has happened in the past.

On the other hand it is felt that there should be some control of sales of land for other than industrial use and it is proposed that the Governor's consent be necessary in these cases.

The remaining amendments to section 8 are consequential, upon the exception that clause 3 (e) of the Bill exempts land sold for other than industrial use from the restrictions set out in section 8 (4) of the principal Act dealing with industrial land. It is obvious that these constraints are not appropriate to land sold for other than industrial use, since they were designed to limit unreasonable speculation in industrial land and to ensure that the land is used for the full benefit and development of industry.

To summarise it can be seen that the Bill is a simple one which, in addition to the matter of membership of the authority, ensures that the authority can carry on with its business in much the same manner as it has always operated.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bateman.

LEGISLATIVE REVIEW AND ADVISORY COMMITTEE BILL

Second Reading

Debate resumed from the 23rd September.

MR A. R. TONKIN (Morley) [2.44 p.m.]: The Opposition opposes the Bill, because we believe it is yet another attack upon the State Parliament; it is an admission that this Parliament is not doing its job; and, in fact, we believe the Bill is just another reason to justify the people of Western Australia demanding a work-value study be made of members of Parliament in this State.

If the public should demand this, as happened in Britain, and if the same revelations are made then I am sure, as I have suggested before, there would be demands to put this building to a better purpose. I suggest that these buildings would make fine squash courts!

I believe this Parliament has a certain amount of glory and very little power. The reason for this is that we are denied knowledge which we need before we can

legislate adequately. We cannot legislate adequately without that knowledge, and we are prevented by the Court Government from obtaining that knowledge.

The essence of the Westminster system is the supremacy of Parliament—not a partnership of Parliament and the Executive, but the supremacy of Parliament. We are seeing this supremacy constantly undermined. We have seen that this Parliament has become a rubber stamp for carrying out the wishes of the Executive, and we believe Parliament should not be a rubber stamp, or an expensive and rather worthless toy.

Decisions are taken in secret in Cabinet, and technical information is available. Those decisions taken in secret by Cabinet become the law of the land, after going through the motions in this Parliament. In speaking on a Bill dealt with earlier this afternoon some member opposite asked whether the Opposition would oppose that legislation. I point out it would not really matter whether we did or we did not.

I believe this Government has treated Parliament very badly, and the Bill before us is just another example. We have already had some words to say on the electoral laws to indicate the way in which Parliament is treated. We have the refusal of Ministers to answer questions in a proper manner. We see the refusal of the Government to allow Parliament to operate effectively and with a proper committee system.

The Minister for Labour and Industry, in one of his more frenetic moods the other evening, indicated that our party could have an education committee if we wanted one. Of course our party has one. Last year the Premier said to us, "Why not have a party committee if you want one? You can get all the information from the Government departments, because we believe a parliamentary committee system should have access to Government departments."

I took the Premier at his word, and wrote to the Director of the Geological Surveys Department to obtain certain information for a party committee of which I was chairman. As I did not receive a reply after several months, I telephoned the Geological Surveys Department only to find that the letter had been sent on to the Minister for Mines. I was also told that from there, the letter was sent to the Premier. Apparently this was a rather suspicious document, to their way of thinking, and ought to be treated by no less a person than the Premier himself.

Today I still have not received a reply to that letter, which I wrote in December of last year. So much for information being made available to members of Parliament! I repeat: That letter was written 10 months ago; yet the Premier suggests that we have access to information. The

fact is we do not have access to information. In view of the fact that I have not received a reply, obviously it is not good enough for the Premier to say there can be party committees to deal with various subjects, in lieu of parliamentary committees.

In the last three Federal Parliaments we have seen the situation where the back-benchers have insisted they should have a role, and that there should be a committee system. We do not see the same kind of demand for such action from members in this House. Once again, I suggest there should be a work-value study made into the work of members of Parliament to determine just what purpose this Parliament serves.

I would like to refer to some of the Minister's remarks when he made his second reading speech. With regard to the proposed legislative review and advisory committee he said—

The new body will in all respects be subservient to and an instrument for Parliament to make use of in an advisory capacity.

It is quite clear the committee will not be subservient to Parliament. In fact, although the committee may seem to be subservient to Parliament by law, and may seem to be subservient, in actual fact knowledge is power. How can one work against something or in favour of something if one does not have the knowledge? Therefore, we will have an expert committee which will be able to obtain knowledge, and which will be able to make recommendations to Parliament, and Parliament—from an inferior position with respect to knowledge—is expected to treat that committee as subservient to itself, and as though it is acting in an advisory capacity.

We know the committee will, in fact, become master of this Parliament. The Minister for Works went on to say—

The committee's first function will be to examine promptly, after publication in the *Government Gazette*, all regulations, rules and by-laws required by Statute to be tabled in Parliament.

It is proposed the committee will do the job which members of Parliament should be doing in a proper manner.

Sir Charles Court: No fear.

Mr A. R. TONKIN: That work should be done by a subordinate committee of this Parliament.

Mr Bertram: That is what the proposed committee will do.

Mr A. R. TONKIN: The committee will examine regulations which we should examine through an efficient committee

system. The Minister for Works went on to say that the committee will particularly examine regulations to see whether—

... they confer too much discretion on the Executive in that they create authority which should be dependent upon judicial rather than administrative decisions;

Suggestions made and amendments moved by the Opposition in this place have been ignored, but the suggestions of the proposed committee—not elected by the people and not representing the people—will be taken notice of. So we will have the situation where the committee will make recommendations as to changes, whereas the recommendations of the Opposition—all of us representative of a large number of people—will be ignored as they have been in the past night after night by the Government even though the logic is clearly there for the suggestions and the amendments. Last night we saw an instance where the Government did not have to put up any argument at all in order to defeat a measure; it simply used its numbers. That happens time and time again.

Apparently the Government considers we need a committee to tell us how reprehensible the fuel and energy legislation was. The Opposition made it very clear how ludicrous and unacceptable that Bill was, but no notice was taken of our view. The committee will usurp the powers of Parliament, and take them over, and will tell us—the representatives of the electors—what is wrong with legislation, and what legislation should be passed.

The Minister for Works went on to say—

We believe members of Parliament are already heavily committed to their many other duties . . .

What are those many other duties which are so much more important than seeing to it that legislation which passes from this place is good and adequate?

Mr Bryce: Hear, hear!

Mr A. R. TONKIN: Apparently the other duties are attending to ensuring re-election by kissing babies and generally making themselves popular in their electorates.

Do not tell me the member for Toodyay is working by sitting there and making aimless interjections, and nothing further. Does he suggest that he is working?

Mr Nanovich: I have more constituents to look after than has the member for Morley.

Mr A. R. TONKIN: I suggest that the people who sit here night after night are, in fact, doing very little. One sees them asleep and, in fact, one sometimes hears them snoring.

Mr Nanovich: The snores come from that side of the House.

Several members interjected.

The SPEAKER: Order!

Mr A. R. TONKIN: It is ridiculous to suggest that the member for Toodyay is working hard while he is just sitting there beefing away. It is probable he has not even read the Bill, but he considers he is working because he is sitting in this Chamber. If he were doing some research in the library I would respect him a lot more than I do when I see him merely sitting in this Chamber.

Mr Nanovich: I get out amongst the people; you fill the notice paper with questions.

Mr Bryce: And very good ones, too.

Mr A. R. TONKIN: The member for Toodyay reckons he does a great job.

Mr Nanovich: That is right.

Mr A. R. TONKIN: The member for Toodyay is attempting to satisfy his conscience, but he can go back to sleep.

Mr Nanovich: I do not go to sleep in this place.

Mr Jamieson: His conscience will not allow him.

Mr Nanovich: My conscience is a lot clearer than that of the Leader of the Opposition.

The SPEAKER: Order!

Mr A. R. TONKIN: We believe members of Parliament should be legislators; they should be legislators in fact, and not just have to sit here.

Mr Sodeman: Have you not made this speech on five occasions already?

Mr A. R. TONKIN: To say the proposed committee will take over the duties of members of Parliament is unacceptable to the Opposition.

Mr Bertram: Hear, hear!

Mr A. R. TONKIN: The Minister went on to say—

The Government expects that the members of the committee will be required to devote a considerable amount of time to their duties if the committee is to perform satisfactorily . . .

The time devoted to those duties apparently will be the time which should be devoted by members of Parliament. So, once again, we see an open admission of the usurpation of the powers of Parliament.

Mr Bryce: Members opposite regard this place as a joke, anyway.

Mr Sodeman: Only when you get on your feet.

Mr Bryce: You make this place a sham.

The SPEAKER: Order!

Mr A. R. TONKIN: The Minister also stated—

Of course, the final say in whether or not any advice of the committee is to be acted upon or any regulations disallowed will always rest in the hands of the members of each House.

That is fiction because the final say will rest in the hands of the Government which appoints the committee in the first place, and controls it. So it is quite clear it is fictional to say that Parliament will be able to accept or reject the advice of this extra-parliamentary committee. The Minister went on to say—

The committee may consider and report only upon existing legislation. It cannot consider legislation currently before the House in any way.

How farcical can we get—to say that members in this House will not be permitted to examine legislation in a proper manner with a committee system, but once legislation is passed and the damage is done we will pay a committee to tell us what a rotten job we have done. The committee will examine the legislation after it has been considered which is really the job we should have done at the start.

Once again, that underlines the fact that the measure is wholly unacceptable to the Opposition. If the committee was tacked onto a properly functioning Parliament, it might be acceptable because it would be able to obtain technical advice when that advice is necessary. We would not object if this Parliament functioned in a proper manner, and if the proposed committee was an adjunct to the parliamentary system.

We object to the committee being appointed when this Parliament is not permitted to operate in a proper and satisfactory manner. We do object when legislation before the House will not be examined in a proper manner and it will be passed because the Government has the numbers. Once the legislation is passed it will be presented to the proposed committee, and that committee will tell us what kind of job we have done.

This Bill is quite unacceptable to us. Surely after the horse has bolted is not the time for us to be getting expert advice on legislation. We should get that advice while the legislation is before the House and through a proper committee system. I tried to achieve this by calling certain people to the Bar of this House but the Government, of course, did not want the Parliament to have the knowledge those experts would have provided. We should have the expert advice while we are considering the legislation or before we consider it, not after we have already done the damage.

The Minister's speech goes on to say the committee's task will be—

...to consider the principles which Parliament should adopt either generally or in a particular context in order to preserve fundamental liberties.

So now we are to appoint a committee of three people who will tell this Parliament what its principles should be. If ever there was an admission that the parliamentary system in this State has failed utterly, that is such an admission. The committee is to be asked what principles it thinks we should adopt. I can understand the Government needing a committee of this kind for such advice because I doubt if it has any strong principles; but we on this side of the House certainly do not need a committee to tell us what our principles should be.

The Minister went on to say—

...persons who fail to attend after being summoned or who fail to answer questions or who disrupt proceedings of the committee can, if Parliament thinks fit, be dealt with by the Parliament as if they had committed contempt of a parliamentary committee.

So we will give to the committee the full power of a parliamentary committee. The committee, which at no time will be elected by the people, will be given the privileges of Parliament and will be able to deal with people as it sees fit on matters of privilege.

We do not believe parliamentary privilege is something which should be bandied around. We believe it is a very special device which has developed over centuries, and if ever there was anything to indicate that this Parliament is abdicating its responsibility, that fact is sufficient to do so, because the committee will have the power to deal with people on matters of privilege as though it were a parliamentary committee. If ever there was an admission that this Parliament has failed to discharge its responsibilities, that is an example of it.

The Deputy Premier said the Bill was part of the Government's undertaking in its pre-election policy statement and the Government was motivated by its concern that "on occasions insufficient consideration is given to the rights and freedoms of the individual when legislation is being prepared or reviewed". So instead of our discharging the responsibility, as members of Parliament, to ensure the freedoms of the individual are protected, we are giving that responsibility to a nonelective committee which will be the watchdog of those freedoms. This Parliament should be such a watchdog.

Of course, the Opposition is aware of this problem. In 1974, during the debate on the Fuel, Energy and Power Resources Act Amendment Bill, we pointed out that the Government was trespassing on the rights of individuals. That was ignored. We are now to have the situation where a committee will be established to take the place of the Opposition. If this is not a one-party State I would like to know what is. The Government will appoint a committee to do the job the Opposition has traditionally done. So the Government is in effect appointing its own tame-cat opposition which will give advice to it upon these matters.

Does this mean the day of the one-party State has arrived in Western Australia? We have a Government in charge of the Treasury benches which has the numbers in both Houses, and it will now choose and appoint a committee which will tender criticism of Bills and regulations. The Opposition is being replaced by a three-man committee which never has to go to the people and prove to them that it discharges its responsibilities properly. This three-man committee is being appointed in the place of Her Majesty's Opposition.

Mr Young: Are you voting against it?

Mr A. R. TONKIN: We certainly are voting against this Bill because we do not believe in one-party government. We do not believe a three-man committee which is not responsible to the people should take the place of Parliament. The members of this Parliament were elected to do a job and we should be doing it. We should be legislating, not just in name and not just apparently but in fact and from knowledge. It should be an efficiently organised Parliament, which means having a committee system so that we, as members of Parliament responsible to the people of the State for legislation, can really examine the legislation from a position of knowledge, not of ignorance.

Mr Young: Are you going to divide the House on it?

Mr A. R. TONKIN: The member for Scarborough seems to be in a bit of a state about something. I do not know what it is. I have already told him we will oppose this legislation and I have given him the reason that we are going to oppose it. He keeps on wanting to know whether we are going to divide. Of course we will divide on this issue. Of course we are opposed to this attempt to take away the powers of Parliament and substitute a three-man committee of faceless men who will never be responsible to Parliament and who will be appointed by the Premier of the day.

The Premier is getting rid of the Opposition. He is saying, "We do not need Parliament; we will not take any notice of

what Parliament says on these matters. We will take notice of three of our people whom we will appoint, and that will take the place of proper criticism in this place."

Mr Stephens: Do you believe that?

Mr A. R. TONKIN: We therefore object very strenuously to the powers of this Parliament being eroded, as they have been continuously eroded ever since this Premier took office.

Mr Clarko: Cut it out!

Mr A. R. TONKIN: We have already given examples of it in the electoral laws, in the refusal to allow Parliament to operate properly, and in the refusal to answer questions in a proper manner.

Mr Clarko: Say something original.

Mr A. R. TONKIN: Now we find the Opposition, which should be listened to on legislation, is to be replaced by a committee which will decide—

Mr Clarko: You are all for committees.

Mr A. R. TONKIN: —whether or not legislation is good. If in fact we need a committee to tell us what is wrong with our legislation once it has been passed, why do we need to have Parliament sitting at all? If the Government had any respect for Parliament it would listen to the valid criticism made by the Opposition and accept it.

Mr Young: Where do you stand on the Ombudsman?

Mr A. R. TONKIN: We have seen a refusal to accept amendments and changes, and we now see the logical continuation of those steps with the Premier appointing his own Opposition to give him advice so that he can decide what should be done.

Mr Young: Do you believe we should have the Ombudsman?

Mr A. R. TONKIN: The Ombudsman does not legislate.

Mr O'Neil: Neither will this committee.

Sir Charles Court: It will have no power to legislate.

Mr A. R. TONKIN: This body will give advice to members of Parliament as to what terrible legislation they have already passed. It is strange that we cannot have this advice when we are considering a Bill.

Mr Bertram: It would make it public.

Mr A. R. TONKIN: These three people will be the nominees of the Premier. Mr Speaker, whom do you think he will appoint to this kind of committee? What a wonderful position he will be in. All the Premiers of Australia and the Prime Minister would dearly love to be in his shoes and be able to appoint their own Opposition. For those reasons, we deplore this Bill because we believe it is another step in the destruction of Parliament.

MR BERTRAM (Mt. Hawthorn) [3.11 p.m.]: I agree completely with the comment of the previous speaker when he said this Bill is just another episode in the continuing saga of the denigration of this Parliament.

Sir Charles Court: Don't talk rot. You haven't read the Bill.

Mr Clarko: You don't know what "denigration" means.

Mr BERTRAM: I will point that out clearly as I go along, and I think the member for Karrinyup will be able to follow it. The diminution of the power, the authority, and the general performance of this Parliament affects more particularly the 45 per cent or thereabouts of the people of this State that we represent, and it affects them adversely more so than it could ever affect the supporters of the conservatives. This Bill is adverse to, and discriminatory of, our people; and that is why we will be heard loud and clear on the measure, and it is the reason that we utterly reject it.

We reject it also because we believe quite objectively, without considering our responsibility to the people we represent, it is bad legislation. It is a measure which is before us because when the Premier was preparing that lengthy epistle in the booklet which bears his photograph and which has so many pages of small print—the type of thing he likes so much—

Mr Nanovich: It is a good photograph; he wasn't playing tennis, either.

Mr BERTRAM: That is not what the ladies in my electorate would say.

Mr Bryce: He doesn't play tennis in his family.

Mr BERTRAM: When he was preparing that epistle with great haste in the desire for power, he inserted all sorts of things hoping he would not have to perform them; but now he finds he has to perform them because the election is drawing near and he must perform them so he will not be charged with failure to do so. So the people of Western Australia cop it via this Bill.

This is a shocking piece of legislation and should be rejected immediately. If it is not rejected and becomes law—as of course it most certainly will, because in this place the force of debate and argument does not carry the day, as you well know, Sir; it is the numbers that carry the day—

Mr Clarko: The arguments can win if they are any good.

Mr BERTRAM: That is nonsense, and the member knows it.

Mr Clarko: Give us a good argument and we will test it. You never give us a good argument.

Mr BERTRAM: Is the member for Karrinyup saying that argument will win the day, after sitting here and listening for year after year?

Mr Clarko: That is right, and if you don't put up a good argument you can't expect to win.

Mr BERTRAM: The member knows that is false.

Mr Young: Remember when you had that crushing majority of one between 1971 and 1974?

Mr BERTRAM: Yes.

Mr Young: How many of your fellows crossed the floor?

Mr BERTAM: Very few, except when there was a nonparty vote.

Mr Young: In other words your arguments were right all the time. You were never wrong, is that it?

Mr BERTRAM: Cop that! I am saying that in this place it is the numbers game, and the member for Melville has pointed that out a million times. It operates on both sides.

Mr Clarko: The numbers game is equal to democracy, of course.

Mr Jamieson: What an equation that is!

Mr BERTRAM: This member, who is a great protagonist of the principle of diluting votes by 14 to one in his electorate, should take this Bill to his electors and let them read it; because this Bill will become the first Act to be dealt with by the proposed committee. Let us look at clause 9 on page 5 of the Bill, and read it.

Mr O'Neill: We will do that in Committee.

Mr BERTRAM: No, we will do it now. It states in part—

9. (1) Any Act, regulation or other statutory instrument may be referred by either House of Parliament or the Minister to the Committee for consideration and report on whether the Act, regulation or instrument—

(a) unduly trespasses on personal rights or liberties;

This will become the first Act to be sent to the committee. The committee will become the third tier of Parliament. We are now becoming a tricameral Parliament, with a part here, a part in the other place, and this committee as the third part.

Mr Clarko: You are stretching a long bow.

Mr BERTRAM: We will bring a Bill here and push it through, and then we will send it to the other place where it is "reviewed". That is a very wholesome

term; it simply means the members there look at it a second time, but it has all sorts of other sweet, wholesome connotations. The other place will pass the Bill, and then it will be sent to the third tier—the nonelective faceless men on this committee.

Mr Clarko: Why did Whitlam set up all his committees?

Mr BERTRAM: In Queensland, New Zealand, and Finland there are unicameral Parliaments, but here we are traipsing along miles behind most other Parliaments of Australia and setting up a tricameral Parliament.

Mr Clarko: You like unicameral Parliaments, do you?

Mr BERTRAM: I certainly do.

Mr Clarko: Did you like the one in Queensland?

Mr Jamieson: It runs all right.

Mr BERTRAM: This third tier is to be different from the first and second tiers, because it will be nonelective. It will be a body of faceless men—"jobs for the boys" picked by members opposite.

Mr Clarko: Bob Hawke is nonelective too.

Mr Young: Your Ombudsman cannot make legislation, he can only give advice.

Mr BERTRAM: That is right.

Mr Young: What is the difference?

Mr BERTRAM: Plenty, but we will come to that in a minute.

Mr O'Neil: You have learnt well from Mr Hegney.

The SPEAKER: Order!

Mr BERTRAM: As I proceed the member for Scarborough can develop his argument regarding why he suggests the people of Scarborough should have their votes diluted by 14 to one. The position which the member for Morley stated so eloquently—

Mr Clarko: Not so eloquently, but so repetitively.

Mr BERTRAM: The greatest speakers do that; it is essential to do it with certain audiences. My audience is substantially in the arc before me.

Mr Clarko: Trouble always comes from behind; you know that.

Mr Bryce: You had better go back and start from the beginning and go a lot more slowly than you have gone so far!

Mr Old: He hasn't said anything yet. He hasn't started.

The SPEAKER: Is the member for Mt. Hawthorn ready?

Mr Old: Start now.

The SPEAKER: Order!

Mr BERTRAM: Thank you, Sir. The point made by the member for Morley and which I would like to adopt because it is so right, is that this committee will be the master of the Parliament, and the Parliament will be subservient to it. We know that will not be so in theory, but we know it will be so in practice. May I ask who becomes the master of a Government department when the Ombudsman comes in? Who is the boss then?

Mr Bryce: In theory it is the Minister.

Mr BERTRAM: Who is the boss? Is it the department, the Minister, or the Ombudsman? The Ombudsman becomes the boss; and this committee will become the boss. It will be the third tier of the Parliament, and I would ask in what form is the Government intending to put up the fourth tier, and when?

Mr Speaker, as you well know, with each tier of Government the bigger the committees the greater the number of tiers of administration. So the State grinds down.

Mr Laurance: You have almost got us in tears!

Mr BERTRAM: Another very bad thing about this third tier of Government—this new committee that is proposed—is that it is not only nonelective but also faceless. We know not whom it will comprise. We have a very good idea of the political slant it will take because I think nobody in this State believes any longer that a conservative Government appoints to committees people favourable to our side; and when we become the Government again I can assure members opposite we will not be appointing too many people favourable to the other inclination. It is not done anywhere else in the world so why should we do it? We are learning.

Mr Jamieson: We did it in the past; that was unfortunate but we learn lessons.

Mr Sibson: You are professionals in the field of opposition.

Mr BERTRAM: And members opposite are the professionals here; we are learning that.

Mr Bryce: You had better polish up your professionalism in selling cars.

Mr BERTRAM: That is right. This committee will operate in secrecy. We do not know who will comprise it and why its membership will be three and not five or 14. The other place will have 32 members; yet the third tier is going to have only three and we do not know who they are going to be.

We have an excellent idea of where their bias will lie; and that is not slandering them. It is now conceded. Years ago it would have been unthinkable to imagine that members of the High Court would have an ideological bias which would determine which way they would decide in a close decision.

Mr Old: Look at Justice Murphy.

Mr Young: You do not have to tell us.

Mr BERTRAM: As the member for Scarborough would know, years ago it was unthinkable to put that proposition; it was seditious and criminally libelous.

Mr Blaikie: What about Mr Commissioner Coleman?

Mr BERTRAM: There is another precise attack upon a member of a court. As we are all well aware, the Minister for Police has been practising attacks on the judiciary—I have made reference to this previously—condemning them publicly for their inefficiency in not fixing the correct penalties. Now by this Bill the Government has singled out one person who is not a member of the judiciary but holds a parallel position.

Mr Young: I made that attack on judges and magistrates.

Mr BERTRAM: The member did not; the Minister did.

Mr Young: I did.

Mr BERTRAM: Did the member do that also?

Mr Young: Yes.

Mr BERTRAM: We know how brave one has to be to attack somebody who cannot reply, whose hands are securely tied and who is blinded and gagged.

Mr Sibson: I think he has lost the thread.

Mr BERTRAM: The difference between the member and me on this particular matter is that I want to see what my next point is to be and not career on with nonsense like he did the other night.

Mr Sibson: I had you blokes jumping around the corridor for a minute or two anyway.

Mr BERTRAM: This Bill is a continuation of the sort of thing referred to in this Parliament in a second reading speech in support of a Bill to amend the Parliamentary Commissioner Act. That Act contains a provision similar to the provision in this Bill which takes away the power of this Parliament. The present Bill is a denigration of the power of the Parliament and I shall give the House another sample because it has been said in the course of this debate that this is a continuing saga. Members have asked me to instance a few of the previous steps. I shall give them one and they might come to some conclusion as to why this section was amended. I shall then give them some suggestions as to why it was amended. Let us consider section 15(1) of the Parliamentary Commissioner Act. It states—

Either House of Parliament, or any committee of either of those Houses, or a joint committee of both Houses

of Parliament, may refer to the Commissioner for investigation and report, any matter which that House or committee considers should be investigated by him.

That opened up the whole spectrum of governmental activity from top to bottom which this Parliament may refer to an independent arbitrator—the Ombudsman—for consideration, judgment, and action. This Parliament can no longer do that. If this section had not been amended by inserting a few words which substantially prune back the Ombudsman's powers, in my submission this Parliament could have referred many things to the Ombudsman, even matters touching on *sub judice*.

The SPEAKER: I must warn the member not to dwell on the Parliamentary Commissioner Act but to relate his arguments smartly to the Bill before the House.

Mr BERTRAM: Thank you, Mr Speaker. I conclude by saying that that committee could also have referred to the Ombudsman the argument about the \$3.9 million which was done in cold blood with regard to Medibank. It can do neither of those things now. The mouth of this Parliament has been sealed. It is another instance of the pruning back of the power and capacity of this Parliament to act in a manner in which it heretofore could act.

This is a dangerous precedent. We have reached a position where at least one person has an extraordinary desire for power; or, as the member for Morley said, for power but not for glory. The attraction, the annexation, and the acquisition of absolute executive power is what this is all about. In the acquisition of this power the 45 per cent—plus or minus—of the people whom we represent in this place are getting an extraordinarily rough deal which members opposite would not tolerate if they were in our position but which they expect us to tolerate; it is a double-standard situation.

All we can do is protest and in the fullness of time when we regain office—as members know, we cannot get power—we will be doing something about it. Let us consider the position of that 45 per cent of the people whom we represent. How do they get on? Let us consider a few examples just to see what members opposite would think of the fairness of this situation if they happened to be part of that 45 per cent.

Their vote in this place is diluted significantly. That is the first point. In the other place their vote is diluted by up to 14 to one. That is the second point.

Let us consider the committees of this House. On the Standing Orders Committee, the Library Committee, the House Committee, the Joint Printing Committee, and the Public Accounts Committee they are outnumbered.

Mr Clarko: What is the effect of that?

Mr Skidmore: Wait for it!

Mr BERTRAM: On all the boards and committees—and here is another one now to be set up—they are outnumbered; and in many cases they are not represented at all. On the overwhelming majority of shire councils once again they are outnumbered and sometimes not even represented at all.

The SPEAKER: I am afraid I cannot follow the argument of the honourable member in relating his comments to the question before the House. It is very tenuous indeed. I would be pleased if he would relate his remarks to the subject before the House.

Mr BERTRAM: The point I am seeking to develop is that this measure is one which in a significant way will disadvantage the 45 per cent, or thereabouts, of the people we represent, and it will advantage the others. I am trying to give other examples of where the same situation applies. This will be just one more link in that chain where the people we represent are on the outside looking in and are not, in a sense, on the inner. That is a disastrous state of affairs, and I do not say that from a debating standpoint; it is my genuine view.

This Bill also reflects adversely against Government departments, authorities, and instrumentalities. As I understand it, when a department in the course of its day-to-day work comes to the conclusion that the Act under which it operates requires renovation or perhaps a complete redraft, it outlines to the Minister in charge the justification for this conclusion. The Minister is then satisfied and he in turn, satisfies Cabinet that there is a need for new legislation. Then the instruction is issued to the Crown Law Department for the necessary Bill to be drafted for introduction.

I would say that substantially the same procedure is adopted for regulations. Now another body will be interposed between the department, the Minister, the CLD, and the Cabinet on the one hand and this place on the other hand. It will be a third tier of government. We already have all that sequence of work and all that regulation preparation and then another body will be appointed on top, as it were, indicating the general lack of confidence the Government has in the people already doing the work. In effect the Government does not trust the departments because apparently it believes they make regulations which will not conform with the appropriate Act.

About seven points are involved. The Government has not told us that it has indicated to the departments, the Ministers, and the Crown Law Department that in future they must pay greater

regard to things. Just out of the blue this Bill has been introduced under which the committee will be established. I say that the very existence of the Bill is an attack upon the department and the others who prepare legislation. It shows a lack of confidence by the Executive, the Cabinet, and the Government in the people whom they employ to do this very work and produce regulations which are acceptable—not half-baked unsatisfactory regulations which have one or all of the seven different things wrong with them.

Where else is this done? In private enterprise would a situation be tolerated under which workers A, B, and C performed certain work which was checked by workers D, E, and F which in turn was checked again by workers G, H, and I? For how long will this go on? I suppose that in due course we will have a legislative review and advisory committee measure of, say, 1996, to check the operation of the committee constituted by the Bill now before us. So the bureaucracy will continue to grow.

As I have said, it is an attack upon the departments and the capacity of those departments, including the Crown Law Department, to do an *f. a. q.* job in regard to regulations and legislation.

We have not been told who shall be the members of the committee, nor has any expected remuneration been disclosed in the Bill. It has a certain unmistakable ring of "jobs for the boys."

I would like to know why there will be three on the committee. Why can there not be five and why perhaps could not one of the five be a member of the Government and another a member of the Opposition? Why should we not have a voice and view concerning what is going on? Why should it be completely under wraps, away from the public?

Mr Young: You have 22 voices on it already because you have 22 people on that side who can move to disallow regulations if you want to.

Mr BERTRAM: Yes; that is a viewpoint, but it is not one I accept. There should be at least five members of whom one should be a member of the Opposition. We represent 45 per cent of the public and we would like to know what is going on from the inside, not from the outside which is a risky and foolish procedure. I have learnt that if one wants to know what is going on one must be where the action is.

Mr Young: Has the Labor Party a subordinate legislation review committee?

Mr Jamieson: A number of committees always reviews legislation.

Mr Young: You ask for a representative and yet you have had the opportunity for 86 years to have a committee yourself.

Mr BERTRAM: We do not have a public accounts committee, but I notice there is a Public Accounts Committee. We do not have committees such as the ones I named earlier, but we certainly watch what is going on. For instance, we pay particular attention to the Standing Orders Committee and I hope the member for Scarborough does so, also. However, I will develop that theme later.

As members are aware, the Opposition rarely succeeds in defeating a Bill in this place or even in obtaining an amendment to a Bill, no matter how good the case submitted by the Opposition may be. We can just imagine how vastly improved our chances will be when this committee gets under way. What will be said then? As soon as we submit an amendment or try to alter a word or two in a regulation, we will be told, "But this has been dealt with by the legislative review and advisory committee. What are you talking about? They are the experts; they have gone into this thoroughly. We rely upon them. They are just and experienced men and know what they are doing." By inference of course the Opposition does not know. How will we cope with that situation? At the moment we get a raw enough deal. With this legislation invoked against us, we can imagine how we will go in the future.

As the member for Morley has pointed out, our activities here largely are theoretical, and when this Bill becomes law as it most assuredly shall that argument will have even greater force, and quite obviously it is thoroughly unacceptable to us as it would be to all those sitting on that side of the House, I imagine, if they had any sensitivity or regard for fair play and decency and, if instead of our sitting here they were, and we had the extraordinary power of votes and other powers and they did not.

In the light of those comments and of those made by the member for Morley one is entitled to conclude and submit, I believe, that this Parliament instead of functioning as it should is really and merely a safety valve.

The folk outside—not so very affectionately referred to by the Premier from time to time as Joe Blows—imagine that in this place they are being heard; that their viewpoints are being put and given a fair hearing, and where there is a fair case that the merit of their viewpoints is being sustained. That is what the people believe and think outside. It is, however, a false belief.

This place is really—if we can put it this way—a community safety valve, even though the people outside think it is something else; they believe they are being heard and given a fair deal whereas if they came here and watched, and listened, and read *Hansard*—they would find the contrary to be the case.

This Bill is one more link in the chain. Never let it be said in the future that we did not protest about this matter. We protest on this Bill as strenuously as we are able to and we oppose it.

MR JAMIESON (Welshpool—Leader of the Opposition) [3.42 p.m.]: I must also enter a protest against this Bill but perhaps for reasons different from those we have heard; though I endorse many of the reasons given as being quite bona fide.

I draw the attention of the House to the fact that there was an attempt to legislate and set up committees which had some legal jurisdiction; and looking back into the record I find that you, Mr Speaker, and others were among those who opposed the setting up of such committees at the time in 1972.

I brought down the legislation on behalf of the Attorney-General. The Minister handling the Bill in this House also opposed the legislation, because he felt there was no worth-while reason for having it and, as a consequence, one is rather amazed that a further attempt is being made, though on a different tack, to set up a committee outside the parliamentary privileges of this House and give it the privileges enjoyed by members of Parliament.

Such a thing is almost unheard of. I know of no instance in another Parliament where such an attempt has been made, and it is a wonder to me that the media has not got onto this aspect; because I know on the few occasions the Parliamentary Privileges Act has been invoked in recent years—the most recent one being in relation to the Victorian Parliament—there has been considerable outcry in the Press. Why we should now make provision for it and write it into legislation is beyond me.

I do not know whether the perpetrators of this Bill have conferred with you, Mr Speaker, or with your opposite number at the other end, but I am sure that all sorts of complications could flow from such a move, particularly as it concerns decisions which might be made on the privileges of Parliament in so far as the judgment of this Chamber is concerned and which could, of course, be different from, and opposite to, the decisions made in the other Chamber.

Sitting suspended from 3.45 to 4.03 p.m.

Mr JAMIESON: As I have said, we should be very jealous indeed about giving away any of these privileges to protect any outside bodies we may set up. I do not know whether members of the House really appreciate what this provision means—it will allow the privileges provisions of an Act of Parliament to be invoked. Members should refer to section 8 of the Parliamentary Privileges Act to find out exactly what it does. This section provides that a person may be called

summarily before the Bar of the House if he offends against this committee; and anyone who does not attend the Bar of the House will be dealt with anyway.

A person appearing before the Bar of the House is not permitted the services of a defence counsel. The House may decide on a fine, and if the fine is not paid the accused person can be committed to gaol where he would remain until the end of that session of Parliament or for any period which the House decides, unless the fine is paid for him. Surely in this day and age we will not pass any more legislation containing such provisions.

Over recent years there has been a great deal of criticism when such provisions have been used and a glaring example was the Fitzpatrick and Brown case in the 1950s when these gentlemen were sent to gaol for an offence against the privilege of the Federal Parliament.

Surely a person must be motivated in some way to refuse to answer questions put to him, and he could then be dealt with under the normal processes of the law. He should not be subject to the provisions of the Parliamentary Privileges Act. It is absurd to introduce such legislation at this stage. If the Minister introducing this Bill wanted the inclusion of such a provision, let him appoint a committee by Statute to cover subordinate legislation. This course is followed in other States. Of course the Minister will say, "We do not have enough members; we do not have this, and we do not have that." It seems to me that such committees work quite well in other States.

As with a parliamentary committee, the committee proposed in the measure will be given the right to have certain personnel on the staff. These people will study the subject matter of legislation and then refer back to the members of the committee. Quite clearly such a system can be carried out, but a similar proposal did not suit Government members when they were in Opposition. At that time the Liberal Party would not have a bar of the idea. But now we have this mongrelised measure before us and the Government proposes to give the powers of members of Parliament to other people. Surely this is not to be. Such powers should be guarded, and sacred to the actual members of the Parliament of this State; they should not be available to members of other committees.

As I indicated earlier in my speech, two different interpretations on the same matter could be given by the two Houses of Parliament, and therefore, different strengths of law would prevail.

If the Government wants to proceed with such a measure, it should include a provision to apply normal lawful processes.

In this way a person could be held in contempt of court and he could be duly represented.

No-one should be subjected to the humility of being brought before the Bar of either House of Parliament as proposed in this legislation. It is preposterous that the Government has introduced such legislation in this day and age—I do not know what the Government is coming to! Provisions such as this make one believe we are gradually becoming a police State with the absolute authority residing with the Administration. I think that is objectionable.

We do not know who the Government will appoint to the committee. In the Bill we find that one member is to be a practitioner as defined by the Legal Practitioners Act. However, we do not know who the other members will be. It should not be left to lay people in law to determine that a person should be reported to the presiding officer of a House of Parliament because he has refused to answer a question.

I doubt very much whether the presiding officers of each House have been counselled before proceeding with such legislation. I say this because I would be amazed if the presiding officers were not more jealous of the privileges of Parliament than this measure appears to indicate. It is quite obnoxious for the Government to introduce legislation such as this; I hope it will be strongly opposed. For some reason or other the Press has missed this aspect of the legislation.

Mr Clarko: You have now said that twice—they will not miss it.

Mr JAMIESON: It is deserving of repetition, because the public should know what it is about if we are prepared to accept a provision such as this.

I can well remember the occasion when a civil servant was called before the Bar of the House in Victoria some years ago. For days the Press was very much opposed to such a procedure and it was said that surely the day for such provisions has gone. When we bring in such legislation in this State, it is no wonder that many people in the Eastern States think we are backward.

If the legislation is not necessary, the Government should redraft it. If people must be subject to any laws in respect of breaches of privileges, they should be subject to some court of law where they can be defended properly and not taken before the Bar of the House of Parliament of the State. It would be a frightening event to be brought before the Bar of the House by the Sergeant-at-Arms in all his fierceness, drooping moustache and all. You could imagine, Mr Speaker, that if you were a lay person in the community you would not appreciate being told, "Say your piece."

Mr Davies: Predetermined punishment.

Mr JAMIESON: That is my objection to the Fitzpatrick and Brown case. Obviously it was a predetermined punishment meted out by Prime Minister Menzies.

Mr Bertram: The Clerk of the House resigned.

Mr JAMIESON: Yes, I had forgotten that. Mr Menzies moved a motion, it was seconded by the leader of the Opposition, and the men were gaoled for three months. That was the punishment meted out.

I am not sure of the amount of the fine at present, but it varies. It is one of those things. If someone refuses to pay the fine on principle, we could be faced with having to imprison him. If we did imprison him, all hell would be let loose, because not one section of the media will let the Parliament alone if it uses such powers. If we cannot use them and are not likely to use them, why are they included in the legislation? It is ludicrous. The Bill as drafted should not be proceeded with at the present time. I would like the Minister to re-examine it. The Government should do the right thing by the people of the State without trying to bring in what one might call intimidatory legislation such as this.

Debate adjourned until a later stage of the sitting, on motion by Mr Young.

(Continued on page 3415).

QUESTIONS (83): ON NOTICE

1. WANNEROO ROAD

Classification

Mr A. R. TONKIN, to the Minister for Transport:

- (1) (a) What class of road is Wanneroo Road in the City of Stirling and the Shire of Wanneroo under the provisions of the Main Roads Act;
- (b) does this class apply to the whole route within these districts?
- (2) On what date was the present classification effective?
- (3) (a) Which authority has the care, control and management of the route;
- (b) prior to the route's present classification, what class was this road designated and which authority was responsible for its care, control and management?

Mr O'CONNOR replied:

- (1) (a) and (b) The road is unclassified from Green Street to Main Street and is a declared main road north of Main Street.
- (2) 1st July, 1976.

- (3) (a) City of Stirling—Green Street to Main Street. Main Roads Department (excepting foot-paths)—north of Main Street.
- (b) Important secondary road. The respective local authorities.

2. ENVIRONMENTAL PROTECTION

Donnybrook Sunkland

Mr A. R. TONKIN, to the Minister for Conservation and the Environment:

- (1) Further to question 35 of 14th April, 1976, has the Department of Conservation and Environment completed its detailed appraisal of the proposal?
- (2) If so, would he please table the report?

Mr Old (for Mr P. V. JONES) replied:

- (1) and (2) No.

3. SOUTH COAST HIGHWAY

Walpole-Nornalup Section

Mr A. R. TONKIN, to the Minister for Transport:

- (1) (a) What class of road has the section of the South Coast Highway between Walpole and Nornalup been designated under the provisions of the Main Roads Act;
- (b) what authority has the care, control and management of this section of roads?
- (2) (a) Is the road in the Walpole-Nornalup National Park, commonly known and referred to as "the drive around the knoll", a road subject to the provisions of the Road Traffic Code;
- (b) what authorised regulatory traffic signs are erected on this road?

Mr O'CONNOR replied:

- (1) (a) Highway.
- (b) Main Roads Department.
- (2) (a) Yes.
- (b) Three sets of speed restriction signs on the road leading from the highway to Knoll Drive.

4. NATIONAL PARKS

Roads: Numbers and Dedication

Mr A. R. TONKIN, to the Minister for Lands:

- (1) (a) Are the following roads passing through the Stirling Range National Park, dedicated roads—
Chester Pass Road, Redgum Pass Road, Stirling Range Drive;

- (b) is the road numbered 14025, lying within this national park a dedicated road?
- (2) (a) Are the following roads dedicated roads—
 Skippy Rock Road—within the Cape Leeuwin National Park; Molloy Island Road—within the Scott National Park; Hamelin Bay West Road—within the Hamelin Bay National Park; Sandy Road—within the Moore River National Park;
- (b) is the road numbered 3912 which passes through the Moore River National Park a dedicated road;
- (c) which authorities have the care, control and management of these roads?

Mr O'Neil (for Mr RIDGE) replied:

- (1) (a) Chester Pass Road is dedicated (Road No 991). Redgum Pass Road and Stirling Range Drive are not dedicated.
- (b) Yes.
- (2) (a) Yes.
 Skippy Rock Road (Road No 14654). Molloy Island Road, now known as Fisher Road (Road No 12250) Hamelin Bay West Road (Road No 208) Sandy Road (Road No 1648).
- (b) Yes.
- (c) Road Nos 14654, 12250 and 208—Shire of Augusta-Margaret River. Road Nos 1648 and 3912—Shire of Gingin.

5.

LAND

Reserves: Classifications and Roads

Mr A. R. TONKIN, to the Minister for Lands:

- (1) (a) What is the class, purpose and area of reserve No. 7537;
- (b) in which authority has this reserve been vested;
- (c) is the road numbered 10753 a dedicated road; if so, which authority is responsible for its care, control and management?
- (2) (a) What are the classes, purposes and areas of reserve numbers 26247 and 28462;
- (b) in which authority are these reserves vested;
- (c) what is the length of dedicated road passing through these reserves?

Mr O'Neil (for Mr RIDGE) replied:

- (1) (a) Class "A", national park and native game "John Forrest National Park", 1 505.155 8 hectares.
- (b) Under the control of the National Parks Authority of Western Australia.
- (c) Yes. Shire of Mundaring.
- (2) (a) Reserve No 26247:—Class "A", national park, 20.513 1 hectares.
 Reserve No 28462:—Class "C", national park, "Moore River National Park", 17 542.594 4 hectares.
- (b) Under control of the National Parks Authority of Western Australia.
- (c) Reserve 26247:—about 11.1 chains or about 223.3 metres.
 Reserve 28462:—about 1 061 chains or about 21 343.9 metres.

6. NATIONAL PARKS AND WILDLIFE RESERVES

Policy on Apiary Sites

Mr A. R. TONKIN, to the Minister for Conservation and the Environment:

- (1) Further to question 27 of 27th May, 1976, what is the policy of the—
- (a) W.A. National Parks Authority;
- (b) W.A. Wild Life Authority, for the operation of apiary sites in reserves under their control?
- (2) What procedures are presently in effect to obtain approval of apiary sites in these reserves?
- (3) What changes, if any, are being considered to (2) above?

Mr Old (for Mr P. V. JONES) replied:

- (1) (a) Permission is given by the National Parks Authority for siting apiaries in reserves under their control where such apiaries will not interfere with enjoyment of the park by the public, nor impede the management of the park.
- (b) The policy of the Western Australian Wild Life Authority in respect of apiary sites on nature reserves is—

In respect of all small reserves apiary sites be located on adjoining private property to avoid damage to the reserve.

With larger flora reserves wherever possible multiple-use is encouraged and the beekeeping industry is one such possible use. Each

application is judged on its merits, having in mind the purpose of the reserve, the fauna on it, whether it is a prohibited area and what provisions any management plans in respect of that reserve may make.

- (2) The apiculturist makes application to the Conservator of Forests as permits to establish apiary sites are issued under the Forests Act. When the site involves a national park or nature reserve the Conservator of Forests refers it to the appropriate authority for a decision and accordingly the conservator issues the permit or declines to do so.
- (3) None.

7. COCKBURN SOUND

Effluent: Management Plan

Mr A. R. TONKIN, to the Minister for Conservation and the Environment:

Further to questions on notice 36 and 37, asked on 10th August, 1976, does the suggested management plan envisage the establishment of—

- (a) a statutory management authority; or
- (b) an *ad hoc* management authority or committee?

Mr Old (for Mr P. V. JONES) replied: A complete announcement on the management plan will be made in due course, and it is undesirable to give only partial answers at this time.

8. RESERVE 30200

Classification and Road

Mr A. R. TONKIN, to the Minister for Lands:

- (1) What is the class, purpose and area of reserve No. 30200?
- (2) In which authority has control of this reserve been placed?
- (3) Is the zig zag road a dedicated road, and is it part of reserve 30200?
- (4) Which authority has the care, control and management of the abovementioned road?

Mr O'Neill (for Mr RIDGE) replied:

- (1) Class "A", national park "Gooseberry Hill", 32.838 6 hectares.
- (2) National Parks Authority of Western Australia.
- (3) The zig zag road is dedicated (Road No. 14194) and is not part of reserve 30200.
- (4) Shire of Kalamunda.

9.

WANNEROO ROAD

Upgrading and Dual Carriageway

Mr A. R. TONKIN, to the Minister for Transport:

- (1) (a) What sections of Wanneroo Road in the City of Stirling and Shire of Wanneroo have been upgraded to dual carriageway standard and when were these sections completed;
- (b) what were the funding arrangements for provision of the dual carriageways?
- (2) (a) What proposals are there for upgrading Wanneroo Road through the Wanneroo townsite and northward to Guilderton;
- (b) what programme timing is involved with these proposals?

Mr O'CONNOR replied:

- (1) (a) The section from Royal Street to Beach Street in the City of Stirling is dual carriageway and was completed by the council in December 1975.
The section from Beach Street to Mary Street in the Shire of Wanneroo is also dual carriageway and was completed by the Main Roads Department in February 1976.
- (b) Funds were provided by both local authorities and the Main Roads Department.
- (2) (a) and (b) The dual carriage-way will be extended northwards through the Wanneroo townsite as far as Pinjar Road. This work will commence towards the end of the current financial year and be completed in 1977-78. Some work northwards from Romeo Road will also commence in the current financial year and will be continued to Yanchep in subsequent years. There is no definite timing for the work to Yanchep as it is dependent upon the availability of funds and also agreement with the National Parks Authority with respect to design.
No upgrading is currently planned from Yanchep to Guilderton.

10.

RESERVE 720

Classification and Roads

Mr A. R. TONKIN, to the Minister for Lands:

- (1) What is the class, purpose and area of reserve No. 720?
- (2) In which authorities are the various portions of this reserve vested or controlled?

- (3) Are May, Lovekin and Forrest Drives dedicated roads?
- (4) Do any by-laws of the King's Park Board prohibit the use of any specified classes of vehicle on the abovenamed roads?
- (5) Do any by-laws of the King's Park Board restrict the speed of ordinary vehicles on the abovenamed roads; if so, what upper speed limit is specified?

Mr O'Neill (for Mr RIDGE) replied:

- (1) Reserve No. 1720 Class "A", public park—Mount Eliza, 401.7391 hectares.
- (2) Perth town lots L65 and the North Eastern moiety of Lot L64 are under the control of the National Parks Authority of Western Australia.
The balance of this reserve is under the control of the King's Park Board.
- (3) No.
- (4) King's Park by-law 4 states among other things:—

No person shall drive upon or over the park or any part thereof of any passenger vehicle plying as an omnibus, nor any vehicle, team, cart or wagon used for carrying any goods, timber, bricks, stone, wood, iron or merchandise of any kind (whether laden or not), nor any hearse or mourning coach unless with the permission in writing of the board first obtained.

Regulation 1807 of the Road Traffic Code states among other things—

A person shall not in Kings Park, except with the approval of the Kings Park Board, drive a goods vehicle with an unladen weight in excess of 1524 kg or a tractor.

- (5) King's Park by-law 19 (1) states a person shall not drive a vehicle on a road in the park at a speed in excess of 25 miles per hour.
Regulation 1807 of the Road Traffic Code states that a person shall not in King's Park drive a vehicle at a speed in excess of 25 m.p.h.
The upper speed limit therefore is 25 m.p.h., that is, 40 km.p.h.

11. NATIONAL PARKS

Rangers and Staff

Mr A. R. TONKIN, to the Minister for Conservation and the Environment:

- (1) Further to question 24 asked on 15th September, 1976, of the 19 national park rangers presently employed at Yanchep National

Park, how many have been employed at this national park continuously since 30th June, 1971?

- (2) Are any national park rangers presently employed at Geikie Gorge National Park?
- (3) In regard to the localities listed in part (1) of the answer to question 24, which other national parks come under the jurisdiction of the ranger force based at each locality?
- (4) What are number, position and basic qualifications of the authority's administrative staff?
- (5) What special training in the fields of—
 - (a) search and rescue;
 - (b) cliff climbing (e.g., Stirling Range and Hamersley Range national parks);
 - (c) natural history;
 - (d) public relations,
 are provided for the authority's ranger staff?

Mr Old (for Mr P. V. JONES) replied:

- (1) to (5) The information sought is extensive and the member will be advised by correspondence.

12. NATIONAL PARKS AUTHORITY

By-laws

Mr A. R. TONKIN, to the Minister for Conservation and the Environment:

- (1) Have regulations or by-laws yet been gazetted under the provisions of the National Parks Authority Act?
- (2) If not, are the former National Parks Board's by-laws gazetted under the provisions of the Parks and Reserves Act still in force?
- (3) Do any of the by-laws now in force, or in force immediately prior to the coming into effect of the National Parks Authority Act—
 - (a) prohibit the use of any specified classes of vehicle on roads within national parks;
 - (b) restrict the speed of ordinary vehicles on roads within national parks; if so, what upper speed limits are specified and are these speeds signed in accordance with the Standards Association of Australia specifications?

- (4) (a) On what dates were the "NO ENTRY" and "ONE WAY" traffic signs erected to control traffic on the road within the Walpole-Nornalup National Park, commonly known and referred to as "the drive around the knoll";

- (b) are these signs consistent with current specifications of the Standards Association of Australia?

Mr Old (for Mr P. V. JONES) replied:

- (1) No.
- (2) Yes, under section 6 of the National Parks Authority Act.
- (3) (a) Yes.
 - (b) Yes; 20 miles per hour; yes with some still to be updated.
- (4) (a) Gazetted 22nd December, 1964. No record available of date of erection.
 - (b) These signs are in process of being updated to so conform.

13. TRAFFIC REGULATIONS

King's Park and Gooseberry Hill Knoll

Mr A. R. TONKIN, to the Minister for Traffic:

- (1) Do the provisions of the Road Traffic Act and its regulations apply to roads like May, Lovekin and Forrest Drives in King's Park?
- (2) Are there any regulations in the Road Traffic Code which apply to roads within King's Park in particular?
- (3) Are speed limits applicable to roads within King's Park signed in accordance with the Standards Association of Australia specifications?
- (4) (a) Do any regulations of the Road Traffic Code prohibit the use of any specified classes of vehicle on public roads specifically within King's Park;
 - (b) if so, are traffic signs erected to inform motorists of this?
- (5) (a) What regulatory traffic signs have been erected under the provisions of the Road Traffic code, on the Ziz Zag Drive at Gooseberry Hill (the "Knoll");
 - (b) on what dates were these signs erected;
 - (c) are they enforceable by the Road Traffic Authority;
 - (d) which authorities have the power to remove these signs?
- (6) Which authorities have the power to erect traffic signs on public roads within King's Park?

Mr O'CONNOR replied:

- (1) to (3) Yes.
- (4) (a) Yes.
 - (b) Information signs advising of the restrictions have been erected by King's Park Board.

- (5) (a) ONE WAY and NO ENTRY signs.
 - (b) Erected prior to 1st July, 1975.
 - (c) Yes.
 - (d) Main Roads Department.
- (6) Main Roads Department under the Road Traffic Code, and King's Park Board under their By-laws.

14.

TOWN PLANNING

Roads: Classification and Funding

Mr A. R. TONKIN, to the Minister for Urban Development and Town Planning:

- (1) (a) In the Metropolitan Region Scheme, what classes of road is Wanneroo Road designated for its entire length through the City of Stirling and Shire of Wanneroo;
 - (b) on what dates were these classifications effective?
- (2) Which authorities are responsible for—
 - (a) construction and maintenance;
 - (b) funding of construction and maintenance,
 of this category of road in the Perth Metropolitan Region?
- (3) In the Metropolitan Region Scheme, what classes of road are Marmion Avenue, Karrinyup Road, Morley Drive, West Coast Highway and the Darling Range Scenic Drive?
- (4) Which authorities would be responsible for the funding, design and work involving—
 - (a) extending West Coast Highway through to Claremont Crescent;
 - (b) upgrading West Coast Highway between Hale Road and Scarborough Beach Road;
 - (c) dualling West Coast Highway between Sorrento and Mulla-loo;
 - (d) extending West Coast Highway northward from Mulla-loo Drive;
 - (e) dualling the route between Karrinyup and Morley Drive;
 - (f) constructing Marmion Avenue between Duncraig and North Beach;
 - (g) extending Marmion Avenue northward from Ocean Reef Road?

Mr RUSHTON replied:

- (1) (a) City of Stirling southern boundary to proposed northern perimeter highway (vicinity of Etchingham Road)—important regional road.

Proposed northern perimeter highway to southern boundary of Yanchep National Park—other major highway.

(b) October, 1963.

(2) (a) North of Main Street—Main Roads Department.

South of Main Street—local authority.

(b) As for (a) except that the MRD does make grants available from Commonwealth funds for urban arterial roads.

(3) Marmion Avenue—from Karrinyup Road to immediately south of proposed northern perimeter highway (vicinity of North Beach Road) and north of northern perimeter highway to immediately south of Hepburn Avenue—important regional road.

At northern perimeter highway, and between Hepburn Avenue and Ocean Reef Road—controlled access highway.

Karrinyup Road, Morley Drive, West Coast Highway, Darling Range Scenic Drive—important Regional Roads.

(4) (a) to (g) Responsibility of the local authority concerned, except that the MRD does make grants available from Commonwealth funds for urban arterial roads.

Special funds have been made available for the construction of West Coast Highway and Marmion Avenue to meet the demands of rapid growth in areas served by these facilities.

15. HIGH SCHOOL AT ROCKINGHAM

Site

Mr BARNETT, to the Minister representing the Minister for Education:

- (1) Is it a fact that a site at the Junction of Red Street and Malibu Road has been earmarked for a new high school for Rockingham, Safety Bay?
- (2) If "Yes" how far exactly is this from the present Rockingham High School?
- (3) What specific areas will each school serve?
- (4) What were the criteria used in the selection of the site for a new high school?
- (5) Is it proposed at any time in the future to have a high school situated closer to the Warnbro area?

Mr GRAYDEN replied:

- (1) The proposed Safety Bay High School site is located on the northern side of Malibu Road to the west of Read Street.
- (2) Approximately 2 kilometres.
- (3) The boundary between the two schools (when Safety Bay High School is established) is expected to be the proposed Garden Island Expressway, north thereof to Rockingham Senior High School, and south thereof to Safety Bay High School.
- (4) Information on the total overall population expected to be generated in the Shire of Rockingham area determined where primary and secondary school sites should be best located in terms of serving their proposed catchment areas.
- (5) Yes.

16. SCHOOL CANTEENS

Criteria for Establishment

Mr BARNETT, to the Minister representing the Minister for Education:

- (1) Have plans been submitted to the Education Department for siting approval of a canteen for Warnbro Primary School?
- (2) (a) When were they submitted;
(b) when will a decision be made?
- (3) Will the department consider the proposition of using one of the demountable classrooms which is currently on site for a canteen, next year when it will not be needed as a classroom?
- (4) (a) Does the Education Department in any way provide canteens for primary schools;
(b) if so, what is the criterion used?
- (5) (a) What is the maximum grant given to a school that erects its own canteen;
(b) when was this grant last reviewed;
(c) is it likely to be increased in the near future?
- (6) Will the department consider going guarantor on a loan raised by the parents and citizens' association for the purpose of erecting a canteen, providing the parents and citizens' association meets the repayments?

Mr GRAYDEN replied:

- (1) Yes.
- (2) (a) 1st August, 1975.
(b) The plans were approved on the 10th October, 1975.
- (3) No.
- (4) (a) Yes, under subsidy conditions applicable to building and related projects.

(b) Dollar for dollar subsidy to a maximum of \$5 000 provided that:

(i) The site location plans and specifications have been approved by the Education Department prior to any work commencing.

(ii) The work is completed to the satisfaction of the PWD.

(5) (a) \$5 000.

(b) the subsidy is reviewed annually when the departmental estimates are put forward.

(c) any increase in future financial years will be dependent on availability of funds.

(6) No.

17. INDUSTRIAL DEVELOPMENT

Geraldton Region Study Group: Report

Mr A. R. TONKIN, to the Minister for Industrial Development:

Further to question 13 asked on 14th April, 1976 would he please now table a copy of the report by the Geraldton region study group?

Mr MENSAROS replied:

Yes. A copy of the report was supplied to Parliament House on the 22nd April, 1976, which I suppose is already available to members. Also the member for Geraldton—as I promised him—was sent a copy.

The report was tabled (see paper No. 492).

18. TRAFFIC LIGHTS

Royal Street-Albany Highway Intersection

Mr BATEMAN, to the Minister for Police:

Will he advise the cost of changing the traffic lights at the intersection of Royal Street and Albany Highway, Kenwick, to a walk sign?

Mr O'CONNOR replied:

Approximately \$6 000.

19. DEPARTMENT OF CIVIL AVIATION

Transfer to Kununurra

Mr H. D. EVANS, to the Minister for Transport:

(1) Is the Department of Civil Aviation moving its centre currently located at Wyndham, to Kununurra?

(2) If "Yes" when is the move scheduled to take place?

(3) What amount has the State Government paid to meet the costs of operating the Wyndham airport in each of the past five years?

(4) In the event of DCA moving to Kununurra—

(a) will the cost of maintaining the Kununurra airport be greater or less than the cost of maintaining Wyndham; and

(b) if so, by how much;

(c) will the Wyndham Shire Council maintain the Wyndham airport as a night landing strip; and

(d) if so, how much will this cost;

(e) will the Flying Doctor Service still be able to use the Wyndham airport in the event of night landings;

(f) how many staff will move from Wyndham to Kununurra?

(5) What has it cost the Western Australian Government to maintain the Kununurra airport in each of the past five years?

Mr O'CONNOR replied:

(1) Yes.

(2) It is anticipated that the move will be completed and operations to commence at Kununurra as from 1st December, 1976.

(3) Nil.

(4) (a) to (f) This information has been sought from the Department of Transport (Air Transport Group) who are unable at this point of time to supply the required information.

(5) The Kununurra Airport is the responsibility of the Public Works Department. The question has been referred to the Public Works Department for an answer to be furnished through the responsible Minister.

20.

TRAFFIC LIGHTS

Royal Street-Albany Highway Intersection

Mr BATEMAN, to the Minister for Police:

(1) Is he aware there have recently been two traffic accidents involving school children attending the Kenwick Primary School at the intersection of Royal Street and Albany Highway Kenwick?

(2) Is he further aware there are over 200 children using this intersection daily to attend school?

(3) If answers to (1) and (2) are "Yes" will he take immediate steps to install a walk sign or have

a controlling guard appointed to prevent any further accidents occurring at this intersection?

(4) If not, why not?

Mr O'CONNOR replied:

- (1) I am aware of three accidents involving pedestrians this year, a 16 year old youth crossing against the signal and two caused by pedestrians crossing carelessly.
- (2) I am aware that a number of children use this route to attend school.
- (3) and (4) As advised on previous occasions, the installation of a WALK phase would not be appropriate. However, I will refer the matter for further investigation by the Special School Crossings Reviewing Committee.

21. MUJA POWER STATION

Pre-crushed Coal

Mrs CRAIG, to the Minister for Fuel and Energy:

Is it anticipated that at some time in the future the coal supplies to the Muja power station will be pre-crushed by the coal companies and ready for use by the State Energy Commission?

Mr MENSAROS replied:

The SEC has requested information from the coal companies in order to determine the relative economics of purchasing pre-crushed coal for its use. It is anticipated that if the coal can be crushed at an economic price, this course of action will be followed in future SEC contracts.

22. MUJA POWER STATION

Water Requirements

Mrs CRAIG, to the Minister for Fuel and Energy:

- (1) What quantity of water will be required to serve the extensions to the Muja power station?
- (2) From what source will this water be drawn?
- (3) Are the known water reserves of sufficient quantity and quality to provide for further extensions to Muja should further extensions be required?
- (4) What further extensions could be undertaken, both site and water wise?
- (5) Since orders have been placed for the 2 x 200 MW units for Muja, what, if any, technological advances have been made in conserving or reducing the amount of water necessary for the operations of fossil fueled power generating stations?

Mr MENSAROS replied:

- (1) It is expected that the extensions to Muja power station will require 15 300 cubic metres per day compared with 13 500 cubic metres per day for the existing station.
- (2) It is expected that the water will be obtained from water pumped from those operating mines and disused mine workings in the immediate vicinity of the station.
- (3) It is expected that the availability of water of sufficient quantity and quality will ultimately provide a limit on the generating capacity which can be installed at Muja.
- (4) Present indication is that a further 2 x 200 MW units or possible 2 x 350 MW units could be added to the station before exceeding available water resources.
- (5) There have been a number of technological advances for reducing the amount of water necessary for cooling, the most notable of which is the dry cooling tower presently being installed in a number of plants overseas. This development along with others is being monitored closely by the SEC to ensure that they are in a position to exploit these new advances, should they prove to be practical and economic.

23. SOUTH COOGEE SCHOOL

Projected Enrolments

Mr TAYLOR, to the Minister representing the Minister for Education:

Further to question 18 of Thursday, 7th October, and on the assumption that the Wattleup Primary School opens in 1978, what are the projections of student enrolments in each grade for the present South Coogee School on the same date?

Mr GRAYDEN replied:

South Coogee Primary School predicted enrolments February 1978 (with Wattleup Primary School being established)—

Year							TOTAL
1	2	3	4	5	6	7	
23	20	20	18	24	27	13	145

24.

HOUSING

Kwinana and Fremantle: Applications

Mr TAYLOR, to the Minister for Housing:

With respect to purchase applications in—

(a) Kwinana;

(b) Fremantle,

at what date of lodgement is the Commission at present processing applications?

Mr Old (for Mr P. V. JONES) replied:

(a) Kwinana—

June 1969—3 bedroom.

September 1970—4 bedroom.

(b) Fremantle—

January 1967—3 bedroom.

July 1968—4 bedroom.

25.

HOUSING

Fremantle: Waiting List

Mr TAYLOR, to the Minister for Housing:

Within the Fremantle area how many persons, in each category are presently on State Housing Commission lists for—

(a) purchase;

(b) rental; and

(c) transfer,

with respect to Commission accommodation?

Mr Old (for Mr P. V. JONES) replied:

(a) Purchase—Total 868.		3 Bedroom 823	
		4 Bedroom 45	
(b) Rental			(c) Transfer
(i) Single Unit	....	61	....
(ii) 1 Bedroom	....		....
Husband and Wife applicant		114	....
(iii) 2 Bedroom	....	205	....
(iv) 3 Bedroom	....	226	35
(v) 4 Bedroom	....	74	....
(vi) 5 Bedroom	....	17	....
		697	36

26.

WATER SUPPLIES

Underground Stream: North Metropolitan Area

Mr TAYLOR, to the Minister for Water Supplies:

- (1) Has his department any record of a stream of water to the north of the metropolitan area which
 - (a) runs underground out under and into the ocean;
 - (b) whose course was tracked by CSIRO scientists by using a coloured dye?
- (2) If "Yes" will he provide brief details?

Mr O'NEIL replied:

- (1) (a) and (b) No.
- (2) Not applicable.

27.

WATER SUPPLIES

Toilet Effluent: Recycling

Mr TAYLOR, to the Minister for Water Supplies:

- (1) (a) What is the estimated quantity of water used per annum for household toilet effluent disposal within the metropolitan area; and
- (b) what estimated quantity is discharged per annum into the ocean through outlets:

(i) north of the Swan river;

(ii) south of the Swan river?

- (2) What percentage of total annual water usage does this represent?
- (3) Is any such water recycled?
- (4) Has any investigation and/or inquiry been undertaken to determine the feasibility of recycling?
- (5) If "Yes" to (4) what are the present views of the department with respect to this matter?
- (6) Has the department any purification pilot plant?

Mr O'NEIL replied:

- (1) (a) Approximately 27 million cubic metres per annum is discharged into sewers.
- (b) (i) Approximately 16 million cubic metres.
- (ii) Approximately 11 million cubic metres.
- (2) Approximately 15%.
- (3) No.
- (4) This matter is kept constantly under review.
- (5) Re-cycling is not an economic proposition at the present time in the metropolitan area.
- (6) Not to produce potable water. The processes involved are well understood.

28.

MEAT COMMISSION

Saleyard Fees

Mr McIVER, to the Minister for Agriculture:

- (1) What amount has been received by the Western Australian Meat Commission by way of saleyard fees from the Midland Junction saleyard in each of the past two financial years?
- (2) What are the saleyard fees currently being charged by the commission?
- (3) On what basis is the level of saleyard fees determined, and by whom?
- (4) What was the total cost of operating the saleyards in each of the past two financial years?
- (5) What is the level of debt against the saleyards at the present time?

Mr OLD replied:

- (1) 1974-75—\$341 857.
- 1975-76—\$622 901.
- (2) Cattle and Horses—86 cents per head.
- Calves—55 cents per head.
- Sheep, Lambs and Goats 14 cents per head.
- Pigs—36 cents per head.

(3) Fees are determined by the commission at a level which will recover the operating and debt service costs associated with the operation of the Midland sales-yards.

(4) 1974-75—\$388 348.

1975-76—\$455 411.

(5) \$565 000.

29. CONSERVATION THROUGH RESERVES COMMITTEE REPORT

Environmental Protection: Submission

Mr A. R. TONKIN, to the Premier:

(1) Has the Government received a submission from the Environmental Protection Authority with respect to its views on the Conservation Through Reserves Committee report?

(2) If so, when was the submission received?

(3) Which systems are referred to in the submission?

(4) Has the Government decided what action is to be taken in respect of the submission?

(5) Is it Government policy to increase the number and hectares of reserves in the State?

Sir CHARLES COURT replied:

(1) Yes.

(2) Final advice from the Environmental Protection Authority was received by the Minister for Conservation and the Environment on 27th September, 1976.

(3) Those areas of the State known as systems 1, 2, 3 and 5.

(4) Yes. The Government decision will be announced when sufficient copies of the recommendations are available for distribution, i.e. local government authorities, libraries, conservation groups, and all interested parties, on the day of release. It is anticipated this will be in approximately 2 weeks' time.

(5) Where possible, yes.

30. *This question was postponed.*

31. WASTE DISPOSAL

Tip Leachate Contamination

Mr A. R. TONKIN, to the Minister for Water Supplies:

(1) Has there been accelerated research into tip leachate contamination as recommended in the Maunsell Report into refuse disposal in the Perth metropolitan area?

(2) If so, what evidence is available to indicate the degree of acceleration so claimed?

(3) Where has this accelerated research taken place?

Mr O'NEIL replied:

(1) There has been no "accelerated" research into tip leachate. The research referred to in the Maunsell Report is a continuing project by the MWSS & D Board in the City of Stirling area. Further research is recommended both by the Maunsell and Health Department reports.

(2) and (3) Answered by (1).

32. INDUSTRIAL DEVELOPMENT

Geraldton: Duties of Officer

Mr CARR, to the Minister for Industrial Development:

Will he please table a copy of the duties and responsibilities of the officer of the Industrial Development Department in Geraldton?

Mr MENSAROS replied:

No. His duties, however, are generally aimed at promoting the region and providing regional industries and organisations with access to the services available through my Department of Industrial Development.

33. RURAL AFFAIRS INQUIRY

Tabling of Report

Mr CARR, to the Minister for Consumer Affairs:

(1) Has the rural affairs inquiry finished compiling evidence?

(2) Is it the intention of the Government that the report of this inquiry will be tabled during this present session of Parliament so that all political parties may have an opportunity to examine its recommendations prior to the election campaign?

Mr GRAYDEN replied:

(1) The rural affairs inquiry has completed its programme of public meetings and is in the process of compiling a report on submissions received.

(2) The report will be tabled by the end of this present session of Parliament.

34.

LAND

Coastal Areas: Geraldton

Mr CARR, to the Minister for Lands:

Further to his answer to my question 34 of 7th April, 1976 concerning erosion of the coastal land, class "A" reserve No. 2562:—

(1) Have inquiries been instituted as indicated in the answer?

(2) Will he please advise the present situation?

Mr O'Neil (for Mr RIDGE) replied:

- (1) Yes. Referred to the Advisory Committee on Coastal Erosion on 13th April, 1976.
- (2) The Public Works Department advised on 2nd June, 1976, that the erosion of this land appears to be a natural characteristic of the shore and has been in course for at least the last 30 years. While some information on the rate and cause of the erosion is being collected, the nature of the property at risk from erosion is such that works undertaken to stabilise this shore cannot be given a priority over other shores fronting residential property within the State.

35. MUSEUM

Branch at Geraldton

Mr CARR, to the Minister representing the Minister for Cultural Affairs: As there appears to be no mention in the Works estimate of any money being spent on museum development in Geraldton—

- (1) Has the Government decided not to establish a branch of the W.A. Museum in Geraldton during the 1976-77 financial year?
- (2) If the conclusion drawn in (1) is not correct, will the Minister please state the present position?

Mr GRAYDEN replied:

- (1) Because it has not been possible to grant extra funds to the Western Australian Museum for the purpose of establishing a branch, full implementation of the trustees' plans cannot be realised this financial year.
- (2) The trustees are endeavouring to arrange finance for restoration of the old railway station to commence this financial year as a further step towards implementation of their plans for the branch.

36. PAY-ROLL TAX

Geraldton Companies: Exemption

Mr CARR, to the Treasurer:

- (1) Which companies in Geraldton are exempt from pay-roll tax?
- (2) On what grounds is each such exemption allowed?

Sir CHARLES COURT replied:

- (1) and (2) All companies and persons who qualify for exemption under sections 9A and 10 of the Pay Roll Tax Assessment Act. The increased exemptions announced in the Budget speech and shortly to be the subject of an amending Bill,

will have the effect of increasing the number of firms exempted from payment of pay-roll tax and reduce the amount paid in all other cases.

The companies and persons concerned will not be named as it would be a breach of the confidentiality provision of taxing laws.

37.

HOUSING

Purchase by Tenants

Mr CARR, to the Minister for Housing:

- (1) Has the Government recently made changes to the arrangements applicable for purchase of a State Housing Commission house by its rental tenant?
- (2) If "Yes" will he please provide details?

Mr Old (for Mr P. V. JONES) replied:

- (1) Yes.
- (2) Tenants in occupation—
 - (i) Should meet income eligibility conditions to receive 5½ per cent concessional interest rate from housing agreement funds to be allocated by terminating building societies from 1st October, 1976.
 - (ii) If outside the current eligibility limit at time of allocation, a tenant in occupation is now required to raise his own funds from other sources to effect the cash sale purchase.

38.

LEGAL AID

Regional Offices

Mr CARR, to the Minister representing the Attorney-General:

- (1) Has the Government yet set up the State Legal Aid Commission as indicated in the Premier's answer to question 12 of 19th August, 1976?
- (2) What plans, if any, does his department have for the establishment of legal aid offices in regional centres in general and in Geraldton in particular?

Mr O'NEIL replied:

- (1) No.
- (2) Legislation proposed provides that the commission shall establish such local offices as it considers appropriate and generally use its best endeavours to make legal assistance available to persons throughout the State.

39.

SCHOOLS*Geraldton: Survey*

Mr CARR, to the Minister representing the Minister for Education:

Further to his answer to question 25 of the 10th August (part (5)) in which the Minister indicated that a detailed survey will be undertaken later this year, covering the whole Geraldton area to determine the provision of new primary schools:

- (1) Has the survey referred to been undertaken?
- (2) If "Yes" is the Minister able to advise any conclusions arising from the survey?
- (3) If "No" to (1), when is the survey expected to be conducted?

Mr GRAYDEN replied:

- (1) No.
- (2) Not applicable.
- (3) In the second half of November, 1976.

40. INDUSTRIAL DEVELOPMENT*Zone Development Committee:
Geraldton*

Mr CARR, to the Minister for Industrial Development:

Further to his answer to question 12 of 18th May, 1976 on the subject of zone development committees:

- (1) Has any progress been made towards the establishment of a zone development committee in the Geraldton region?
- (2) If "Yes" will he please provide details?

Mr MENSAROS replied:

- (1) and (2) As stated in my answer in the House on 18th May, 1976, the organisations referred to are titled regional development committees.

Some progress towards the formation of such a committee in the Geraldton region appears to have been made since the matter was discussed at the 28th May, 1976, meeting of the mid-west regional liaison group. Favourable reactions have been expressed by a number of constituent local authorities since then, but as I previously pointed out the decision is one for the region itself, not the Government.

41. CONSUMER PROTECTION*Food Prices Index*

Mr CARR, to the Minister for Consumer Affairs:

With reference to the index of retail prices of food in certain localities, as tabled by him in connection with his answer to question 32 of 7th April, 1976:

- (1) Is the 1976 index yet available?
- (2) If "Yes" will he please table a copy?

Mr GRAYDEN replied:

- (1) The Commonwealth Bureau of Statistics advise that the 1976 index will be available next week.
- (2) I will forward a copy to the member as soon as it is available.

42.

HOUSING*Albany*

Mr WATT, to the Minister for Housing:

- (1) What plans does the State Housing Commission have for housing development for the area which lies between Spencer Park school and the Albany regional hospital?
- (2) Will any land either held or presently used by the Spencer Park school be included?
- (3) Is he aware that a portion of this land is natural swamp land and may result in the creation of drainage problems similar to Lockyer?

Mr Old (for Mr P. V. JONES) replied:

- (1) 21 single residential lots fronting Warden Avenue are presently being developed.

The balance of the area is the subject of a proposed subdivision awaiting Town Planning Board approval.

- (2) Yes, by an exchange of equal land holdings.
- (3) The commission and the Town of Albany are aware of the drainage difficulties.

As a condition of Town Planning Board approval the land will be filled and drained to the satisfaction of the local authority who, therefore, see no reason why the subdivision should not proceed.

43. **TRAFFIC LIGHTS***Great Eastern Highway-Helena Street Intersection*

Mr SKIDMORE, to the Minister for Traffic:

Would he have the traffic control lights situated at the intersection of Great Eastern Highway and Helena Street, Midland, changed to provide a right hand turn arrow into Helena Street for traffic proceeding west along the Great Eastern Highway, and who wish to turn right into Helena Street?

Mr O'CONNOR replied:

The phasing of these signals will be investigated in the light of present traffic conditions. 47.

44. **PEDESTRIAN CROSSING***Morrison Road, Swan View*

Mr SKIDMORE, to the Minister for Traffic:

Would he have a crosswalk provided in Morrison Road, Swan View, in front of the Darling Ridge shopping centre and thus provide safety for pedestrians seeking to cross Morrison Road, which is fast becoming a major traffic route for people travelling to Swan View?

Mr O'CONNOR replied:

The initial assessment of the need for marked pedestrian crossings must be made by the local authority concerned (in this case the Swan Shire Council).

No approach has as yet been made by the council.

45. **MIDLAND TECHNICAL SCHOOL***Tenders for Construction*

Mr SKIDMORE, to the Minister representing the Minister for Education:

- (1) Have tenders been called for the construction of the proposed Midland Technical School, and if so, have tenders been accepted?
- (2) When is it envisaged that work will commence on the construction of the school?

Mr GRAYDEN replied:

- (1) No.
- (2) Not applicable.

46. **DRAINAGE***Blackadder and Woodbridge Creek Scheme*

Mr SKIDMORE, to the Minister for Works:

Re: Blackadder and Woodbridge Creek drains—

- (1) Has the department received advice from the Shires of Swan and Mundaring that

they are prepared to accept the proposed drainage scheme, as mentioned above?

- (2) If "Yes" when is it proposed that work on the scheme will commence, and when is it anticipated that the scheme will be completed?

Mr O'NEIL replied:

- (1) and (2) No. Funds have been provided in the capital works programme for 1976-77, but as yet the scheme has not been accepted.

INCOME TAX*Federal Parliament Bills*

Mr JAMIESON, to the Premier:

- (1) Is he aware that on Thursday, 14th October, the Commonwealth Government introduced into the Federal Parliament the "States (Personal Income Tax Sharing) Bill" and the "Local Government (Personal Income Tax Sharing) Bill"?
- (2) Was the State Government provided with a draft of the two Bills before they were introduced into the Federal Parliament?
- (3) Prior to the introduction of the Bills, was there any consultation between the Commonwealth Government and the State Government concerning the details contained in sections 5 and 6 of the "States (Personal Income Tax Sharing) Bill" and sections 4 and 6 (1) (b) of the "Local Government (Personal Income Tax Sharing) Bill"?
- (4) If "Yes" to (3), to what extent?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) Copies of both Bills were received yesterday, but no draft was received prior to their introduction into Federal Parliament.
- (3) and (4) There has been consultation on the principles embodied in both Bills.

Conferences of Commonwealth and State Ministers were held in February, April, and June this year to discuss and reach agreement on the new tax sharing arrangements.

These were supported by meetings of Commonwealth and State officials from which detailed reports were prepared for consideration by the Ministers at their conferences.

In this State the Government also consulted representatives of local government.

In view of these exhaustive processes of consultation and the fact that all parties were clear about the details which had been agreed in relation to the arrangements, it was not expected there would be need for further discussion at the draft legislation stage.

48. GOVERNMENT DEPARTMENTS

First Pay Days, 1975-76

Mr BERTRAM, to the Premier:

- (1) What were the first pay days in the year ended 30th June, 1976 for the following—
 - (a) education teaching and other staff;
 - (b) hospitals;
 - (c) railways;
 - (d) police;
 - (e) Mental Health Services;
 - (f) Public Health;
 - (g) Public Works;
 - (h) Country Water Supplies;
 - (i) Agriculture;
 - (j) Community Welfare;
 - (k) Road Traffic Authority;
 - (l) all others?
- (2) What was the approximate total weekly wage bill at that time?
- (3) How was the said total made up as between the various departments approximately?

Sir CHARLES COURT replied:

- (1) (a) Education—
Teaching staff 3rd July, 1975
Other staff 10th July, 1975
- (b) Hospitals—determined by respective hospitals either 3rd July, or 10th July, 1975
- (c) Railways—Salaried staff 11th July, 1975
- (d) Police—10th July, 1975
- (e) Mental Health Services—
nurses and allied staff 3rd July, 1975
other staff 10th July, 1975
- (f) Public Health—10th July, 1975
- (g) Public Works—salaried staff 10th July, 1975
- (h) Country Water Supplies—
salaried staff 10th July, 1975
- (i) Agriculture—10th July, 1975
- (j) Community Welfare—10th July, 1975
- (k) Road Traffic Authority—10th July, 1975
- (l) All Others—10th July, 1975.
- (2) \$9.5 million.

	\$
(3) Education	2 550 000
Hospitals	2 118 000
Railways	1 192 000
Police	422 000
Mental Health Services	319 000
Public Health	193 000
Public Works	200 000
Country Water Supplies	190 000
Agriculture	177 000
Community Welfare	163 000
Road Traffic Authority	137 000
All Other	1 850 000
	<hr/>
	9 511 000

49. MTT AND RAILWAYS

Provision for Accrued Salaries

Mr BERTRAM, to the Minister for Transport:

- (1) (a) Has he made provision for accrued salaries in his estimates for the year ended 30th June, 1977 for the Metropolitan (Perth) Passenger Transport Trust;
 - (b) metropolitan bus system;
 - (c) metropolitan rail system?
- (2) If "Yes" under what item does it appear in and what is the figure in each case?

Mr O'CONNOR replied:

- (1) and (2) The information required by the member is not readily available. I will forward it to him as soon as possible.

50. RAILWAYS

Provision for Accrued Salaries

Mr BERTRAM, to the Minister for Transport:

- (1) Has he made provision for accrued salaries in his estimates under Division 62 for the year ended 30th June, 1977?
- (2) If "Yes" where does it appear and what is the figure?

Mr O'CONNOR replied:

- (1) No.
- (2) Not applicable.

51. COUNTRY WATER SUPPLIES

Provision for Accrued Salaries

Mr BERTRAM, to the Minister for Water Supplies:

- (1) Has he made provision for accrued salaries in his estimates under Division 61 for the year ended 30th June, 1977?
- (2) If "Yes" where does it appear and what is the figure?

Mr O'NEIL replied:

- (1) Yes. Provision has been made in the Estimates under Division 61 for accrued salaries. The salary

appropriations in this division are supported by the details of the Public Works Department staff establishment shown under Division 23 which includes details of the accrued salaries provision.

- (2) The total accrued salaries provision for Public Works Department in 1976-77 shown on page 56 of the Estimates is \$348 000 of which \$53 500 relates to Division 61.

52. DEPARTMENT OF AGRICULTURE

Provision for Accrued Salaries

Mr BERTRAM, to the Minister for Agriculture:

How did he calculate the amount of \$210 000 which appears for the item Accrued Salaries in the estimates for the Department of Agriculture for the year ended 30th June, 1977?

Mr OLD replied:

The amount in question was calculated by the Treasury in accordance with the procedure explained in page 11 of the printed Budget speech.

53. TAXES AND CHARGES

Increases

Mr BERTRAM, to the Premier:

Will he state precisely each new or additional charge, tax rate, fee, etc., which has been recommended to him and/or his Government to impose but which to date has not been imposed?

Sir CHARLES COURT replied:

No, and I am surprised that a member with ministerial experience would ask such a question, let alone expect an answer.

54. STATE FINANCE

Investments: Interest

Mr BERTRAM, to the Treasurer:

Relevant to the estimates for the year ended 30th June, 1976, page 13 in particular:

- (1) Under which of the items there listed was interest on investments accounted for?
- (2) What sum was included for the said interest under the respective headings 1974-75 Estimate—Revenue, and 1975-76 Estimate?

Sir CHARLES COURT replied:

- (1) Departmental.
- (2) 1974-75: Estimate \$6 597 700, Revenue \$6 367 905;
1975-76: Estimate \$6 479 000.

55. STATE FINANCE

Short-term Investments: Interest

Mr BERTRAM, to the Treasurer:

- (1) Where is the interest on the short term investments earned during the year ended 30th June, 1976 accounted for in the State's accounts—
(a) for that year; or
(b) at all?
- (2) What was the sum of interest earned during the year ended 30th June, 1976?

Sir CHARLES COURT replied:

- (1) (a) and (b) Treasury Departmental Receipts in Suspense.
- (2) \$7 193 429.

I would remind the member for Mt. Hawthorn that this information is contained in pages 33 and 34 of the Auditor-General's report for the financial year ended 30th June, 1976, and suggest that a little study on his part of public financial documents would avoid the need for questions of this type.

56. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister for Works:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will he state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr O'NEIL replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary and advises me accordingly, I will have inquiries made.

57. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister representing the Minister for Justice:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will the Minister state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr O'NEIL replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

58. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister for Agriculture:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will he state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr OLD replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

59. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister for Transport:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will he state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr O'CONNOR replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

60. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister representing the Minister for Education:

Whereas the Premier has expressed the view that this matter should be taken up with the

Minister concerned, will he state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr GRAYDEN replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

The SPEAKER: In regard to this repetitive type of question, I think in retrospect it might be best where the answers are similar, for the Ministers to hand them in.

61. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister for Labour and Industry:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will he state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr GRAYDEN replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

62. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister for Industrial Development:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will he state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr MENSAROS replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

63. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister for Local Government:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will he state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr RUSHTON replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

64. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister for Lands:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will he state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr O'Neill (for Mr RIDGE) replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

Point of Order

Mr A. R. TONKIN: On a point of order, am I to understand these answers will be printed in full in *Hansard*?

The SPEAKER: Yes.

Questions (on notice) Resumed

65. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister representing the Minister for Health:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will he state the amount of money, if any, paid by the departments controlled by

him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr O'NEIL replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

66. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister for Housing:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will he state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr Old (for Mr P. V. JONES) replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

67. GOVERNMENT DEPARTMENTS

Invoices: Payment before Delivery of Goods

Mr BERTRAM, to the Minister representing the Attorney-General and Minister for Federal Affairs:

Whereas the Premier has expressed the view that this matter should be taken up with the Minister concerned, will he state the amount of money, if any, paid by the departments controlled by him on or before 30th June, 1976 for goods and services supplied to them after 30th June, 1976?

Mr O'NEIL replied:

To the best of my knowledge, the Treasury instructions in this matter have been carried out. If the member has any specific information to the contrary, and advises me accordingly, I will have inquiries made.

68. SHOP ASSISTANTS

Holidays: Christmas and New Year

Mr BERTRAM, to the Minister for Labour and Industry:

Will he state what statutory holidays shop assistants will be entitled to over the coming Christmas-New Year period?

Mr GRAYDEN replied:

State awards covering shop assistants provide that over the coming Christmas-New Year period the following substituted days shall be a holiday for these employees without deduction of pay and that the day for which it is substituted shall not be a paid holiday:

Christmas Day: Saturday, 25th December, 1976; substituted paid holiday Monday, 27th December, 1976.

Boxing Day: Sunday 26th December, 1976; substituted paid holiday Tuesday, 28th December, 1976.

New Year's Day: Saturday, 1st January, 1977; substituted paid holiday Monday, 3rd January, 1977.

Shops bound by section 85 of the Factories and Shops Act are required to close on December 25th and January 1st.

69. HEALTH

Food in Plastic Containers

Mr BERTRAM, to the Minister representing the Minister for Health:

Has it recently been alleged that food contained in plastic containers is inductive to ill health and perhaps cancer?

Mr O'NEIL replied:

Yes.

70. CABINET

Study Groups and Committees

Mr BERTRAM, to the Premier:

Further to his answer to question 27 of 14th October, 1976, since some difficulty is being experienced in determining or ascertaining the good reason for nondisclosure—unless it is for example that the committees and sub-committees have failed to do their work—will he be so kind as to discuss the good reason?

Sir CHARLES COURT replied:

Yes, if the member contacts me to arrange a time mutually convenient for such discussion—although I am surprised he has not obtained the reasons from his more experienced colleagues.

In any case, I reject completely any suggestion that committees and/or sub-committees have failed to do their work.

71. STATUTORY BOARDS

Consumer Representative

Mr HARMAN, to the Minister for Consumer Affairs:

- (1) How many statutory boards are in existence because of Western Australian legislation?
- (2) How many of these boards have a person representing consumers?
- (3) What are these boards in (2) above?

Mr GRAYDEN replied:

- (1) The Consumer Affairs Council is the only statutory board established under consumer legislation.
- (2) The Consumer Affairs Council has four members appointed to it as consumer representatives.
- (3) Answered by (1).

72. CONSUMER PROTECTION

Bread Industry: Report

Mr HARMAN, to the Minister for Consumer Affairs:

- (1) Did the Consumer Affairs Council prepare a report on some facets of the bread industry?
- (2) Will he table that report?

Mr GRAYDEN replied:

- (1) Yes.
- (2) It is being retyped and will be tabled on the next sitting day.

73. VOLUNTARY EMERGENCY SERVICES

Insurance Cover

Mr SHALDERS, to the Minister for Labour and Industry:

- (1) What insurance cover and the limits of same, is provided for members of the voluntary emergency service?
- (2) Who is responsible for meeting the cost of such insurance?
- (3) Is he aware that emergency water rescue groups, affiliated with the voluntary sea search and rescue organisation have not been able to effect satisfactory insurance for their members as yet?
- (4) In view of the valuable public service rendered by these groups and their members, would he investigate the possibility of including them within the same insurance scheme as that operating for the voluntary emergency service or if this is not possible investigating a possible alternative?

Mr GRAYDEN replied:

- (1) The Western Australian State Emergency Service has a policy to cover all volunteers engaged in

a civil disaster for a schedule of benefits up to \$30 000 payable in the event of the death of the volunteer. The policy also covers damage to property being used in the emergency with a limit of \$4 000 for any one appliance or person.

(2) The State Emergency Service.

(3) No.

(4) Any person or group acting under the control of the State Emergency Service is covered by the policy. Whilst it is desirable to encourage private activity in search and rescue operations it will be realised that any insurance arrangements require defined authoritative limits to ensure that all genuine cases are compensated and the system is not abused.

74. BUILDING BLOCKS

Pilbara: Release

Mr SODEMAN, to the Minister for Lands:

(1) Has in the past residential land in the Pilbara been released to local builders for the purpose of building spec homes, flats, town-houses and duplex units, etc.?

(2) If "Yes"—

(a) what was the nature and conditions of the releases; and

(b) how many blocks were released and to whom, in each instance?

(3) If answer to (1) is "No" then is it intended that releases of this nature will take place in the future?

(4) If so, what will be the conditions and expected dates for such releases?

(5) If "No" what are the reasons for not allowing for residential development of this nature in the Pilbara?

Mr O'Neil (for Mr RIDGE) replied:

(1) No. Lands Department sales of single residential sites have included a condition limiting persons to one lot each, husband and wife being regarded as one person.

(2) (a) and (b) Not applicable.

(3) The removal of the limitation of one lot per person as an experiment is being considered for the next Karratha release.

(4) The next auction at Karratha is expected about July 77.

(5) Not applicable.

75. STATE FINANCE

Pilbara: Capital Works Programme

Mr SODEMAN, to the Treasurer:

(1) What was the amount of the State capital works programme for the Pilbara, as projected in the budgets of—

1971;

1972;

1973;

1974;

1975;

1976?

(2) With the exception of 1976, what was the actual amount expended against each of the budget estimates, as above?

Sir CHARLES COURT replied:

(1) and (2) Capital works expenditure is not recorded for separate areas of the State and considerable work would be entailed to extract the information requested. However, if the member is interested in certain items of expenditure, I will endeavour to help him if he lets me know the specific information he requires.

76. ELECTRICITY SUPPLIES

Domestic Rate and Consumption

Mr SODEMAN, to the Minister for Fuel and Energy:

(1) What is the variation in electricity cost to the domestic consumer in the country and metropolitan areas?

(2) What was the variation as at 30th March, 1974?

(3) What is the average annual domestic consumption of electricity in the following areas:

metropolitan area;

Albany;

Bunbury;

Geraldton;

Carnarvon;

Karratha;

Port Hedland;

South Hedland;

Broome;

Kununurra?

(4) What are the comparative charges for electricity—

(a) in country areas;

(b) in the metropolitan area?

(5) Are there any cost increases envisaged in electricity charges north of the 26th parallel between now and 30th June, 1977?

Mr MENSAROS replied:

- (1) All electricity for domestic purposes is charged at the rate of 3.83 cents per kilowatt hour.

A fixed charge of \$2.04 per quarter applies to customers supplied from the interconnected system and \$5.00 per quarter for all other customers.

- (2) No variation for domestic customers supplied from the interconnected system.

Charges to customers supplied outside the interconnected system varied widely with some small centres having a fixed charge of \$3.80 higher, and energy charge i.e. (the metered tariff for electricity used) about twice that applying for the interconnected system.

- (3) Metropolitan area 3800 kilowatt hours per year.

Figures for country centres are not separately recorded but generally the use of electricity in the north is much higher than that in the metropolitan area and the south west.

The electricity supply at Carnarvon is under the control of the local authority.

- (4) See answer to (1).
(5) No.

77. *This question was postponed.*

78. HOUSING

North-west: Design and Rents

Mr SODEMAN, to the Minister for Housing:

- (1) What was the nature and extent of improvements in the design of the State Housing Commission homes north of the 26th parallel, between 20th February, 1971 and 30th March, 1974?

- (2) What initiatives have been taken since 30th March, 1974 to upgrade State Housing Commission homes, north of the 26th parallel?

- (3) What major improvements have there been achieved since 30th March, 1974?

- (4) What further developments can be expected in the future towards generally improving living conditions for State Housing Commission tenants in the north of the State?

- (5) What was the variation in weekly rental between the metropolitan area and north of the 26th parallel, for a newly constructed:

- (a) two bedroom flat;
(b) three bedroom house;
(c) four bedroom house,

as at 30th March, 1974 and 1st October, 1976, respectively?

- (6) Are there any weekly rental cost increases envisaged north of the 26th parallel between now and 30th June, 1977?

- (7) If answer to (6) is "Yes" what is expected to be the nature and extent of such increases?

Mr Old (for Mr P. V. JONES) replied:

- (1) During the period in question, investigation as to living conditions north of the 26th parallel were carried out, and as a result several new designs were introduced incorporating the following features:

- (i) Space for deep freeze unit in kitchen.
- (ii) Additional three power points in lounge.
- (iii) Additional three power points in kitchen.
- (iv) Introduction of a modular framing system.
- (v) Added utility room in some designs.
- (vi) Improved cupboard space.
- (vii) Modernised kitchen cupboards.
- (viii) Two bedroom type courtyard houses were introduced in Broome, together with experimental fencing.

The policy of improvement was continued throughout this period.

- (2) (a) Existing houses are being upgraded in the following ways:

- (i) Strengthening of structure to resist cyclonic conditions.
- (ii) Enclosing laundries.
- (iii) Installation of fans to all habitable rooms.
- (iv) Stainless steel troughs, additional power points, removal of storm shutters, connections to sewer, crossovers, additional storage space.

- (b) New designs have been produced incorporating all the above features plus the following:

- (i) More attractive fencing.
- (ii) Storeroom.
- (iii) Covered external areas.
- (iv) Aluminium windows.
- (v) External wall painting.
- (vi) Deletion of awning panels.

(c) Experimental houses are being constructed incorporating single leaf masonry walls at Port Hedland, Karratha and Carnarvon.

(d) All house types in cyclonic areas have been checked structurally and upgrading is being carried out where necessary.

(e) Extensive research has been carried out into the requirements and conditions associated with living in the north west and a report has been published by the North-West Study Group covering these aspects.

(f) Prototype designs have already been erected at Port Hedland incorporating recommendations of the study group.

(3) Answered by No. (2).

(4) A continuous programme of upgrading is being implemented, spread over the years 1974 to end of 1979.

Continued research is being carried out with the object of producing separate designs for all specific climatic regions.

(5) The variation in weekly rental between the Metropolitan area and north of the 26th Parallel, for a newly constructed:

(a) Two bedroom flat.

(b) Three bedroom house.

(c) Four bedroom house

as at 30th March 1974 and 1st October, 1976 were—

Accommodation Type	30th March 1974 Weekly Variation	1st October 1976 Weekly Variation
2 Bedroom House	+\$12.30	+\$0.60
3 Bedroom House	+\$9.00	+\$2.80
4 Bedroom House	*Not applicable	+\$3.20

* No 4 bedroom houses previously constructed north of the 26th Parallel.

The variations are based on average rentals and represent the additional weekly rental over and above the metropolitan area rentals.

There are no two bedroom apartments north of the 26th Parallel. The variations given are for two bedroom town houses.

(6) and (7) No rent increases are envisaged for the north of the 26th Parallel between now and 30th June 1977.

79. LAKE VARLEY-HYDEN ROAD

Realignment

Mr COWAN, to the Minister for Transport:

With reference to the Armadale-Lake King road—

(1) Has the Main Roads Department agreed to realign the section of road between Lake Varley and Hyden?

(2) If so, have any land resumptions been made?

(3) How many properties are affected?

(4) What is the area to be resumed?

(5) What is the value of funds set aside for the purpose of realigning and upgrading the road?

Mr O'CONNOR replied:

(1) The department has agreed to realign only the section between Lake Varley and Holt Rock.

(2) Resumption proceedings are in progress.

(3) Nine.

(4) 70.317 hectares.

(5) \$200 000 has been allocated in the 1976-77 programme of works. Further funds are proposed for the 1977-78 programme to allow completion to the gravelled stage.

80. ROAD TRANSPORT PERMIT

"New Holland" Harvesters

Mr COWAN, to the Minister for Transport:

Why is it that distributors of New Holland self-propelled harvesting machines have been refused a permit to road transport the machines to country dealers?

Mr O'CONNOR replied:

The issue of licences under the Transport Commission Act for the transport of goods by road is subject to the provisions of Section 26 which requires that before granting the licence, the commissioner must consider the adequacy of the existing service.

If it can be shown that existing transport facilities are inadequate licences may be issued.

81. SOUTHERN CROSS DISTRICT SCHOOL

Alterations

Mr COWAN, to the Minister representing the Minister for Education:

(1) Has the department any plans to carry out alterations to the southern wing of the Southern Cross

District School to allow students access to the new playing area south of the school?

- (2) If so, when will the alterations be made?
- (3) Will the department take action to prevent storm water running off the building roof onto the school verandahs?

Mr GRAYDEN replied:

- (1) and (2) No current plans.
- (3) The matter has already been referred to the Public Works Department for appropriate action.

82.

HEALTH

School Dental Scheme

Mr DAVIES, to the Minister representing the Minister for Health:

- (1) At what schools have dental clinics been provided in each of the financial years since the present scheme was commenced?
- (2) At what schools are clinics to be provided this financial year?

Mr O'NEIL replied:

- (1) Dental Therapy Centres provided in 1973-74 financial year were:
 1. Brentwood Primary School.
 2. Marmion PS.
 3. Newborough PS.
 4. Newman PS.
 5. Nollamara PS.
 6. Yokine PS.

Dental Therapy Centres provided in 1974-75 financial year were:

1. Camboon PS.
2. Anzac Terrace PS.
3. Forrestfield PS.
4. Willetton PS.
5. Hampton Park PS.

Dental Therapy Centres provided in 1975-76 financial year were:

1. Belmay PS.
2. Carlisle PS.
3. Cloverdale PS.
4. East Hamilton Hill PS.
5. Girrawheen PS.
6. Hainsworth PS.
7. Hilton PS.
8. Koondoola PS.
9. Langford PS.
10. Lathlain PS.
11. Lockridge PS.
12. Lynwood PS.
13. Middle Swan PS.
14. Mirrabooka PS.
15. North Balga PS.
16. Queens Park PS.
17. Riverton PS.
18. South Thornlie PS.
19. Spearwood PS.
20. Warriapendi PS.
21. Koorilla PS.
22. Southwell PS.
23. Swan View PS.
24. Westminster PS.
25. Wirrabirra PS.

26. South Terrace PS (Mobile).
27. Beaconsfield PS (Mobile).
28. South Hedland PS (Mobile).

- (2) Dental Therapy Centres proposed for the 1976-77 financial year are:

1. Carey Park PS, Bunbury.
2. South Bunbury PS, Bunbury.
3. Albany Central PS, Albany.
4. Spencer Park PS, Albany.
5. Yakamia PS, Albany.
6. Mt. Barker PS, Mt. Barker.
7. North Kalgoorlie PS, Kalgoorlie.
8. South Kalgoorlie PS, Kalgoorlie.
9. Boulder PS, Boulder.
10. Kambalda West PS, Kambalda West.
11. Norseman JHS, Norseman.
12. Esperance PS, Esperance.
13. Rangeway PS, Geraldton.
14. Allendale PS, Geraldton.
15. Bluff Point PS, Geraldton.
16. Geraldton PS, Geraldton.
17. Busselton PS, Busselton.
18. Donnybrook PS, Donnybrook.
19. Manjimup PS, Manjimup.
20. Bridgetown PS, Bridgetown (Mobile).
21. Karratha PS, Karratha.
22. South Hedland PS, South Hedland.
23. Cooke Point PS, Port Hedland.

83.

RETIRED PERSONS

Inquiry into Plight

Mr DAVIES, to the Premier:

What collaboration has there been to date between the State and the Australian Government committee which is inquiring into the plight of retired persons on fixed incomes?

Sir CHARLES COURT replied:

The Income Security Review Group visited Perth in May and had discussions with departmental officers on a wide spectrum of matters, one of which was the fixed income of retired persons. As WA was the first State interviewed, the group planned as quickly as possible to have similar discussions with all other States. The committee knows we stand ready to co-operate further in their studies.

QUESTIONS (8): WITHOUT NOTICE

1. MUJA POWER STATION
Upgrading

Mr MAY, to the Minister or Mines:

I have given approximately five hours' notice of my intention to ask this question. The references

are in *Hansard* and I feel sure the Minister will be able to provide the answer.

In connection with the answers given to question 27 on Wednesday, the 20th October, 1976, concerning the Muja power house, will the Minister advise—

- (a) Why the cost of upgrading has now risen from \$120 million on the 13th October, 1976, to \$170 million on the 20th October, 1976?
- (b) Whether the information contained in the reply to questions without notice on the 19th November, 1974, was correct.
- (c) If the information was correct why was he not in a position to answer parts (5) and (6) of question 27 on the 21st October, 1976?
- (d) Because of the information contained in question 4 without notice on the 17th October, 1974, why was he unable to answer parts (11) and (12) of question 27 on the 20th October, 1976?
- (e) In view of the answers given to parts (1) and (2) of question 27 on the 13th October, 1976, why was an entirely different answer given to part (15) of question 27 on the 20th October, 1976?
- (f) Whether he can recall giving an assurance to the member for Clontarf and the Collie Coalminers' Union that the possibility of providing for new deep mines in the foreshadowed long-term contracts would be discussed prior to a decision being made by the Government?

Mr MENSAROS replied:

- (a) to (f) As I have already mentioned to the honourable member, as a matter of courtesy, just prior to the House sitting, it is a fact that he phoned this question through to my office shortly after mid-day. I was not in my office, and I was not available before the House sat this afternoon. For that reason, I cannot give him an answer today.
- If the honourable member will place the question on the notice paper I will answer it.

2. HIGH SCHOOLS

Learning Materials: Inquiry into Costs

Mr BRYCE, to the Minister representing the Minister for Education:

Will the Minister table a copy of the report prepared by the committee appointed to investigate the escalating costs of learning materials in Western Australian secondary schools?

Mr GRAYDEN replied:

I thank the member for Ascot for notice of his question, the reply to which is as follows—

A copy of the report on the Secondary Education Costs Committee is tabled herewith.

The report was tabled (see paper No. 493).

3. CONSUMER PROTECTION

Faulty Bicycles: Sales

Mr A. R. TONKIN, to the Minister for Consumer Affairs:

- (1) Is he aware that bicycles are being sold in stores in Perth which have—
 - (a) no brakes;
 - (b) the rear wheel with a fixed sprocket;
 - (c) a flimsy and unsafe centre pedal housing?
- (2) Will he make investigations as to their safety and take the appropriate action?

Mr GRAYDEN replied:

- (1) No.
- (2) Yes.

4. ART AND CULTURAL CENTRES

Government Financial Assistance

Mr STEPHENS, to the Premier:

- (1) How much has the Government spent or is committed to spend, in providing buildings and/or land for—
 - (a) the Entertainment Centre;
 - (b) Perth Concert Hall.
- (2) What other art and cultural centres has the Government assisted by capital grants in—
 - (a) the metropolitan area;
 - (b) country areas

and what amounts have been spent or promised in each case?
- (3) In addition to the above, what other financial assistance has been given in support of art and culture in—
 - (a) the metropolitan area;
 - (b) country areas?

Sir CHARLES COURT replied:

- (1) (a) Approximately \$7.4 million, plus interest accruing on long-term loans for which responsibility was assumed as part of the purchase consideration.
- (b) \$1 475 000.

- (2) and (3) It is not possible to provide this information in detail without committing Government officers to an unwarranted amount of research.

Over the years the Government has given capital and operating assistance to a very great number of arts and cultural activities in both the country and the metropolitan areas.

I invite the honourable member's attention to the annual reports of the Western Australian Arts Council.

I also table a schedule of grants made for cultural purposes of various kinds in 1975-76 and allocated for 1976-77.

The schedule of grants was tabled (see paper No. 494).

5. SETTLEMENT AGENTS BILL

Deferment

Mr BERTRAM, to the Premier:

Is it correctly reported that the Government intends to take no action in connection with the Settlement Agents Bill?

If the answer is "Yes", is it not very likely that the Government will introduce similar legislation at a very early date?

Sir CHARLES COURT replied:

The Government has decided that it will not proceed, this session, with the Bill on the notice paper. As I mentioned in a statement last night, after consultation with many interested groups it was found that it was not practicable to arrive at a solution which was acceptable to all parties and, at the same time, produce an effective result.

However, the Government is of the opinion that because of the discussions which have taken place and the general acceptance by all parties concerned that the public interest does have to be protected, and that pending further consideration of the legislation and further discussion with all parties, something will be worked out within the industry itself which will be satisfactory to all concerned and, at the same time, give

a degree of protection to the public greater than that provided at present.

I should add, for the information of the honourable member, it was found when discussions took place that there were quite a number of parties with varying interests and activities involved. They included lawyers who undertook settlements in the ordinary course of their practice; lawyers who had set up well-established and effective settlement agencies; real estate agents who undertook settlements in the ordinary course of their business; real estate agents who had their own well-established settlement agencies; and the settlement agents themselves.

It can be well and truly understood it was not easy to bring all those interested parties together and work out an acceptable solution.

It was experimental legislation, and I believe it has been a worthwhile exercise not only as far as the industry is concerned but also more particularly so far as the public is concerned because the public has been alerted to settlement activities and the alternative facilities available, as well as the need for care.

Mr Bertram: A very good speech.

Sir CHARLES COURT: I appreciated the opportunity to answer the question.

6. GRAYLANDS TEACHERS COLLEGE

Retention

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) Has a decision been made concerning the future of Graylands Teachers College?
- (2) Can the Minister guarantee that the college will continue to operate in 1977 and 1978?
- (3) If a decision is made to close the Graylands Teachers College, will the Minister provide an assurance that proper arrangements will be made to protect the jobs of those employed at the college?

Mr GRAYDEN replied:

- (1) No.
- (2) and (3) It would be premature to speculate on the Graylands Teachers College beyond 1977, until recommendations on the subject have been proposed by the Western Australian Post-Secondary Education Commission.

7. NON-GOVERNMENT SCHOOLS

Financial Assistance

Mr BRYCE, to the Minister representing the Minister for Education:

(1) What amounts of financial assistance did Western Australian private schools receive for—

- (a) Capital expenditure
 - (i) Federal sources
 - (ii) State sources
- (b) Recurrent expenditure
 - (i) Federal sources
 - (ii) State sources

in 1975-76?

(2) What will these amounts be in each case for the financial year 1976-77?

Mr GRAYDEN replied:

(1)—

	\$
(a) (i) Non-Government schools	2 472 000
Joint Government and non-Government schools	163 000
(ii) Interest subsidies	273 145
(b) (i) Non-Government schools	7 335 000
Joint Government and non-Government schools	1 680 000
(ii) Per capita grants	5 817 103
Textbook Allowance (including carry-over (paid to parents))	266 465

Assistance to non-Government schools is also provided in the form of free books, school supplies, science stocks, Education Department publications, gas supplies, school bus travel, in-service participation by teachers, advisory services—superintendents and others, teachers' certificate course instruction, guidance and counselling services and attendance at Government school facilities, eg. manual arts centres.

(2)—

	\$
(a) (i) Non-Government schools	2 035 000
Joint Government and non-Government schools	91 000
(ii) Interest subsidies (estimated)	300 000
Pool subsidies	4 000
(b) (i) Non-Government schools	12 218 000
Joint Government and non-Government schools	2 457 000
(ii) Per capita grants (estimated)	7 609 000
Textbook Allowance (estimated)	195 000

8. POLICE

Libel Charges

Mr BERTRAM, to the Minister for Police:

Will he consider supplying to me, as shadow Attorney-General—and in no other capacity—all of the statements concerning which charges have been made on the grounds that they contain criminal libels?

Mr O'CONNOR replied:

If the honourable member will put the question on the notice paper I will consider it.

QUESTIONS ON NOTICE

Closing Time

THE SPEAKER (Mr Hutchinson): I advise members that questions on notice for Tuesday, the 2nd November, will be accepted until noon on Friday, the 29th October.

JOONDALUP CENTRE BILL

Returned

Bill returned from the Council with an amendment.

PARLIAMENTARY COMMISSIONER
ACT: RULES*Application to Authorities: Assembly's
Resolution—Council's Concurrence*

Message from the Council received and read notifying that it had concurred in the Assembly's resolution.

BILLS (2): MESSAGES

Appropriations

Messages from the Governor received and read recommending appropriations for the purposes of the following Bills—

1. Censorship of Films Act Amendment Bill.
2. Industrial Lands Development Authority Act Amendment Bill.

JOONDALUP CENTRE BILL

Council's Amendment

Amendment made by the Council now considered.

In Committee

The Deputy Chairman of Committees (Mr Blaikie) in the Chair; Mr Rushton (Minister for Urban Development and Town Planning) in charge of the Bill.

The amendment made by the Council was as follows—

Clause 27, page 10, line 36—Delete the word "Joondalup" and substitute the following words "the Joondalup Centre".

Mr RUSHTON: I move—

That the amendment made by the Council be agreed to.

Mr DAVIES: I do not know whether all members have the amendment. The Minister did not think it was necessary to tell the Chamber what it was. The amendment is—

Clause 27, page 10, line 36—Delete the word "Joondalup" and substitute the following words "the Joondalup Centre".

When this Bill was being debated in this place on Tuesday, the 12th October, the member handling the Bill on behalf of the Opposition said he did not like Joondalup alone being named because he felt it would

give the corporation far too much power if it were taken literally, in that it meant the whole of the suburb of Joondalup rather than the Joondalup centre which was defined in the Bill. The Minister said he did not think that was so and that anyone with any common sense would know it meant the Joondalup centre. His remarks are on page 3049 of *Hansard*, where he promised to do the right thing. The member for Cockburn said that "Joondalup" had not been defined and that if the matter were not settled "the Bill will be sent back from the other place and embarrassment will be caused at both ends. I hope the Minister will do the right thing." The Minister said—

I will certainly do the right thing; that is, proceed with the Bill. There is no doubt that the corporation's powers are related to the area described in the first schedule. The honourable member will find that applies in other parts of the Bill. Perhaps he thinks a disastrous time will arrive when he will find himself Minister for Urban Development and Town Planning and he will be sad to find he does not have that power.

If the amendment to which the Minister asks the Chamber to agree is the one I have read out, it is in line with what the member for Cockburn said would happen, and the Minister has maintained his track record of having most if not all of his Bills amended in the other place.

Mr RUSHTON: I am indebted to the member for Victoria Park for explaining the amendment in detail. I thought members had a copy of it. It was not the member for Cockburn who raised the matter but the member for Swan who indicated he thought the amendment should be made.

Mr Davies: Look at page 3049 of *Hansard*.

Mr RUSHTON: The Opposition attempted to adopt a foolish approach to the matter and I undertook to have it considered and the amendment made, which I have now done.

Mr DAVIES: I want to insist that the quote I read out was from the member for Cockburn. If members have a look at page 3049 of *Hansard* they will find it begins with a heading "Mr Taylor", and whether or not the Minister says it was the member for Swan is of little consequence to me. If he is challenging *Hansard* he should say so and have the record corrected. I quoted the member for Cockburn as saying that and that is precisely what happened.

Question put and passed; the Council's amendment agreed to.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

LEGISLATIVE REVIEW AND ADVISORY COMMITTEE BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

MR YOUNG (Scarborough) [5.10 p.m.]: Prior to the afternoon tea suspension we in this Chamber were subjected to a trilogy of speeches of the kind of political humbug for which the Opposition in this State has become infamous. Lest people who may have been unfortunate enough to hear that trio of speakers should believe what was said by them, I will read the title of the Bill. Members of the public might believe it was in fact a Bill to incarcerate everyone in Western Australia or to take away the entire powers of this Chamber and the other place.

The Bill is described as "a Bill for an Act to establish a Committee to examine and report to the Parliament upon whether regulations, rules and by-laws which may be disallowed by the Parliament trespass unduly on personal liberties or are otherwise undesirable in certain other respects, to examine and report to the Parliament upon other legislation and proposals for future legislation referred to it for the purpose, and for incidental and other purposes."

The speeches which were made by the member for Morley, the member for Mt. Hawthorn, and the Leader of the Opposition would have us believe the Bill was written to take away the entire powers of this place and the other Chamber—

Mr Bertram: What has the title to do with it?

Mr YOUNG: —and perhaps consequentially have people languishing in gaol, as the Leader of the Opposition suggested.

Mr Bertram: What has the title to do with it?

Mr YOUNG: The member for Mt. Hawthorn is one person in the place who is continually talking about mandates. He gets up time and time again and asks, "Has the Government got a mandate for this?", and "Has the Government a mandate for that legislation?" This is one occasion when the member for Mt. Hawthorn did not mention mandates at all, and I will tell members why. In the 1974 policy speech—that unnumbered document to which members of the Opposition refer so often—and in "Policy and Performance"—which was put out in July, 1976—Items 29 and 247 state what this Government intended to do, and they clearly indicate that the Government was going to set up this particular committee.

There was not a word when the present Premier, who was then the Leader of the Opposition, gave his policy speech in 1974. Neither the present Leader of the Opposition nor any other member on the other side of the House said those two promises were bad. In July, 1976, when the "Policy and Performance" document was made public and those two items were enumerated and answered—

Mr Bertram: Would you be good enough to read them?

Mr YOUNG: —not a word was mentioned by members opposite. I will be happy to read them for the member for Mt. Hawthorn. Item 29 reads—

We will therefore establish a responsible and an impartial Committee on Freedom and Responsibility.

It will be both strong-minded and broad-minded.

It will make no rules, but it will recommend to the Government the kind of guide-lines that help us draw the line between responsible use of freedom and irresponsible licence.

Item 247 reads—

We will set up an independent body to be watchdog for the public to see that laws and regulations don't trespass unduly on personal rights and liberties. It will also see the public is better informed on By-laws, Regulations, reports and documents tabled in State Parliament.

Mr A. R. Tonkin: It was rejected by the people.

Mr YOUNG: We have the biggest majority ever in this Parliament, and the member for Morley says it was rejected by the people!

Several members interjected.

The SPEAKER: Order!

Mr YOUNG: We did not hear a word from members opposite in 1974, and not a word in July, 1976.

Mr Davies: What do you expect them to say until the measure comes to Parliament?

Mr YOUNG: The answer is simple. Somehow, someone has got at that Caucus and said, "This is a bad Bill", whereas obviously these promises were good, decent, and responsible.

Mr A. R. Tonkin: Why did the people reject that?

Mr YOUNG: The member for Mt. Hawthorn did not mention the mandate, but commenced on his usual Cook's tour of the Electoral Districts Act.

Mr A. R. Tonkin: Why did the people reject it?

The SPEAKER: Order! I have already spoken to the member for Morley about repetitive interjections being highly disorderly. I do not mind interjections, but

repetitive interjections are highly disorderly, and I ask him not to do it again. The member for Scarborough.

Mr YOUNG: Thank you, Sir. As I was saying, the member for Mt. Hawthorn made a Cook's tour of the Electoral Districts Act and that, of course, is what he does in this place whenever he is in doubt and does not know what he is talking about.

Mr A. R. Tonkin: Are you talking about me?

Mr YOUNG: I am speaking about the member for Mt. Hawthorn; I thought I made that clear.

A member: You did.

Mr YOUNG: Last night the member for Mt. Hawthorn eulogised the Tonkin Government for setting up the Ombudsman legislation, which he described as a piece of wonderful socialistic legislation which was one of the greatest things since sliced bread. He said it was a wonderful piece of legislation which we opposed with great vehemence, and he went on to say it is the most wonderful document in the legislative history of this State.

The Parliamentary Commissioner for Administrative Investigations—to give him his correct title—is there for a specific purpose, and that purpose is set out in the Act. He is there for the investigation of administrative actions taken by or on behalf of certain Government departments and other authorities, and for incidental purposes. In the course of his duties he, therefore, has to inquire into the administration of departments under the control of Ministers who are selected from members of Parliament and who are subject to members of Parliament in this place and in their party rooms.

But when that legislation was before the Parliament no-one from the other side of the House said what a terrible thing it was and how unfair it was that we were setting up the office of Ombudsman to usurp—I think the member for Morley used that word—the functions of members of this place. Does the Ombudsman usurp the functions of Ministers?

Mr A. R. Tonkin: Of course he doesn't; he doesn't comment on legislation.

Mr YOUNG: I asked whether he usurps the function of Ministers. The Minister administers his department, and the Ombudsman is obviously there to advise the Government regarding whether that department has operated correctly or incorrectly under the control of the Minister. There is no question about usurping power. That legislation was brought to Parliament by members opposite; and when we talk about members of Parliament, do not the members of this House have any power over their Ministers? I understand members opposite elect their Ministers and have some power in Caucus. I understand Labor Ministers are subject

to the democratic principle of questioning and counter-questioning in Caucus.

Mr A. R. Tonkin: Oh yes, questions are answered, aren't they?

Mr YOUNG: Do not the Ministers of the Labor Government answer questions in Caucus?

Mr A. R. Tonkin: I am talking about questions in this place; don't twist my words.

Mr YOUNG: There is a comparison which may be drawn between this Bill and the Ombudsman measure. The member for Morley delivered his usual vindictive exposé of his warped attitudes to this place by suggesting once again that the members of this Chamber have no function and do no work at all.

Mr A. R. Tonkin: I suggested we have a function which we are not fulfilling.

Mr YOUNG: He said it would be better if we spent our time in the library. Doing what?

Mr A. R. Tonkin: Informing ourselves.

Mr YOUNG: Reading the views of other people?

Mr A. R. Tonkin: Informing ourselves.

Mr YOUNG: Does the member suggest we should spend our time in the library reading the views of other people, which he quotes so often in this place, on what we ought to be doing in our lives? Or should we be out in our electorates doing what almost everyone in this House does? The member for Morley cannot deny that because he does it himself. He actually represents people, and I believe he represents them well. He would not have won the seat of Morley by the majority with which he won it had he not been representing the electors properly.

Is the member for Morley suggesting that no-one else in this place represents people properly? Do we have to spend all our time legislating or reading in the library, or should we be out in our electorates doing what we were appointed to do?

No-one can accuse me of not taking part in discussion on legislation. When I was on the opposite side and we were in Opposition I was almost thrown out for having too much to say.

Mr Skidmore: There is still a chance.

Mr YOUNG: The member for Fremantle used to be known as "pepper and salt"; I was also referred to by that title when in Opposition. Our time obviously is committed to doing the job we have been elected to do, and the Government has recognised that with this Bill. If the member for Morley wanted to be honest—

Mr A. R. Tonkin: Is our time committed more than that of senators?

Mr YOUNG: —he and other members opposite would admit that. By their silence they admitted the Labor Caucus has no standing committee to review subordinate legislation. Yet we as a Government, having accepted the fact that proper review of subordinate legislation has not occurred and does not occur regularly in this place—a fact we regret from time to time—have attempted to do something about it.

How often has any member on the other side moved for the disallowance of a regulation? Only a few times. How often have we done so? Frankly, we do not have any more time than members opposite have.

Mr A. R. Tonkin: We are in favour of a committee on subordinate legislation.

Mr YOUNG: I just said that by their silence members opposite admitted they do not have a standing committee within their party to review subordinate legislation; and I am saying this Parliament also does not have one. In my opinion this Parliament has not acted correctly in the past in respect of properly examining subordinate legislation. For the first time a Government has taken it into its hands to say, "This Parliament is busy; its members are busy, and we must have a situation whereby, having sifted regulations through the department and the Minister, someone else will be able to examine them professionally and independently and report—not make legislation, but report—to the Presiding Officer of this House."

Mr Jamieson: Are you saying that the Parliaments of South Australia and Victoria are less busy than this Parliament?

Mr YOUNG: That committee will simply say to the Speaker that it is of the opinion that a particular regulation or by-law may not necessarily be in the best interests of the public.

Mr A. R. Tonkin: The Senate and the House of Representatives have committees. Are they more busy than we are?

Mr YOUNG: The member for Morley said that he had an awful lot of difficulty making himself heard. I interjected only once during his speech.

Mr A. R. Tonkin: Yes, but you have mates like the Government Whip who did so continuously.

Mr YOUNG: When the Deputy Premier introduced the Bill he made it very clear that it is not intended to take away rights from any member of this House. The Bill does not remove a single right, and that is clear if members have read it properly.

We still have the right to move to disallow a regulation, and to do anything that we normally do. The only difference is that we are to have another body which will advise you, Sir, so that you can table a report in this place saying, "Watch it, you might have missed this." The Leader of the Opposition talked a great deal about

what the Press misses. However, in 1974 the Opposition obviously missed the fact that we proposed to bring this committee into effect, because that was spelt out very clearly at that time. It was spelt out again in July, 1976. However, because members opposite did not do their job and missed the announcement—or else because they have suddenly changed their minds—they say that democracy is being thrown out.

Mr Jamieson: What a lot of nonsense you talk. That is typical of you.

Mr YOUNG: Members opposite went through our policy with a fine tooth comb, but they made not one comment about this matter.

Mr A. R. Tonkin: Do you really think we paid it that much respect?

Mr YOUNG: Of course they did, and the problem was they could not find anything wrong with it.

Mr A. R. Tonkin: We didn't take it seriously.

Mr Bryce: We noted it and waited until you brought the legislation to Parliament.

Mr YOUNG: While he was speaking on the matter, the Leader of the Opposition almost had us believing that people would end up in prison left, right, and centre. I do not want to read the title of the Bill again or go through it point by point; however, I would like to explain a couple of points.

Firstly, the Ombudsman Act, which the member for Mt. Hawthorn holds so dear to his heart, gives the commissioner the powers of a Royal Commissioner. As you would know, Sir, a Royal Commissioner has tremendous powers. He does not have as many powers as Parliament in Parliament assembled has; I will agree with that. However, he has tremendous powers, and they are given to him for a very substantial reason: to enable him to inquire into matters and to do his job properly as an officer of this Parliament, and to ensure that he obtains all the information he needs.

When a committee is inquiring into legislation, particularly subordinate legislation, quite often as we all well know it is very difficult to get information from people who are connected with the framing of the subordinate legislation. Strong powers are needed to be able to ascertain why the legislation was framed.

Therefore, I think what has happened in this case is that either the Opposition has changed its mind or it missed the announcement. Perhaps members opposite at first thought it was good stuff. Perhaps they thought, "We can't complain about this because we are talking about personal liberty, justice, the rights of individuals, and stuff like that." But something went wrong, because the concept of the establishment of an independent body

to be a watchdog for the public to see that laws and regulations do not transgress unduly on personal rights and liberties, and to see that the public is better informed of by-laws, regulations, reports, and documents tabled in the Parliament, has suddenly become obnoxious to members opposite.

It is a sad day when a watchdog committee like this which is to be set up simply to act as a tool of the Parliament and to help the Parliament and the public is criticised. The setting up of the committee was included in our policy speech, and the Government has a mandate from the people in respect of it. Yet without prior notice from members opposite it is being opposed just for the sake of opposition.

It is a shame and a disgrace that that sort of thing can happen in 1976. I rose to speak only because, having heard the previous three speakers, one would have thought we were bringing down a Bill of some horrendous nature to reduce the powers of the Parliament. The Leader of the Opposition would have the public believe that everyone will be thrown in gaol for refusing to give a bit of evidence. That is a shame and a disgrace.

Mr Jamieson: You are a disgrace to your party.

MR DAVIES (Victoria Park) [5.28 p.m.]: I can only presume that the member who has just sat down has not read past the title of the Bill, which he quoted. I suggest his criticism of the fact that any opposition should be expressed to the Bill was made because he feels this is the very first time his Government has led the way in some democratic principle, and members on this side have the gall to oppose it. His disappointment was shown in the speech he made. His speech was entirely without reason and logic, and was not of the calibre of the speeches we have come to expect from him.

When I was a Minister in the previous Government I knew when the member for Scarborough got up to deal with my Bills that I had better listen to him because he would have something to say. For the first time he has disappointed me.

Mr Coyne: He didn't disappoint us.

Mr DAVIES: I can only say that Government members must be easily pleased if they were not disappointed by that illogical contribution.

The member for Scarborough commenced by telling us to read the title of the Bill and we would find everything is okay. Of course, one can look at the long or short title of any Bill, and that is the last thing of which one would take notice, because often the title does not reflect the content of the Bill.

Mr Jamieson: Look at the fuel and energy Bill.

Mr DAVIES: I was coming to that; I am sorry my leader is a jump ahead of me. He always is.

Sir Charles Court: You will get on. You will get a nice shadow Ministry portfolio.

Mr DAVIES: One has only to take the fuel and energy Bill as an example. The title of that Bill is worlds apart from its content, and one would never know it contains such vicious clauses from reading the title.

Mr Bertram: There is a fuel and energy Bill in Northern Ireland.

Mr Jamieson: Yes, but it deals with fuel and energy.

Mr DAVIES: It is a matter of not judging a book by its cover or an apple by its skin or some such simile.

His first piece of illogical reasoning was that because we did not say anything about the report to the State on the progress that the Government had made, which was issued under item 29 during 1974, we were in agreement with it. What utter rubbish! How could we take exception to something of which we did not know the meaning? From the way the matter was reported it sounded all right—most of the Premier's policy speech sounded excellent—but when one got down to the nitty-gritty it left much to be desired. We were not going to applaud or decry the Government's intentions, action or inaction on that point because we just did not know what was contained in the report.

The situation is similar to the Commissioner of Police recently opposing the idea of a police commission which we have floated. He admitted to me that he did not even know how it was going to be made up, but it was good enough for him to oppose. This is typical of Government members and some of their heads when they have to curry favour. They think, "If we can oppose and help the Government, we will." The Commissioner of Police said to me "What is in it? I do not know." I said, "You are dead right because I do not know either." The details of it have not been worked out, but he was slipping into the paper to criticise it.

We would have been in exactly the same position if we had applauded or criticised this proposed Act because it has taken three years for the Government to make up its mind what it wanted in this Bill, although it might have thought it knew what it wanted to put in the legislation. I think the Government set up a committee to make recommendations. But to suggest that we have had a change of heart is so illogical and so stupid that it does not do the honourable member any good at all.

The honourable member would have been just as critical of us had we opposed the measure at that time. He would have said, "How can you oppose it? You do not even know what is in it." We would have been subject to criticism. According to the member, silence means consent, but it does not mean consent in the context of not knowing what one is talking about; and we would not have known what we were talking about. The member would not have known what the Government was talking about because the Government itself did not know what it was talking about. In a Press statement the Premier said that it had been a most difficult piece of legislation to get together and he had had to obtain expert opinion. The expert opinion told him, "Take it away from Parliament and give it to we experts. As long as we can deal with anybody who will not co-operate and as long as we can report to Parliament, we will give you back that power and you can deal with them then." This is not the type of legislation I would ever have envisaged from the Premier's policy statement or from his progress report. I am certain that nobody on this side of the House felt that this would have happened in this day and age.

The member for Scarborough drew an analogy between this piece of legislation and the Ombudsman. Of course the two are completely different because this proposed committee is charged with certain things it must do in accordance with what is brought before Parliament. Despite his powers, which are large, are intended to be large, and were written into the legislation that way, the Ombudsman does not act until he receives a complaint; and he acts then only if he believes there is some justification for him to act. He does not look at every Government or local government department, every university, and every shire, town, or area over which he has jurisdiction. He could not possibly do that even if he had a staff as large as the staff of the whole of the Public Service. He would never in any way be able to review every action of government. That is the difference between the powers of the Ombudsman and the powers of this proposed committee.

The role of a member of Parliament differs according to each member. We will never see all members doing the same type of thing. I know that many of the shadow Ministers watch all the regulations which are tabled in the House. If I am not in the House when they are tabled I look at the *Votes and Proceedings* next day to see what has been put on the Table of the House and then look at the regulations. For the most part they are only health regulations which are copies of model by-laws which have been drawn up and promulgated to apply to different shires and different situations. There is a tremendous amount of repetitive material. I have noticed that if one cannot understand a regulation the department will

soon explain it. Furthermore, we have all noticed that if a particularly objectionable regulation is laid on the Table of the House that fact is generally known long before the regulation gets here. It will have been noticed in the *Government Gazette* and there is an ample period during which one can move to have the regulation revoked.

I think the Government is going for the overkill in regard to this proposed committee. I think it is setting up a monster in effect that will gradually endeavour to take over other functions and will finish up as a complete Ombudsman over the Parliament. That will happen because it will review legislation and all regulations. What do we deal with here? We deal with regulations and legislation. This monster-elect, which I believe is a more appropriate name for it, will be clothed with powers to enable it to say it is acting for the community at large and recommending to Parliament accordingly. I wonder what this proposed committee would have done with the fuel and energy Bill? Would it have said to the Government, "There are clauses in this Bill which are objectionable"? I wonder what the Government would have done. Rather than reviewing legislation which is proposed, I think it should review legislation which is already on the books and should be repealed.

The contribution by the member for Scarborough was disappointing in the extreme because it was illogical and did not deal with the situation which existed. Indeed, it was an insult to our intelligence. I can only believe the reason he made that type of speech is that he had not read the Bill or had been conned in the party room into supporting it.

MR HARTREY (Boulder-Dundas) [5.40 p.m.]: I cannot find myself at all in sympathy with the denunciation of this Bill. I am not at all sure that I thoroughly understand all its provisions. I hope I have as much comprehension of Statutes as the average intelligence permits but I cannot see what justification there is in denouncing this Bill as a terrible attack on the liberties of the people generally. It seems to me to be based on a good principle. It proposes to set up a body which will be competent to review subordinate legislation.

With every respect to the members of this House, all of whom I hope I may rank among my friends, irrespective of party, and all of whom I have always treated with courtesy, I do not think all of them are competent to review subordinate legislation on their own whether or not they take the advice of the member for Morley to spend time in the library. If they spend their time in the library they will read more novels than anything else because the library contains more novels than anything else. It has not even got a copy of the *All England*

Reports. It has not got a copy of *Butterworth's Workers' Compensation Reports*. It has not got a copy of all things which deal with the sort of law which we tend to deal with from day to day.

I do not think one would spend a very profitable time in the library. One could read all the *Hansards* of the British Parliament, which would not interest me a scrap. One could read the ancient *Hansards* of this Parliament which do not interest me a scrap because I have no desire to go back to prehistoric times to see what happened in 1904 or 1948. It is certainly not a library which would enable people to fulfil the function of reviewing subordinate legislation.

We all know that regulations are laid on the Table of the House and that we can read them. We all know, if we are truthful, that the vast majority do not read them. I am as competent as anybody else in this House to understand them and I do not read them.

Mr A. R. Tonkin: Self-praise is no recommendation.

Mr HARTREY: I would be very sorry to think I was not as competent as the gentleman who has just interjected!

Mr Bryce: How about learning how the library works.

Mr HARTREY: The member for Ascot can have a go if he wants.

Mr Bryce: Why do you not find out how the library works?

Mr HARTREY: If the member for Ascot thinks I should find out how the library works I should be happy to be instructed by him as to how it works. I know how I work there. I can have recourse—as I often do—to the *Western Australian Law Reports*. In fact I have a copy on the table in front of me at this very minute. I can have recourse to the *High Court Reports* whenever I want them. I can also have recourse to Halsbury, *The Laws of England*. That is about all I can find which is of any use to me, although there is a legal dictionary of a sort up there also. If one puts those four volumes together that is all I have been able to profit by in the 5½ years I have been a member of this Parliament. I am not criticising the Parliamentary Library but I remind the member for Morley that if we spend our time in the library we would do practically nothing.

Mr A. R. Tonkin: You said yourself you spent time in the library.

Mr HARTREY: Let us get away from this atmosphere of hostility to discuss the actual principles in the legislation that has been put forward. The proposition is that we should review subordinate legislation. Why should we do that? We should do it with a view to ascertaining whether it infringes the liberties of the

subject unnecessarily. Every regulation infringes the liberties of the subject. Every Act of Parliament, as I have often said here, infringes the liberty of the subject. Very few Acts are passed by either party which increase the liberty of the subject; it is not easy to do. The repeal of a Statute is the only way one can increase the liberty of the subject and not very many Statutes are ever repealed unless they are re-enacted by others even more ominous.

I do not care what political party I ought to belong to or ought not to belong to; ever since I was a child I have been an advocate of the individual liberty of the subject. When a Bill is brought before the House which proposes that a committee should be appointed not to interfere with the liberty of the subject or to revoke it and not to act as a court of appeal for Parliament but to review legislation and to report to the Parliament that such and such a regulation is very harsh and operates to the detriment of many more people than it ought to affect, I applaud such a Bill.

I shall give the House an illustration which I have just located. Would members think it would be right to treat a child between the ages of 14 and 18 more severely than a person over the age of 18 for an uncomplicated offence of breaking and entering, for argument's sake? At present a child of the age of 16 can be so arraigned in the Children's Court; the magistrate may decide whether she is guilty or not if she pleads not guilty; and the magistrate may then refer her to the Supreme Court which has the power to impose upon her the sentence prescribed by the Criminal Code for a person over the age of 18 years—up to seven years' imprisonment.

A man over the age of 18 years can be brought before the Court of Petty Sessions and can elect to be dealt with summarily and cannot be dealt with any more severely than a fine of \$500 or imprisonment for six months. He cannot be sent to the Supreme Court or have inflicted on him the penalty provided in the Criminal Code for people who plead guilty to breaking and entering offences. How does that make sense? That is something the committee will examine and report upon.

If we study the Police Act we will find that it is an astonishing fact that the oath policemen have taken for years and years makes no sense at all. Listen to this—

I, A.B., engage and promise that I will well and truly serve our Sovereign Lady the Queen, in the office of [Commissioner of Police, Inspector, sub-inspector, or other officer, or constable, as the case may be], without favour or affection, malice, or illwill, until I am legally discharged; that I will see and cause Her Majesty's peace to be

kept and preserved, and that I will prevent, to the best of my power, all offences against the same; —

That is perfectly all right. But then listen to this—

—and that, while I shall continue to hold that said office, I will, to the best of my skill and knowledge, discharge all from the duties thereof faithfully according to law.

I draw attention to the word "from". A policeman will discharge everyone in Western Australia from the duty of obeying the law. That is not what it means, but it is what it says. I take it that a committee of this kind would look at that type of thing and take out the ridiculous wording. There are so many anomalies, in the Police Act particularly. It is made up of bits and scraps from the days of the convict settlement. That was in the days of Dickens, and we all know the conditions he described. It was in the days he was writing his novels that the convicts were coming to Western Australia and the old Police Act of 1892 was not the original legislation. As I said, the Police Act is made up of bits, scraps, and pieces. Only comparatively recently we deleted the reference to incorrigible rogues, vagabonds, and disorderly persons, etc. as being archaic. That was done by the Government of the day at my suggestion.

There is a tremendous amount of tidying up required of the Police Act and of the Child Welfare Act. Parliament does really need an expert committee as proposed. How can members of this House have the time to look through all the Statutes and then point out the anomalies? If they are back-benchers they will have no chance of doing so and if they did, nobody would take any notice of them anyway.

Mr A. R. Tonkin: The committee cannot initiate those actions itself.

Mr HARTREY: The committee will be able to review anything referred to it.

Mr A. R. Tonkin: Only if referred to it.

Mr Young: That is not right. The committee can initiate anything itself in respect of regulations.

Mr A. R. Tonkin: Not Acts.

Mr HARTREY: If it cannot do so, that would be a reason to extend the ambit of the legislation, not throw it out! I must support such a committee, particularly in view of the fact that I am a legal practitioner of some experience, with a good deal of devotion to my profession, and with a strong sense of responsibility to the people of this State who paid for my education in order that I might become a lawyer. I have a professional duty to protect their liberties.

Several members interjected.

Mr HARTREY: Do not members believe that I would be very grateful for such a committee to which could be referred the question of the raiding of lawyers' offices and the obtaining of confidential information? Such a practice is against all principles of British law and has been for hundreds of years. Do not members believe that we should have such a body which could call the Minister for Police into order?

Several members interjected.

Mr HARTREY: We must not touch Parliament? Which would members rather protect—the liberties of the people, or the famous privilege of Parliament?

Mr A. R. Tonkin: This is an infringement of those liberties.

Mr HARTREY: I have never heard anyone so nasty about Parliament as the member for Morley.

Mr A. R. Tonkin: Don't be so naive. You know very well—

Mr HARTREY: The next Government will probably appoint the member for Morley to the committee.

Mr Clarko: It won't be the next one.

Mr HARTREY: Do not be too sure about that. There are dark horses in the field.

Mr Bertram: Dead horses, too.

Several members interjected.

The SPEAKER: Order!

Mr HARTREY: Members opposite should be fair. They have already admitted that the member for Morley attends to his business faithfully.

Mr Young: We will not have him in our Government.

Mr HARTREY: Not only might he be appointed to the committee after the next election—he may be doing the appointing himself!

Mr A. R. Tonkin: Do you really believe that we will appoint anyone?

Mr HARTREY: I do not think the member for Morley is so ignorant that he does not know that the ALP would not have to have control of both Houses to be in a position to appoint the committee. He could even be a member of it himself. So he had better start to think before interjecting. I am telling the member for Morley straightout that it is fantastic that—

Mr A. R. Tonkin: How naive you are!

Mr HARTREY: I will not get excited. I have no intention of doing so.

Mr Bertram: Of course not!

Mr HARTREY: If some of my learned colleagues on this side take strong exception to what I say, it does not trouble me.

Mr Jamieson: I am sure you do not agree with clause 11 because I have heard you on it so often.

Mr HARTREY: Let us have a look at it.

Mr Bertram: You will need a couple of hours at least to comprehend it.

Mr HARTREY: Let us see what is wrong with clause 11.

Mr Davies: Now we are going to read the Bill!

Mr HARTREY: Clause 11 reads—

11. Subject to section 10 and to any Rules of Parliament made for the purposes of this Act—

Parliament makes the rules, so that it cannot be overridden!

Sir Charles Court: That's the point.

Mr HARTREY: Surely to goodness that is plain enough. A person does not need to be a genius to understand that. Even a school teacher could understand that.

Mr Bertram: What was your occupation previously?

Mr HARTREY: I was a school teacher and then I got more sense and became a lawyer. Then I got more sense still and became a politician.

Several members interjected.

The SPEAKER: Order!

Mr HARTREY: Clause 11 continues—

(a) the Committee shall, in relation to any proceedings which it conducts for the purposes of considering or reporting upon a matter referred to in section 7 or subsection (1) of section 9, have the same powers to order persons to attend before it, to order persons to produce to it papers, books and other documents, and to require persons to answer questions asked by it, as may be exercised by a Committee of a House of the Parliament by virtue of the provisions of the Parliamentary Privileges Act, 1891; and

Here is something members may not know. Under our Standing Orders—I do not know anything about the Standing Orders of another place—we are not supposed to have the power to administer an oath, although in 1904 we did so and imprisoned a man for not giving evidence when required.

Mr Bertram: They soon let him out again.

Mr HARTREY: He was in for quite a while.

Mr Bertram: For five minutes.

Mr HARTREY: I do not think the member for Mt. Hawthorn knows his history if he says the person was imprisoned for only five minutes. He should go and have a look at the damn thing!

Let us get back to clause 11. There is nothing in the world to prevent a committee investigating legislation which appears to be obnoxious. Surely such a committee should have power to call evidence and compel people to give it. It is only the bureaucrats—the departmental

heads and their immediate stooges—who would want to refuse to give evidence or make disclosures. I am not here to bar-rack for them. To appoint a committee with no power to deal with bureaucrats is undemocratic.

Mr A. R. Tonkin: That is another bureaucratic device.

Mr HARTREY: The member for Morley is not saying that bureaucracy is democratic?

Mr A. R. Tonkin: No.

Mr HARTREY: I believe that anything bureaucratic is undemocratic. Maybe I do not understand English as well as the member for Morley, but I think I do.

Several members interjected.

The SPEAKER: Order!

Mr HARTREY: I did not come here to argue with the member for Morley. Let us do that outside.

Mr Jamieson: What about the other part of the clause?

Mr HARTREY: Paragraph (b) reads—

- (b) where, in the course of any proceedings conducted by the Committee for the purposes of considering or reporting upon a matter referred to it under section 7 or subsection (1) of section 9, a person does or omits to do an act or thing which, if done or omitted to be done by him in or in connection with the proceedings of a Committee of a House of the Parliament . . .

Point of Order

Mr BARNETT: On a point of order, Mr Speaker, I think my learned friend is spending far too much time on clauses now during the second reading debate when he could well spend that time later on when the Bill is being discussed in Committee.

Several members interjected.

The SPEAKER: Order! I consider the member for Boulder-Dundas is within his rights in referring to matters as he has done during his speech. I have shown far more tolerance to other speakers previously in the Chamber.

Debate Resumed

Mr HARTREY: Thank you, Mr Speaker, although, with all due respect to you, I think perhaps there may have been something in the point of order. However, I was challenged to read it.

Mr Bertram: We have been learning from you.

Mr HARTREY: I was challenged by the Leader of the Opposition, my leader, to quote the provision and I see nothing objectionable in it. If the Parliament appoints a committee of members of Parliament it gives them certain powers to report to Parliament, and certain powers

to impart information to it; why not bestow the same powers by the same Parliament on people not members of it, to deal with subjects about which the same Parliament wishes to receive a report? Members are merely attempting to misinterpret the objectives of the Bill. What is objectionable about that? Clause 9 (2) reads—

(2) Either House of Parliament or the Minister may request the Committee to consider and report upon what principles, if any, might be adopted in the preparation of future legislation either generally or in relation to legislation dealing with specified subject matters in order to reduce the likelihood of such legislation—

The following words are important, so how can we condemn them? They read—

(a) unduly trespassing on personal rights or liberties; or

I find nothing objectionable about that. Any safeguard against any trespass on personal rights or liberties is all right by me. It is completely democratic; I do not care who says it is not or whether he knows what he is talking about. He would not know what he was talking about if he did not believe it was democratic. What is objectionable about that? Paragraph (b) is also very important, and it reads—

(b) unduly making rights dependent upon administrative, and not upon judicial, decisions, or unduly restricting or inhibiting rights of appeal against administrative decisions.

In other words, it includes regulations which are intolerable and which some tin-pot clerk in the—

Mr A. R. Tonkin: There will be three tin-pot clerks on this committee.

Mr HARTREY: And the member for Morley might be one of them!

Mr A. R. Tonkin: The Bill is here because the Government knows it will be going out of office next year and the legislation is designed to harass the Labor Government when it is in office; and you can't see it!

Mr Bertram: Is that what it's all about?

Mr HARTREY: If a Labor Government gets into office next year, which I think it will, the committee will have no power except in respect of matters which we refer to it.

Mr A. R. Tonkin: Which the Parliament refers to it; and we will not control Parliament because of the Electoral Districts Act. We will not control the Legislative Council.

Mr HARTREY: We will not become the Government if we do not get a majority in this House.

Mr A. R. Tonkin: If we have a majority in this House we will not have a majority in the Parliament.

Mr HARTREY: The Ministry will still have the government of this State in its hands. Irrespective of what the committee reports the Ministry, whether or not it is a Labor Ministry, will not be bound by the committee's reports.

Mr A. R. Tonkin: It will be a second Legislative Council.

Sir Charles Court: How silly can you be?

Mr A. R. Tonkin: The member for Boulder-Dundas cannot read English. The Premier is laughing at him.

The SPEAKER: Order!

Mr HARTREY: When the Premier has finished laughing at me and the member for Morley has finished roaring at me, I will continue. I am not worried about these diversions.

Mr A. R. Tonkin: It is only a part-time occupation with you.

Mr HARTREY: It has been my occupation for 40 years, learning it, teaching it, and expounding it here; and if I am not as competent as the member for Morley, God help me! I wish to goodness we had had such a committee when the Fuel, Energy and Power Resources Act Amendment Bill came up.

Mr A. R. Tonkin: Do we need a committee to tell us what kind of legislation that was?

Mr HARTREY: There is no-one in this House—

Mr A. R. Tonkin: The Opposition said how bad it was.

The SPEAKER: Order! Persistent interjections cannot be tolerated.

Mr HARTREY: Nobody in this House took a firmer or more determined stand against the Fuel, Energy and Power Resources Act Amendment Bill than I did. I was the first one to stand up in the second reading debate and point out the atrocities in it. I will not ask members to refer back to the speech I made in 1974—that is ancient history—but I say without any hesitation that I pointed out the atrocities in that Bill after just perusing it, and I denounced it. Had we had such a committee then we could have asked it to report on the Bill and it would probably have pointed out a lot more than I was able to point out. We would have been a lot better off.

Mr Bertram: You could not have sent that Bill to this committee.

Mr A. R. Tonkin: Not until after it had been passed. It will be a tame-cat committee appointed by this Government.

Mr HARTREY: Members of the committee will not be tame cats. Why should they be? We might as well say we appointed a tame-cat Ombudsman, or that when he retires the Government will appoint one. There is no point in being politically nasty about a piece of legislation which is not really a party measure

at all. I will say without hesitation that this is a piece of legislation which is on the right track from the point of view of the average man in the street.

Mr A. R. Tonkin interjected.

Mr HARTREY: The honourable member can have my words taken down if he likes. I say this is a committee the object of which is to do what is urgently needed by all Parliaments. Anybody who knows anything about law-making in the last 40 years must acknowledge that in the Parliament of England, the Parliament of the Commonwealth of Australia, and the Parliament of the State of Western Australia there has been a continual tendency to smother public protests and the voice of the individual representative of the public in Parliament—the back-bencher—and let Governments have everything to say. Governments are after all, unfortunately, only the mouthpieces of the stooges—the really faceless men—who are the civil servants, whom we hardly ever see at all. They are very often activated by something some small stooge puts up.

I was in the Air Force for three years and for at least half of that time I was nothing more than a civil servant in a blue uniform. I saw hundreds of files go through headquarters with recommendations from Pilot Officer Prune or Flying Officer Funny-face which would get up to Group Captain Smith, be okayed, go to the Air Board, and come back gazetted as orders. I did not get any medals for it, I might add. That was enough to educate me as to how regulations are made. They are not even made by departmental heads who have enough brains to make them. They are made on the recommendation of little stooges who pass them up to higher stooges; and finally they come here and become the law of the land—"His Excellency the Governor has been pleased to proclaim blah-blah-blah."

Finally, I find I transgress a regulation which I did not know existed; or, if I did know it existed, it violates my personal individual rights. I do not care who likes it and who does not like it; I will vote for this Bill, although I have certain reservations.

Mr Bryce: There goes the argument of the member for Scarborough.

Mr Bertram: How would he get on if he were in the Liberal Caucus?

Mr HARTREY: I do not know why section 36 of the Interpretation Act, 1918, should be excluded. That section simply says—

(1) When by any Act it is provided that regulations may or shall be made, and—

(i) it is provided that such regulations may or shall be made by the Governor;

These are not going to be made by the Governor. On the other hand, the procedure prescribed in that section for reviewing the regulations made by the Governor might well be adopted in reviewing the rules of Parliament under this Act and be published in the *Government Gazette*.

The **SPEAKER**: The honourable member has eight minutes more.

Mr **HARTREY**: I might as well use them. To sum up, let us look at the subject without any qualification at all. Let us look at the subject as a nonparty measure, which it ought to be and which I think it will be.

It proposes to create machinery for reviewing oppressive legislation and regulations, and if members do not believe there are any oppressive regulations and legislation they do not know much about the regulations and the Statutes. I am not by any means a great authority on all the Statutes. Some of them I know inside out and many of them I have never heard of. As for regulations, there must be thousands upon thousands I have never seen, even in the branch of the law in which I specialise.

Allowing for all those things, it is very desirable to have some referees—people outside the hurly-burly of actual politics—to whom the Parliament itself can refer certain legislation which an individual member may have stood up and condemned. Tonight I stood up and condemned a mistake which provides that a child between the age of 14 and 18 may be—though not necessarily would be—dealt with more harshly in the Children's Court than a person over the age of 18 who committed the same offence would be dealt with in a Court of Petty Sessions. That is obviously atrocious. No-one can tell me that whoever is the Government next time, and whoever appoints the body, will appoint persons who would have as their object to ensure children are treated worse than adults. All kinds of other injustices are done to human beings. Frankly, and quite sincerely, it is an absolute fact that at the present time one of the gravest injustices suffered by the people of this State—I refer particularly to the working people and specifically to injured working people who claim workers' compensation—is that they cannot get any redress of any kind from anybody for six months.

Mr Grayden: Hopefully there is a solution to that.

Mr **HARTREY**: I have not heard much about it for the last couple of months. I have been very anxious about it and a tremendous number of unions and working people are anxious about it. Let us have it before this Parliament closes. My clients and I want it urgently. I mention this as one of the anomalies but there are any number of other anomalies.

Another aspect of the law which is very wrong is that if a man is convicted by a jury of wilful murder—and, of course, necessarily sentenced to death, whether or not the sentence is carried out—he has a right of appeal on a question of law to the Court of Criminal Appeal of Western Australia, and if that court turns him down he may then appeal to the High Court of Australia at almost no expense to himself. But if he is convicted in Mukinbudin by a couple of shopkeepers of an offence for which he should not have been convicted—possibly something that is not even an offence at law at all, because the local policeman does not always know the law, let alone the local justices of the peace—it will cost him at least \$600 to have his appeal brought before the courts here. We will say he is unjustly imprisoned.

The **SPEAKER**: The member's time has almost expired.

Mr **HARTREY**: I will hurry. First of all he has to pay a lawyer a good sum of money to get an order nisi to review, to start off with. He has to get a copy of the evidence in the case, the judgment of the court, and other things. I am afraid I have run out of time. I will give it away for the present.

Debate adjourned, on motion by Mr Bryce.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR CHARLES COURT (Nedlands—Premier) [6.12 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 2nd November, at 4.30 p.m.

Question put and passed.

House adjourned at 6.13 p.m.

Legislative Council

Tuesday, the 2nd November, 1976

The **PRESIDENT** (the Hon. A. F. Griffith) took the Chair at 4.30 p.m., and read prayers.

FILMS

Censorship and Classification: Petition

The **HON. R. F. CLAUGHTON** (North Metropolitan) [4.32 p.m.]: I wish to present a petition from the members and supporters of the Canning and Districts' Film Society seeking the support of the Government not to take action to limit the use of films. The petition contains 19 signatures, and bears the signature of