

Legislative Council

Wednesday, 19 August 1981

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

EDUCATION

Funding: Petition

THE HON. R. HETHERINGTON (East Metropolitan) [4.31 p.m.]: I wish to present a petition from some citizens of Western Australia relating to the Government's policy on education. I move—

That the petition be received and read.

Question put and passed.

THE HON. R. HETHERINGTON (East Metropolitan) [4.32 p.m.]: The petition bears 653 signatures. It bears the Clerk's certificate that it is in conformity with the Standing Orders, and reads as follows—

To the Honourable the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

We, the undersigned persons being concerned and seriously disadvantaged by the Court Government's

1. policy of reducing school teaching staff levels.
2. policy of transferring advisory and curriculum development teachers to ordinary schools.
3. failure to satisfactorily manage the State's finances generally and in particular in that—

(a) none of the millions of dollars available for expenditure prior to and as at 30.6.81 has been specifically earmarked for education for the year ended 30.6.82.

(b) millions of dollars will be spent without mandate asked or given in wantonly and unnecessarily increasing the number of members of the State Parliament when there is no good reason to do so.

(c) because mineral royalties are thoroughly inadequate expenditure on education and other vital services is shamefully inadequate.

HEREBY humbly pray that the Court Government act immediately to reverse—

- (a) its policy of reducing school teaching staff levels
- (b) its policy of transferring advisory curriculum and development teachers to ordinary schools and—
- (c) its financial policies and priorities so that—
 - (i) the school children and parents of this State may share in the benefits of development boom in this State and—
 - (ii) the cash resources of this State will not be squandered by unnecessary expenditure but shall be used to better and proper advantage including the education of our children.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

I move—

That the petition be ordered to lie on the Table of the House.

Question put and passed.

(See paper No. 315.)

The Hon. R. G. Pike: Let the record show that I seconded this motion *pro forma* only because no Labor members were in the House. I do not necessarily agree with it.

QUESTIONS

Questions were taken at this stage.

HOSPITALS AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [4.53 p.m.]: I move—

That the Bill be now read a second time.

The Bill proposes several amendments to the Hospitals Act which are principally associated with the raising of charges by public hospitals consequential upon the introduction of the new health insurance arrangements to be implemented from 1 September 1981.

The first amendment is to section 18 of the principal Act to provide that where a hospital supplies facilities for the use of a practitioner, the hospital shall charge for the facility upon such terms and conditions, including the payment of charges, as are determined by the Minister from time to time.

It is considered reasonable that where a private doctor raises a fee in a public hospital, the hospital should receive from the practitioner an appropriate portion of the fee for the use of facilities which the doctor normally would supply within his own private practice.

The amendment will eliminate any doubt which may exist as to the ability of public hospitals to charge in such circumstances.

The second amendment concerns the ability to make regulations which support the raising and recovery of the various types of hospital charges to be introduced into public hospitals on 1 September 1981. These are required following the Commonwealth Government's new health insurance arrangements.

The principal Act does not enable a hospital board to grant the right to free treatment to predetermined types of patients.

The State is required to provide accommodation and services at public hospitals without charge to persons who are eligible pensioners and their dependants, and those persons who from time to time are classified as disadvantaged persons and their dependants. Therefore, regulations will be required to define who are "public" patients.

From 1 September 1981, charges will be raised for inpatients and outpatients of public hospitals who are not "public" patients. There will be two types of chargeable patients—

those who wish the hospital to provide both hospital and medical treatment; and

those who wish to be "private" patients and who engage a private medical practitioner to provide the medical services.

The regulations to be introduced will permit a hospital to raise charges for the professional services of medical practitioners employed by, or under contract to, a public hospital for the treatment of patients who elect for the hospital to provide both hospital and medical services.

Regulations will be made so that charges will not be raised against other predetermined types of patients, such as those where proper public health controls are required in respect of the treatment of tuberculosis, venereal diseases, and leprosy, and

where the imposition of charges may deter attendance for treatment.

Likewise, charges will not be raised for those persons under the care of the Minister for Community Welfare, for wards of the State and prisoners.

Some special clinics, set up by public hospitals to deal with victims of sexual assault or child abuse, will continue to be free. Special provision is required also to enable fees to be specified within the regulations on the basis of cost.

Fees raised on a basis of cost will have application to compensable patients, patients whose treatment is covered by the Motor Vehicle Insurance Trust, or by the various Statutes which make the payment for treatment the responsibility of the employers.

The Hospitals Act is outmoded in many of its provisions and requires to be replaced with a new Act. It is therefore proposed that a re-write of the Act will be introduced at a later stage of this session of Parliament.

This Bill is presented at this time to ensure that the appropriate provisions necessary to comply with the measures outlined in this speech can become effective by 31 August 1981.

The Bill has been prepared as a temporary measure to—

authorise the raising of charges by regulation for hospital and medical services provided by various classes of hospitals to various types of patients for various classes of service;

allow the granting of the right to free treatment to predetermined types of persons;

provide for the charging of compensable patients on the basis of the cost of providing the service rather than on the basis of fees that are substantially subsidised by State funds; and

permit public hospitals to levy charges for the use of appropriate hospital facilities used in the treatment of the private patients of medical practitioners.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Lyla Elliott.

ART GALLERY AMENDMENT BILL

Second Reading

Debate resumed from 11 August.

THE HON. R. HETHERINGTON (East Metropolitan) [4.58 p.m.]: I am a little surprised to find that since October last year the

Government has been operating an illegal restaurant. It does not seem to have worried anybody terribly much but something was decided to be done about it in due course. The Bill was introduced in another place in May and has been allowed to sit for a while because there was no hurry. It does not seem to worry the Government that it was breaking the law, and perhaps it was considering it should treat this matter in the same way as it treats other institutions in Western Australia; the police could have contained the situation to make sure that no criminal elements entered into it.

However, eventually it seems that the Government has decided to do something about it. If I may speak a little more seriously about it, I do not know how many Bills I have spoken to in which we have introduced retrospective legislation to look after blunders that the Government has made. It was only last week or the week before that my colleague referred to the fact that the Education Department seemed to be making regulations or behaving in a way that was *ultra vires* the Education Act.

We have had a series of other measures go through to retrospectively legalise things that have been done. It is time that people, before establishing restaurants or art galleries or anything of this nature, looked at the Act to see what they are allowed to do. It would have been a good idea if we had debated the Bill this time last year, because then the Government would not have found itself operating an illegal restaurant.

I suppose in one way this is a rather unimportant matter, but the principle is important and it is sad that we find a statutory authority behaving in an illegal manner, and in such a way that, were anyone else involved, he would be at risk of prosecution, rather than having the benefit of a retrospective Bill being introduced into Parliament.

The Opposition is not opposing the Bill. It applauds the Art Gallery and the facilities provided by it and realises they are desirable and necessary. However, I would have been much happier had I been on my feet this time last year supporting the Bill wholeheartedly instead of being on my feet now supporting the Bill with rather less enthusiasm, but supporting it regretfully because I really do not like retrospective legislation and I have never done so.

THE HON. H. W. OLNEY (South Metropolitan) [5.01 p.m.]: It seems to be one of those little ironies of life in this community that on the one hand we have very respectable organisations like the Art Gallery carrying on an illegal

restaurant for a year or so without any great difficulty, but requiring retrospective legislation to legitimate its activities whilst, on the other hand, we have laws under the Police Act making illegal the carrying on of certain activities such as prostitution, which has been illegal in this State from time immemorial—and certain gaming activities about which apparently the police do not know, but if they like to ask any taxi driver, they can find out where the places are. They flourish under the enlightened policy of “conditional tolerance” which apparently is a new philosophy espoused by this Government, according to an answer provided by the Minister for Police and Traffic last week. I am wondering why the policy of “conditional tolerance” could not be applied to the Art Gallery in order that the restaurant could proceed without the need for engaging the whole machinery of Government in this manner.

Of course, this Bill raises a matter on which I have touched on a number of occasions and I will probably continue to do so from time to time. As Mr Hetherington said, it is allied to the issue I raised previously in the House relating to the validity of regulations made under the Education Act. It seems very little thought is given by any Government department as to the validity of its activities until it has engaged in them. If one reads the debates which took place elsewhere, one will find the Minister in charge of the Art Gallery apparently thought it was all right to conduct a restaurant. Even if it is correct that he addressed his mind to the subject and came to the conclusion it was all right to conduct a restaurant without statutory provisions, it is clear his advice must have been pretty weak. If in fact he did obtain advice it has proved to be incorrect.

I am alarmed at the number of occasions since I have been in this House on which it has been necessary for the Parliament to fix up legislation. In some cases Bills dealt with only last year or the year before have been doctored up this year. The Workers' Compensation Supplementation Fund Amendment Bill was introduced this year to amend the Act we passed last year which was deficient. Last year we dealt with three or four Bills of a similar nature, because Parliamentary Counsel considered existing laws did not do the job it was thought previously they were doing.

I make a plea to the Government to give some consideration to adopting a more cautious attitude to the exercise of statutory powers. This must be done if the Parliament is to mean anything and if in fact it is to be the law maker. It is not very serious to have the gun held at our heads and to be told, “We have had a restaurant operating for a year and we want it legitimated now”. However,

the situation could arise where something other than a restaurant was involved and a more important illegal activity had been conducted. The Parliament is given Hobson's choice as to whether it should authorise what has been done illegally in the past.

The Hon. R. Hetherington: This Government has its rubber stamp in firm hands, of course.

The Hon. H. W. OLNEY: The same approach is adopted time and time again with the regulation-making authority under many Statutes. When one looks at the reports of the Legislative Review and Advisory Committee, it can be seen that from time to time that body, powerless as it is, continues to make recommendations about delegated legislation all of which appear to be ignored by the Government. I suggest the Government ought to have a good, hard look at the operations of its Ministers and instrumentalities to ensure that what is being done is being done lawfully at the time it is done, so that we do not need this continual process of retrospective legalisation.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.08 p.m.]: I never cease to be amazed at the sorts of things the Opposition harps on at times. Today we have had a lecture on retrospectivity. I seem to recall when we were correcting—if that is the right word—some legislation because it appeared members of Parliament may in fact have obtained illegal loans for motorcars, it was passed very hastily and we did not get these sorts of lectures. However, it appears that this Bill which relates to the Art Gallery has been seen as a good time to moralise on these issues.

The Hon. R. Hetherington: I have never had a loan, legal or otherwise, from the Government.

The Hon. D. J. WORDSWORTH: I hope most of us realise many of the corrections we make are necessary not because the authority involved has been acting illegally, but for the reason that the Crown Law Department is of the opinion the Act should be more specific, as a result of various decisions made by the courts.

The Hon. H. W. Olney: That is not what the Minister said.

The Hon. D. J. WORDSWORTH: The member may be correct; but I am talking in general terms. Whether this Bill falls into that category is a matter of some debate, but of no great consequence.

In the early days many of the changes made to legislation governing liquor licences were of some consequence. It is likely I will have to bring to Parliament legislation to legalise the sale of hot

dogs at an extra stall in Kings Park. A restaurant and food booth exist already, but if food is to be served 100 yards further down the road, legislation must be passed in Parliament.

It is necessary for these sorts of amendments to be made to some Acts of Parliament and in order to do this, they must be brought to Parliament. Therefore, it can be seen that, tedious as it may be, we must put up with this procedure.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Lands), and passed.

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE AMENDMENT BILL

Second Reading

Debate resumed from 12 August.

THE HON. F. E. MCKENZIE (East Metropolitan) [5.12 p.m.]: The Opposition supports this Bill, but in doing so it desires to draw the attention of the House to the incompetence of the Government in respect of this matter. Exactly 12 months ago tomorrow we dealt with the second reading of a similar Bill in this House. On that occasion, the Minister who introduced the Bill (the Hon. Gordon Masters), said in his second reading speech—

Each of the board's customers will be aware from the annual valuation of his property of the general level of rates that will be payable in the years ahead, and with this knowledge, allowance can be made in individuals' budgets for future rates. No similar concession is proposed after 1980-81.

Having said that, one would have thought that would be the end of the matter and we would not be here, 12 months later, debating a similar Bill. Further on in his speech the Minister said—

However, the Government has appointed a committee to examine the effects of valuation-based rates generally. This committee's report and constant "in house" investigations might enable the board to recommend a system of charges for its services which might more equitably

distribute the collection of the total revenue still to be raised for the board's necessary activities.

A high-powered committee was set up and its recommendations were brought down; but, after receiving the report, the Premier said, "We are not going to make any drastic changes".

So much for the high-powered committee that was going to overcome all the problems that we have in relation to rating and the system that has on this occasion produced the same problems that we experienced previously. There is not much point in setting up a committee to examine what ought to be done to overcome the inhuman suffering that small business people have experienced as a result of the respective rates this year.

I just wonder what the Government intends to do during the next 12 months to ensure that the difficulties being experienced by the small business people in particular do not occur next year.

Let us have a look at the history of water rating since the Tonkin Government went out of power in 1974. Since March 1974 the average water rate bill for water services to consumers in Western Australia has increased by 443 per cent. The cost of sewerage to the consumer has increased by 351 per cent during those years since 1974, and the drainage rate has increased by 200 per cent.

The increase in the inflation rate over the same period, has been in the order of 124 per cent. So, overall there has been an increase in rates associated with water, sewerage, and drainage far in excess of the inflation rate over the same period.

To elaborate further on those increases, the Government saw fit, after the introduction of the fixed charge, to increase it from its original base figure of \$36 to \$40. That was then followed by an increase last year to \$60, an increase of 50 per cent. Then we found this year the fixed charge was further increased from \$60 to \$68.50. It is an increase of only 14.2 per cent this year, but it is still above the increase in the rate of inflation.

Let us consider the position in relation to excess water charges since the establishment of the new rating system the user-pays system—was introduced. On its introduction the price of excess water was 17c per kilolitre and a recommendation was made that it ought to be increased to 21c. That would have been an increase of 23.5 per cent. However, that was in 1979 and we were heading for an election in 1980, so the Government decided for political expediency that increase should be pruned to 11 per cent. The

price went to 19c, which reduced the recommended price from 21c to 19c.

However, the Government was not in office very long after being returned in February 1980 before it saw fit to increase the price of excess water from 19c to 24c. That amounted to a 26 per cent increase. This year it has further increased the price of excess water from 24c to 28c per kilolitre, which is an increase of 16.7 per cent.

I will not go into the question of sewerage and drainage in depth, because the overall figures were given earlier. This year's increase in those rates also is beyond the inflation rate of 13.6 per cent. Drainage is the only charge that has been truly contained; it has been increased by 5 per cent.

I want to remind the Minister of what he said in this House last year when we were discussing a similar Bill. It is really laughable that he would make a statement like this in view of the figures I have just quoted in respect of those excessive increases. In reply to the debate last year the Hon. Gordon Masters had this to say at page 641 of *Hansard*—

It is a fact that generally we are much more efficient than the Opposition when in Government, and we have a good record of management; there is no doubt about that. I say that by the by, because our standard of competency as shown by the Premier and the rest of the Government is excellent and is recognised throughout the State and the country.

I am hoping the Minister does not get up here tonight and say the same thing because, in view of the figures that I have quoted to the House, I would defy any member—apart from the Minister—to say this Government has a good record of management. It certainly has got a good record in respect of this particular piece of bungling; it certainly has got a good record insofar as inconsistency is concerned. I would be interested to hear what the Minister has to say when he replies to the debate on this occasion. I do not think there is any point in carving the Government up any more. What it has done on this occasion is quite clear.

The Opposition supports the Bill. It felt it ought to take the opportunity to outline to the House the magnitude of the increases the public has had to bear since the Liberal-Country Party coalition took the front benches from the Labor Government in 1974.

The Opposition supports the Bill.

THE HON. G. E. MASTERS (West Minister for Fisheries and Wildlife) [5.23 p.m.]: I thank the Opposition for its support of the Bill before

the House. I excuse the Hon. F. E. McKenzie for his brutal attack on the Government and put it down to his lack of understanding of the continuing financial problems the Government has at this time. Let me say some ratepayers face a very real problem with high water bills. This is a carry-over from last year. I am sure the honourable member would understand that. This year there has been an increase of some 14 per cent, so that on top of what was a carry-over for a very small number of the total consumers in this State—a very small number indeed of something like 1.1 per cent which is about 4 000 out of 360 000 in this particular rating system—

The Hon. F. E. McKenzie: Surely they count too, don't they?

The Hon. G. E. MASTERS: Of course they do. That is the very reason the Government is making this point. It understands their problem. The Government is faced with a problem and has said it will do something about it.

The Hon. F. E. McKenzie: You must be embarrassed about it after last year's remarks.

The Hon. G. E. MASTERS: We are not embarrassed about it. We did say a review would be undertaken. Most certainly investigations are continuing, but one cannot hurry these things. We are talking about big finance and the responsibility of the Metropolitan Water Board to trade properly. It cannot just go out and raise money and expect someone else to make it up. It is just not on.

The Hon. F. E. McKenzie: You have had that report a long time.

The Hon. G. E. MASTERS: Certainly we have. As far as we are concerned, we cannot reach any firm conclusions as yet. We are not able finally to bring our thoughts together and do something which we would recognise as being acceptable to the public. This is a very, very difficult problem.

Mr McKenzie and most members of the House would understand that if we lower the rates to the commercial sector—the groups we are talking about now, and I have every concern for them—we have only one way to go. We put the load onto the domestic consumer. That is the balance we have to achieve and a decision we have to reach. Perhaps Mr McKenzie could come forward with some contribution and say, "Up the domestic rates and drop the commercial rates".

The Hon. F. E. McKenzie: It is the reverse, but you will not do it that way.

The Hon. G. E. MASTERS: The honourable member cannot have it both ways. What we are saying is there needs to be a balance.

The Hon. F. E. McKenzie: I did not make that suggestion because I knew it would be unpalatable to this Government.

The Hon. G. E. MASTERS: The Hon. Fred McKenzie accused the Government of poor financial management. He knows, and the smile on his face indicates it, that we have good management and balance the books.

The Hon. D. K. Dans: No matter what the cost.

The Hon. F. E. McKenzie: That was a great concession.

The Hon. G. E. MASTERS: That was a very unkind statement. We were accused of lifting rates high above the CPI figure. Let me say again that the Metropolitan Water Board has the job of looking to the future. It must build new pipelines and new dams and try to catch up the sewerage works in the metropolitan area. It has to do all of these things for the future generations—for our children and our grandchildren.

The Hon. D. K. Dans: Nobody challenges that, but their bookkeeping methods are a bit astray.

The Hon. G. E. MASTERS: It is facing these high costs at a time when the State and this city is developing. It cannot be put down as bad management. It is good management.

The Hon. D. K. Dans: I agree with you.

The Hon. G. E. MASTERS: We have to have discussions as far as underground water supplies are concerned and we have to put in costly equipment, and so it goes on. The reasons for the charges and costs is that the Metropolitan Water Board is looking to the future and facing the problems that are likely to come forward.

The Hon. D. K. Dans: You would have to agree that the bookkeeping has gone astray a couple of times on costs. There has been a soft-shoe shuffle going on in Parliament.

The Hon. G. E. MASTERS: A total review is being undertaken by a very, very good Minister, a man who understands the problems fully.

The Hon. G. C. MacKinnon: Mr Masters, could you repeat that interjection?

The Hon. G. E. MASTERS: I am afraid I cannot.

The Hon. D. K. Dans: I will tell you later. Are you getting to the age where you can't hear?

The Hon. G. C. MacKinnon: If you said what I thought you said, that the bookkeeping is out, you are so far wrong it does not matter.

The PRESIDENT: Order!

The Hon. G. E. MASTERS: I thank members for their support. I am sure they understand our problems. Quite obviously by their support of the Bill, they understand what we are trying to do.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), and passed.

**WHEAT MARKETING (DELIVERY
QUOTAS) AMENDMENT AND REPEAL
BILL**

Second Reading

Debate resumed from 12 August.

THE HON. J. M. BROWN (South-East) [5.30 p.m.]: We support the repeal of the Wheat Delivery Quotas Act. However, it is worth noting that the Act was introduced in 1969, and it has been ineffective since the date of introduction.

When the Act was introduced, some 86 million bushels represented the quota for Western Australia. In the metric system under which we now work, that is 2.3 million tonnes.

The introduction of wheat quotas caused a great deal of conflict and hardship in Western Australia. That hardship should never have come about, because the introduction of wheat quotas was never needed.

To my knowledge, the only thing that ever came out of the introduction of wheat quotas was the setting up of the Hutt River Province by "Prince" Leonard. Len Casley farmed at Westonia, and then he moved to the north of the State, in the Hutt River area. As a protest against the introduction of wheat quotas and the unfair treatment that he considered he was receiving, he formed his own "principality". Members know how he has conducted himself ever since. He has conducted himself quite profitably in his establishment of the Hutt River Province. Perhaps his background in Westonia, in the area represented by the Hon. Ron Leeson and myself, enabled him to go into such an enterprise.

The Hon. D. J. Wordsworth: Perhaps now there is no need for it, he might disband it.

The Hon. J. M. BROWN: It would be interesting to see. However, with his entrepreneurial activities, I do not think he will care to relinquish his "title". I know that some members opposite have regarded his activities with dismay. However, he has attracted statewide, if not international, attention for his activities. If nothing else, he has created a tourist attraction.

The Hon. R. J. L. Williams: In psychiatric terms, delusions of grandeur.

The Hon. J. M. BROWN: I do not think any psychiatric treatment is required.

The Hon. R. J. L. Williams: I did not say psychiatric treatment was required.

The Hon. J. M. BROWN: I did not hear the interjection properly, and I have the floor. If the Hon. John Williams wants to make an interjection, he should make it louder so I can understand what he is saying.

The Hon. R. J. L. Williams: In psychiatric terms, it is called "delusions of grandeur".

The PRESIDENT: Order! I am having trouble hearing anybody.

The Hon. J. M. BROWN: As I said, the Wheat Delivery Quotas Act was responsible for a number of heartaches. Perhaps the only good thing was the establishment by "Prince" Leonard of the Hutt River Province.

Within the industry, the Act was never utilised. The introduction of quotas caused untold hardships, and people in the farming community had to have licences to deliver wheat. From its introduction, the Act removed 10 per cent of the people then responsible for producing grain. Of the wheat producers in this country, 10 per cent disappeared. I refer to the share farmers, who were the first ones knocked out of the industry. It was a great loss to the community to have such valuable people removed.

The second effect of the introduction of wheat quotas was that the people who were not licensed to grow grain became eligible to deliver it to the market. Immediately that spelt the destruction of the Act because non-quota wheat was accepted in the first year of the Act's introduction.

That happened because of the 1969 drought. Members who are engaged in agriculture will understand that nature is a great leveller in production. During the 1969 drought, farmers did not grow anywhere near their basic wheat quotas, and therefore not enough quota wheat was received. The people who were not eligible to grow quota wheat were able to deliver grain because of the shortfall.

However, the farmers who were fortunate enough to grow sufficient grain to exceed their quotas and who were welcomed with open arms when they delivered it at the sidings were told the next year that they should not grow as much wheat. I can remember the heartbreak of a farmer in the Kondinin area who was told by the Wheat Quotas Committee that he should not have grown grain the following year because he had exceeded his quota in the previous year.

Then there was the proposition in the 1972-73 season when people wanted to introduce top cuts. Top cuts referred to taking off the top of the basic wheat quota of those who had substantial grain-growing records. I do not want to create any differences of opinion, as there are great farmers right throughout the State; but the farmers in the eastern wheatbelt had a particularly good record in the '60s. The farmers in the Yilgarn, particularly, had a good grain-producing record. Top cuts were introduced to take quotas from successful farmers who grew grain in a so-called marginal area, and to give them to farmers outside the wheat growing areas. This was another unnecessary hardship.

The repeal of this Act is a reminder of something that was introduced with the idea of levelling out the delivery of grain. However, it was never effective.

Some people have suggested that the Act created hardships by opening up the new land farms. I know that special attention was given to new land farmers by the Wheat Quotas Committee. There again, a problem arose because of taking the quota from the top producers to give it to those who wanted to embark on a farming career. That was an inequitable situation. Of course, the people who were given the land considered that they were receiving a very bad time from the committee, and they expressed their concern. The Minister for Lands will recollect what happened in his own area of Esperance. There was a halt in the opening up of land because of the introduction of wheat quotas.

I do not necessarily agree with the sentiments that have been expressed because there is a tremendous capability to produce enormous amounts of wheat on existing cleared land. The disappearance of the wheat quota might lead to the indiscriminate introduction of further releases of land. This Bill would not be supported by the Opposition in any shape or form if it was introduced merely for the sake of releasing land.

I will deal briefly with a notice in the *Government Gazette* relating to wheat delivery

quotas. This appeared on page 1529 of the *Government Gazette* of 1979 as follows—

WHEAT DELIVERY QUOTAS ACT, 1969-1974.

Wheat Delivery 1979-1980 Season.

WHEAT growers are advised the 1979-1980 season has been declared a non-quota season and there is no restriction on the quantity of wheat which may be delivered.

This was acknowledged by the Minister in his second reading speech when he indicated that it was no longer necessary to have wheat quotas. The notice continues—

To enable accurate property delivery records to be maintained, wheat growers who intend delivering wheat to Co-operative Bulk Handling during the 1979-1980 season are notified that an application for registration to do so MUST be made on the appropriate form, which is available at all Shire Offices and Department of Agriculture offices in wheat growing areas; also at the Wheat Quota office, 32 Delhi Street, West Perth, 6005. Applications are to be completed and forwarded to the Wheat Quota office by 31st July, 1979.

Wheat Delivery Registration Certificates will be issued in September, 1979, to all those growers who apply. Each delivery title must be registered for each Co-operative Bulk Handling receipt point to which delivery of grain is intended, prior to delivery being effected. Failure to do so will cause inconvenience to growers at time of delivery, as under Clause 31 of the Wheat Delivery Quotas Act, 1969-1974, Co-operative Bulk Handling may not accept wheat from a grower who has not registered for the point of delivery.

Now a grower will not have to register, because we are repealing the Act. However, the growers believe it is desirable to have a record of wheat deliveries. Naturally this would be readily available to the Australian Wheat Board in the first instance, and to Co-operative Bulk Handling, which is the handler of grain, in the second instance.

The Government has said that no longer will it keep the Wheat Quotas Committee in operation. We support that contention. We endorse the proposition that the legislation be repealed. However, we see the sense in maintaining a record.

The Government feels that the record should not be kept at its expense. Co-operative Bulk

Handling feels that it should not be kept at its expense. However, the Primary Industry Association is negotiating with Co-operative Bulk Handling to formulate a plan for recording grain deliveries by growers throughout the State. No one would disagree with the registration of growers. There would be no difficulty in obtaining information on how much grain is grown, particularly as the Australian Wheat Board keeps records each year of how much a grower delivers to what siding, how much his dockages are, and his net result.

Nowadays the Australian Wheat Board makes advance payments immediately upon delivery to the siding. In other words, farmers are paid on a weekly basis for the delivery of grain. I could not see that the keeping of records, or maintaining the records, would cause any more hardship to either Co-operative Bulk Handling or the Australian Wheat Board. It could be done at a comparatively low cost.

The Primary Industry Association believes there should be a record of grain deliveries. I can understand CBH wanting some record because it sends to every producer in the State an inquiry to determine on what location each farmer will grow his grain, the amount of his delivery, and the points to which he wants to make delivery. It is rather important for CBH to have that information, to organise its work force.

The present season appears to be a prosperous one as far as grain producers go. CBH certainly will have a great responsibility to maintain a turnaround of trucks and receipt of grain in a season that looks like being a bumper one.

With those comments in relation to the repeal of the Act, the Opposition supports the Bill.

THE HON. NEIL McNEILL (Lower West) [5.44 p.m.]: I want to make some observations about this Bill, and to comment on some of the points that the Hon. Mr Brown has raised.

Needless to say, I share the Government's and the Opposition's support of the repeal of this legislation. To be a little more specific, I support enthusiastically the withdrawal of the legislation to the extent that it relieves a degree of control over some aspects of the agricultural industry.

I will not reminisce as did Mr Brown about the circumstances in which wheat quotas were introduced to Western Australia. In a sense I disagreed with Mr Brown when he said the wheat quota system, introduced at a time we recognise as a period of recession in the agricultural industry, was an ineffective system. I believe I know the sense in which he used that term. He meant it was ineffective in achieving the objective

which it was believed ought to have been the situation within the grain production industry in Australia at the time. To that extent it was ineffective, both in terms of the objective—which did not need to be achieved—and for other reasons and, secondly, because of the anomalies, inequities, difficulties, hardship and stress that occurred in the attempt to try to implement a quota system.

Quite frankly, it was a very effective exercise, but it was not introduced for the purpose I have in mind. It was effective because it was an absolutely first-class illustration of the damage that can occur and the difficulties that are encountered in trying to impose a control system over a large industry, and particularly a large agricultural industry. The magnitude of the industry and the very different conditions which apply throughout the entire grain growing areas of Western Australia meant that the system was doomed to failure in the first instance, simply because of the inability of man, particularly when he was inexperienced in this sort of thing, to devise a system that would achieve the objective of controlled production, and more particularly to devise a system that could be applied equitably over all those involved in the industry.

The Hon. J. M. Brown: Do you think a more vigorous approach by the Australian Wheat Board would have helped, and perhaps the selling of grain to China?

The Hon. NEIL McNEILL: I prefer not to make any comment on that now. I would prefer to advance the theme I am proceeding with at the moment; that is, the effectiveness of the scheme. It was an effective demonstration of how damaging these sorts of controls can be. If it has done nothing else it has served to demonstrate to the farming industries of Western Australia that in the future they should not lightly accept things like this.

Other sections of the agricultural industries in this State have had long experience of the operation of quota systems. I cannot help but be reminded of what might have been the views of our former colleague the Hon. Jack Heitman, whose views were not only emphatic and forceful but also extremely sound. Few views in this country would have contained more practical good sense than those held by Jack Heitman. I recall many of the discussions we had together on this subject when Jack was glad to be able to draw on some of the experience I had gained of quota systems operating in other industries, notably the dairy industry. We discussed the very difficult problems that had to be faced in the grain industry—whether there ought to be

negotiability of quotas, and if so, under what terms; and whether licences should apply to the act of production on the properties.

Again, the effectiveness of this experience surely will serve as a very valuable one for those perhaps 14 000 grain growers in Western Australia who now know what sort of situation they could be faced with if they are ever prepared seriously to consider any sort of control over their production in the future.

That leads me to express a point of view which I have held very strongly for a long time and which has been reinforced in recent months: that is, with the repeal of this Bill we are removing yet another form of governmental or bureaucratic control over our rural industries. This sort of control, rather than helping the agricultural industries in Western Australia and more particularly in the South-West Land Division, was stifling the industry and destroying much of the enterprise and initiative which these industries had established. The people involved had established a first-class tradition and history.

That leads me to make the observation that it was little more than a suggestion by Mr Brown when he said records need to be kept. I can understand that there is some validity in his view. Perhaps it is desirable that records be maintained either by the Australian Wheat Board or, in a commercial sense, by Co-operative Bulk Handling Ltd. I make it abundantly clear that I do not favour the keeping of records by a primary industry organisation—in this case the PIA—because it is transferring an element of bureaucracy into a farmer organisation and I do not think that is the proper place for it to reside.

If there is a need for the keeping of records it should be only in the commercial sense, so the obvious body would be Co-operative Bulk Handling Ltd. If the Australian Wheat Board were to keep records, it should not be at a level of individual farmer's performances and production but in the overall sense of a production record of the district, the type of wheat, and things of that nature. The less we have of this sort of thing the better served are the interests of the farmers.

Mr Brown made an allusion to what occurred in 1969. We experienced drought conditions at that time and it was for many of us—certainly for people of my vintage—our first experience of drought in this State. I recall discussions I had with Jack Heitman about how we as a party were giving consideration as to what should happen, firstly because of the agricultural recession, and secondly because of the drought.

I am sure the Director of Agriculture will not mind me repeating what occurred. We called on him in 1969 to see what might be done to alleviate the situation. At that time, as Mr Brown has said, it was rather unnecessary to have a quota in the wheat industry for the control of production.

In discussions with Mr Fitzpatrick, who was the director at the time, we considered ways to alleviate the effect of the drought. He used my Christian name when he asked me, "Can you please tell me what a drought is?" It was not that the director was ignorant of what the drought was like, but we were in no position at that time to define what a drought was. It is only since then that we have been able to get some definition, for the basis of assistance, of what constitutes a real drought. At the time we had not experienced a drought in this State—certainly not since 1914.

That leads me to Mr Brown's observation about 1969. His comments made me jot down the words "man proposes and God disposes". He correctly observed that there was one thing we do not have any control over: it is a pitfall into which we frequently fall when endeavouring to provide theoretical—and hopefully practical—plans and schemes. There is always an element beyond our control—nature itself.

I certainly hope there will never be a need to resurrect legislation of this sort. It is part of the Government's fundamental policy to repeal this sort of legislation. Up to now we have virtually renewed the legislation thinking that one day the register might be needed again. I hope that with this Bill we dispose of that register once and for all and that we do not contemplate implementing it again.

There is a far more effective way of controlling an industry, a way which is far more acceptable to the people who comprise it, rather than imposing bureaucratic controls.

I support the Bill.

THE HON. MARGARET McALEER (Upper West) [5.58 p.m.]: I join with the Opposition and my colleague the Hon. Neil McNeill in welcoming the repeal of this Act. Its implementation was always fraught with difficulties and it created many anomalies within the industry. It remained with us for the last seven years as the relic of very unpleasant and unsuccessful times in the wheat industry. While everyone wants to learn from the past, no-one wants to perpetuate the errors.

It is true that in 1968 there was serious concern in the wheat industry that, because of the position of the world wheat stocks and our loss of the

Chinese market, we should either have to sell our wheat at cut prices or have to cope with the storage of any surplus wheat. There was a great deal of contention as to what was the best course to adopt.

Quite a strong body of opinion held that we should not endeavour to limit production and take our chances and that in a year or two farmers would be able to ride out the storm. But the majority opinion undoubtedly was that we should go for stability and endeavour to keep up prices and limit the production of wheat by one way or another. It was thought that the way to place a limitation on wheat production was to introduce a form of wheat quotas.

As has been outlined, a situation of great conflict within the industry was produced immediately. The conflict was between the old established farmers and the new land farmers, and between wheat growers and landowners. The established farmers were by far the majority in general and by far the majority of members of wheat industry associations. Therefore a system of wheat quotas tied to the land was introduced.

Wheat growers who farmed land as sharefarmers either to supplement meagre holdings or because they had no land holdings of their own—as the Hon. J. M. Brown said—were allowed to go to the wall. In fact, such farmers never returned to the industry, and the industry is poorer for that. The establishment of those quotas saw the end of an era in which a young man could build a stake through the practice of sharefarming and after some years be able to acquire his own property. Other factors were involved, but the establishment of those quotas was the crisis point. In addition it became extremely difficult to establish wheat quotas, even in the case of the established farmers.

I would like to pay tribute to the Wheat Quotas Committee under the chairmanship of Mr Robin Clayton.

Sitting suspended from 6.02 to 7.30 p.m.

The Hon. MARGARET McALEER: Before the tea suspension I was talking about the anomalies and conflicts that arose right from the commencement of the imposition of wheat quotas. The Hon. J. M. Brown told us that a little later, with the imposition of top cuts, the farmers in the eastern districts felt themselves to be disadvantaged unfairly. This created a great deal of resentment. Because it appears that the seasons enjoyed by those in the agricultural areas are cyclic, earlier on the farmers of the northern wheatbelt felt they were disadvantaged because they had suffered eight or nine extremely wet

seasons. These seasons advantaged the eastern districts farmers which, as the Hon. J. M. Brown said, were marginal. They grew very good crops at that time, but people to the west of them were unable to grow what they considered to be their normal wheat crops.

When the time came to look at the farmers' wheat histories and to allocate wheat quotas, the people to the west felt themselves disadvantaged. In fact, in 1963-64 many people were not able to put in crops at all. As the system allowed them to disregard the two worst years out of seven, they were not disadvantaged as significantly as they might have been.

The Hon. J. M. Brown: They did not have a bad year all through the 1960s.

The Hon. MARGARET McALEER: Yes, that was a splendid period for the eastern districts, and it provides a lesson in that no area can be considered completely safe or regular in its seasons.

Quite apart from the conflicts which arose amongst the established farmers, and the seeming anomalies occasioned by the seasons, a problem arose with the new land farmers right at the beginning of the crisis in the wheat industry.

I think it was the President of the Pastoralists and Graziers Association who said bravely, "We will take our walking wounded with us". When the members of the industry had time to consider the implications of that attitude, the established farmers decided their investments must be protected at all costs. So it was the new land farmers who went to the wall. They had very small allocations because they had very small histories of wheat. Most of them were trying desperately to build up their farms, and they needed cash crops to do so.

Added to this, wool prices deteriorated at the end of 1960, and many farmers had left sheep farming to some extent, and were putting more and more land to wheat. Then occurred the drought in 1969. This drought has been referred to, but it was not mentioned that in that year wheat quotas were voluntary. Many people did accept wheat quotas, but the only ones who really suffered were the ones who observed their quota figures. Because of the drought, the wheat returns were minimal anyway, and those who sowed very large areas at least reaped the benefit of a crop over many acres. In this way some harvested almost a normal yield.

This has been the history throughout the wheat quota period—no-one suffered except the ones who tried to observe the quota. Anyone who

produced wheat additional to his quota was able to sell it.

I have referred briefly to the history of the quota system, and that marks the end of a period. At that time, although the national inflation rate was not as great as it is at the moment, because of the cost-price squeeze, the established farmers were getting rid of their farm labour very quickly. As well as this, farm labour employed by the share farmers were put out of jobs. This was the time of an accelerated flight from the land.

The important point about repealing this legislation is that over recent years, and more particularly in the drought-affected areas in the north—areas which have been affected for five years—wheat quotas remained on the books. When a bank manager is at a bit of a loss to estimate his client's capacity to repay loans, invariably he will look at his wheat quota entitlement. If the quotas were still applied on the historical basis, many farmers would have lost almost their complete entitlement over the years. To some extent they have been protected because only 20 per cent of their entitlement was removed in the first year.

However, many had no possibility to increase their entitlements, and their wheat histories were no longer a valid basis on which to estimate the possibility of repaying a loan. This was a grave disadvantage because the records covered too short a period to justify the large loans which the farmers required.

The Hon. J. M. Brown: Do you think banks have placed too much reliance on basic wheat quotas?

The Hon. MARGARET McALEER: I do not know about that, but certainly they placed some reliance on wheat quotas.

The Hon. J. M. Brown: I think they were too restricted.

The Hon. MARGARET McALEER: Over this extremely difficult period, the presence of wheat quotas was no help. For that reason I shall be very pleased to see wheat quotas removed.

I hope we shall never again have to consider the imposition of wheat quotas, and certainly past records are no longer valid. The system we adopted was the only one we could come up with. While I am quite happy to see either CBH or the Australian Wheat Board keep the records, I feel it would be a waste of time for the Primary Industry Association to involve itself in keeping records as the records would not be a valid basis for a consideration of the future of this industry.

THE HON. W. M. PIESSE (Lower Central) [7.39 p.m.]: Very briefly, I would like to add my support to this measure to repeal the wheat quota legislation. As I was widowed just prior to the imposition of wheat quotas I had a great deal of experience with the system. One benefit that came from the system—and the only one—was that farmers who had not previously kept written records in their home books were taught the relevance of keeping records for those who came after them. I was lucky enough to have written records, but even so I found many problems in deciding just exactly how much wheat had been yielded over preceding years in conjunction with the average sown.

A few years prior to the imposition of quotas, a number of acres had been sown to wheat. However, because of a very wet year, there was only one load from those acres. When I submitted records setting out the quantity of wheat harvested over the past seven years, a fair amount of disbelief was expressed about the yield in one of those seven years. The situation was that there was no yield.

When one is going busily about one's endeavours to make a living, it is very irksome to have questions asked of one all the time. The farmers were asked, "Where did the wheat go? What did you do with it? How much did you intend to sow? How much did you expect it to yield? Where did you propose to deliver it if it had yielded a return?"

Members will realise that the resultant assessment was a rather hit-and-miss one. The relevance of the records was a little dubious to say the least. The ultimate fate of any crop lies with the weather. So crop forecasts were just estimates.

I would like to turn now to the suggestion that CBH or the Australian Wheat Board should keep records for the future. I point out that the records of these companies are considered to be confidential, and therefore, I do not think they could be asked to produce records relating to individual farmer's contributions to the wheat pool.

If we undermine the confidentiality of these organisations, we will be in big trouble. I voice that warning to anyone who believes that the records could be made public. Any records would have to be produced on a voluntary basis, and again they would be rather hit-and-miss affairs. It would depend on the feelings of the various farmers as to the type of information they would produce. Most people like to believe that their business affairs are private.

I am very pleased to see this legislation introduced, and I support it absolutely.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [7.44 p.m.]: I thank members for their support. I am sure the *Hansard* record of their speeches will be useful should a Government ever consider the reintroduction of wheat quotas. It is interesting to look back and to appreciate the trouble caused by the imposition of wheat quotas. Nevertheless, the principle had the support of the House at that time: so obviously members of Parliament saw a need to endeavour to restrict production. It was the inequities and injustices that followed this reduction in total yield which caused so much concern in the wheat districts.

I can only add my comments regarding the new land areas I represent. As was pointed out, farmers in the new areas received quotas eventually, but they did not have them originally. It took them several years to win their quotas. Of course, they fell into financial difficulties in the intervening years. Not only many sharefarmers but also many new land farmers disappeared from the industry. There were a lot of injustices.

I join with others in writing "RIP" on this Act. Hopefully we will not see it again.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Lands), and passed.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [7.46 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 25 August.

Question put and passed.

ADJOURNMENT OF THE HOUSE: ORDINARY

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [7.47 p.m.]: I move—

That the House do now adjourn.

Parliament House Precincts: Amplification of Protest Meeting

THE HON. R. HETHERINGTON (East Metropolitan) [7.48 p.m.]: I have just been present at a demonstration in front of Parliament House. I am not here to discuss the merits or demerits of the demonstration. However, it seemed unfortunate that people who wanted to address that gathering, including a Minister of the Crown, had to do so with unaided voices. They could not use any public address system. I gather that some new rule has been brought in to that effect by the precincts committee.

This is undesirable because, if people come to protest, they should be able to hear what is being said by their own speakers and by the speakers who want to put another point of view. In the interests of democracy, it would be a good thing for this rule to be changed so that when people gather in front of the steps of Parliament House, as should be their democratic right, not only should they be able to make loud noises, but they should be able to hear the people who want to address them.

THE HON. A. A. LEWIS (Lower Central) [7.50 p.m.]: I was present also at the function mentioned by Mr Hetherington. I would suggest that any people who come to Parliament House wanting to have a protest meeting should bring their own amplifying systems.

The Hon. R. Hetherington: They are not allowed to use them.

The Hon. A. A. LEWIS: That is a very good idea—

The Hon. J. M. Berinson: Well, why do you suggest they bring them if you think they should not be allowed to use them?

The PRESIDENT: Order!

The Hon. R. Hetherington: They brought one, and they could not use it.

The PRESIDENT: Order!

The Hon. A. A. LEWIS: It was interesting also to note that, from my position, I could hear Mr Pearce and everybody else except Mr Grayden. As a "fair-minded" group, the audience at that protest may have gained a great deal by stopping and listening to both sides of the argument instead of drowning out Mr Grayden.

It seems that they were talking about education, and that is what I thought they were talking about. However, when I read some of the placards, I thought perhaps they were talking about a women's refuge, or something, because they were talking about bashing babies and other

sorts of things—that is, if I was reading correctly the placards put in front of me.

The Hon. Neil Oliver: Mining booms.

The Hon. A. A. LEWIS: They were talking about mining booms, and other things.

The Hon. I. G. Pratt: Goldmining.

The Hon. A. A. LEWIS: We do not know what the Labor Party thinks about that. We do not know much about what the Labor Party thinks about anything.

The Hon. J. M. Brown: Are you talking about the Australian Labor Party?

The Hon. A. A. LEWIS: As I understand it, only Australian Labor Party members are on the other side of this House.

It appears that anybody who was really interested in education—and those who had either the fortune or the misfortune to see it on television would know this—was treated very unfairly by the crowd outside.

I was a little horrified at the placards. I had read some advertisements over the last few weeks about how things of an artistic nature were to be kept away from the children in their education. It appeared that those things had been kept away for the last four or five years, because the placards did not result from that sort of education. There seemed to be no artistic merit—

The Hon. R. Hetherington: A lot of them were parents, brought up under the old education system. We have improved it since.

The Hon. A. A. LEWIS: Mr Hetherington should try to use that argument. Really, the parents could print far better because all of them would be over the age of 22 or 23. They could print far better than the printing on those placards indicated.

I have nothing against protest meetings of any sort. If people have a genuine desire to put a point and listen to the other side—

The Hon. J. M. Brown: You should go to New Zealand for demonstrations.

The Hon. A. A. LEWIS: If Mr Brown wants to pay my fare to New Zealand, he may.

The Hon. D. K. Dans: Why are you going to New Zealand?

The Hon. A. A. LEWIS: Mr Brown has just offered me a trip.

The Hon. J. M. Brown: To have a demonstration.

The PRESIDENT: Order!

The Hon. D. K. Dans: I was going to assist him with the fare.

The PRESIDENT: Order!

The Hon. A. A. LEWIS: To elucidate and cure Mr Brown's and Mr Leeson's problem, I have been to both South Africa and New Zealand, and I think this country should be supporting both of them instead of knocking, at every possible opportunity, the people who fought for us in two World Wars.

The Hon. J. M. Brown: What a "boer"!

The Hon. A. A. LEWIS: It may be a bore to Mr Brown; but if he has a war to fight in the future, it may not be such a bore.

The Hon. D. K. Dans: Do you know they very nearly came into World War II on the other side? It was only General Smuts who talked them into it. They were going to be on the other side.

The PRESIDENT: Order!

The Hon. Lyla Elliott: We have really strayed from the question.

The Hon. A. A. LEWIS: If that is the sort of intelligent comment Mr Dans is going to make—

The Hon. D. K. Dans: I happened to be there, too.

The Hon. A. A. LEWIS: I guess from Mr Dans' age—and he is showing it through his mental capacity in this place—he probably was in the Boer War.

The Hon. D. K. Dans: No, I was not. I was going to ask about General Smuts and General Hertzog.

The Hon. A. A. LEWIS: Mr Dans should not try to be smart and interject.

The Hon. D. K. Dans: When you said "elucidate" I thought you said "hallucinate".

The Hon. A. A. LEWIS: The members of the Labor Party keep moving me away from the point when I am speaking.

The Hon. D. K. Dans: I tried to assist you, Mr Lewis. You know I have a soft spot for you.

The Hon. A. A. LEWIS: I know Mr Dans has a soft spot.

This short speech is becoming longer and longer. If Mr Dans wants to make rude remarks about General Smuts, he can.

The Hon. D. K. Dans: I have great regard for him.

The Hon. R. Hetherington: He was on his side, actually.

The Hon. A. A. LEWIS: I am pleased to hear Mr Hetherington saying that. I am pleased that the people who started trying to do something for South Africa are being recognised by the Australian Labor Party.

The Hon. R. Hetherington: Really, you do waffle on!

The Hon. J. M. Berinson: Just to get back to principles, are you suggesting that the Minister for Education should not have had the assistance of a microphone in order to be heard?

The Hon. A. A. LEWIS: I believe that if the President has ruled that there should be no microphones in the precincts, everybody who speaks should have the same type of reception.

The Hon. J. M. Berinson: But that is not the question. The question is: Is that ruling, whether by the President or by the committee, one which we should continue to support? That is the question raised by Mr Hetherington.

The Hon. A. A. LEWIS: I quite agree with what the President has done in this case. I could hear Mr Pearce and other speakers—

The Hon. J. M. Berinson: I could not, and I moved to three or four separate places to hear them.

The Hon. A. A. LEWIS: I cannot help it if the ALP did not hear. There is no way I could hear Mr Grayden's speech.

Members will agree with me, I am sure, that the behaviour of the crowd when Mr Grayden spoke was totally different from its behaviour when the other speakers spoke.

The Hon. J. M. Berinson: Of course I agree with that. I am asking should not the Minister have had some assistance in those circumstances?

The Hon. A. A. LEWIS: Wait a minute—

The Hon. J. M. Berinson: He is your Minister. Do you prefer him not to be heard?

The Hon. A. A. LEWIS: It is interesting that Mr Berinson agrees the reception given to Mr Grayden was different from that given to the other speakers. That is extremely interesting. Being fair-minded—

The Hon. J. M. Berinson: That is just a fact.

The Hon. D. K. Dans: I could not hear any of the speakers. That is why I left.

The Hon. J. M. Berinson: I went to the trouble of trying to ascertain the facts.

The Hon. A. A. LEWIS: Mr Berinson always does. I do not know how he remains in the ALP, because its members do not like facts.

The Hon. D. K. Dans: No matter how sticky they are.

The Hon. A. A. LEWIS: They do not like the sticky facts, no. If they become the Government, it will be all right because they could lop off some heads.

I rose originally to say how disappointed I was. I have said in this House before that there are some things in this education debate—my friend Mr Dowding scolded me because I said there were some areas of waste—

The Hon. D. K. Dans: You are the best example of that.

The Hon. A. A. LEWIS: This magnificent education debate, according to Mr Hetherington—

The Hon. D. K. Dans: If I were asked, I would say you must have wasted millions of dollars on your education; but as I have not been asked, I will not say that.

The PRESIDENT: Order!

The Hon. A. A. LEWIS: I tend to agree with Mr Dans—

The PRESIDENT: Order! I remind honourable members that the motion we are debating is that the House do now adjourn. In the interests of achieving that end, I recommend that the interjections cease and that the member who is on his feet says what he wants to say and concludes.

The Hon. A. A. LEWIS: Thank you, Mr President. I conclude.

THE HON. NEIL OLIVER (West) [8.00 p.m.]: I shall be extremely brief in my comments. I was outside this evening and had the opportunity to move amongst the people assembled there. I really felt as if we were going back to the old times, because I saw so many of my old, friendly union organisers moving amongst the groups—it looked like "Rent-a-Crowd" had been in action. In fact, I said to one man I have known for 12 years—I will not mention names—

The Hon. D. K. Dans: Go on—you asked me who he was.

The Hon. NEIL OLIVER: I said to Ray Clohessy, "I thought all your children had finished school". He said, "I am a concerned person". I then said, "You do not have any grandchildren yet". He said, "No, but I am concerned". I said, "Why are you concerned? Did you organise tonight?" He said, "By gee you are right!" He looked very pleased with himself.

I listened to the initial speaker and moved amongst the crowd asking people who he was and nobody could tell me. Later the Minister addressed the people assembled there. However, as I moved around the outskirts of the crowd, no-one knew who the initial speaker was. No doubt it will be reported prominently in the Press tomorrow and I will be able to find out.

I decided I would ask a few people in the crowd who they represented. I spoke to four children

from the Hollywood High School and when I asked them what they were studying they told me they were doing science courses. I then asked them what they were doing there and they said they had been told to come.

I then spoke to two children who attended the Nedlands Primary School.

The Hon. D. K. Dans: Surely they would not come from the Nedlands Primary School!

The Hon. NEIL OLIVER: I said, "What school do you go to?" They said, "We go to Nedlands Primary School". I said, "What do you think about tonight?" They said, "It is damn cold. We wish we had not bothered to come".

I moved around the crowd and the majority of people to whom I spoke were teachers. I would have been concerned had I found the group of people I moved amongst this evening was made up of concerned parents; but unfortunately that was not the case. It was disappointing to see such a large group of teachers and union organisers.

I notice there is an item on the agenda of the State School Teachers' Union in respect of deciding whether to affiliate with the TLC. The Teachers' Union is concerned, because it thinks the TLC is associated with the ALP. However, as a result of discussion between the President of the Teachers' Union (Mr Negus) and Mr Peter Cook, the executive of the State School Teachers' Union has been informed that very few unions are affiliated with the ALP. I assume those unions are "small" like the Amalgamated Metal Workers' and Shipwrights Union. That is why the State School Teachers' Union may move towards affiliation. If it does so, the type of performance we witnessed tonight will become quite a regular feature.

THE HON. H. W. OLNEY (South Metropolitan) [8.04 p.m.]: I wish to speak to the motion that the House do now adjourn and support it. I hope the House will adjourn after I have spoken.

I also attended the gathering at the front of Parliament House tonight. I took the trouble to get in amongst the crowd. I was able to hear what Mr Grayden said and also what Mr Vlahov, the first speaker, said. I did not hear the remarks of Mr Pearce, because I had moved inside the building by the time he spoke.

I can assure Mr Lewis that Mr Grayden has everything under control—

The Hon. A. A. Lewis: We know that.

The Hon. H. W. OLNEY: —and everything will be fixed within four weeks, according to the Minister. It reminds me of a comment Mr Hassell made when he first came to Cottesloe. He was

going to have the Servetus Street issue fixed within three weeks and that was back in 1973.

The Hon. D. K. Dans: That was when we were going to cure inflation State by State in the same year.

The Hon. H. W. OLNEY: I want to say this about the demonstration: Anybody who takes any interest in what is occurring in other parts of the world ought to be pleased by the sight of such a demonstration. It may be that some people in the crowd were rowdier than Mr Lewis would like at a particular stage of the proceedings, but I do not think that is surprising. As I said earlier by way of interjection, what did the farmers do to Gough Whitlam in Forrest Place on that occasion?

Several members interjected.

The Hon. H. W. OLNEY: Of course, these demonstrations and political meetings are organised only because people have a point of view. I commend Mr Grayden for having gone out there and spoken to what was obviously a reasonably unsympathetic audience.

Recently I had the opportunity to go to the United Kingdom at the time the riots first broke out. Whilst I kept away from the riot areas as much as I could, it was quite frightening to watch on television every night the way in which the situation developed. We have a heritage to preserve in this country and we must continue to allow public demonstrations of the sort we saw tonight to take place within the precincts of Parliament House without unreasonable hindrance, so that people can express their views.

It is commendable Government Ministers are able to go out there and speak. The Minister for Education is not a man of large physical stature. He was hardly able to be seen when he stood in the crowd, but he was able to stand there quite safely and address the gathering. We ought to be proud of this right and we should cherish the freedom which was exercised tonight. We should ensure no unreasonable restrictions are placed upon the right of assembly and free expression, even if we do not agree with the views expressed.

I am reminded of how the moratorium movement in the early 1970s developed to such a stage where, by the time the Whitlam Government came to power, it was virtually a unanimous decision of the Australian people that the issue the moratorium supporters stood for initially—less than 10 years earlier—should be achieved; that is, a withdrawal of troops from Vietnam.

The Hon. Neil Oliver: Strangely enough, not one demonstrator had served in Vietnam.

The Hon. H. W. OLNEY: I close on this point—

The Hon. Neil Oliver: The Labor Party could not find one person who served in Vietnam and who demonstrated.

The Hon. H. W. OLNEY: I am not certain of the relevance of that comment.

The Hon. D. K. Dans: There isn't any.

The Hon. H. W. OLNEY: I shall close by making the point that it is absolutely imperative for the preservation of democracy in this country that the sort of demonstration which took place tonight should be permitted and that it should be permitted without hindrance. I hope we will never reach the stage where all the powers which unfortunately are contained in our laws and which could have prevented that demonstration, are exercised.

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [8.09 p.m.]: I rise to support the motion also.

I should like to correct what appeared to be a misapprehension on the part of the Hon. Robert Hetherington. If I understood him correctly, he suggested there is a new rule which prevents the use of amplifiers within the precincts of Parliament House.

The Hon. R. Hetherington: I was misinformed and I withdraw it.

The Hon. I. G. MEDCALF: If the member withdraws it, that is all right. The rule was made many years ago and it is contained in the regulations made under the Parks and Reserves Act.

The Hon. J. M. Berinson: May I ask your views on the desirability of reconsidering it in view of the comments made by Mr Hetherington?

The Hon. I. G. MEDCALF: Mr Hetherington has withdrawn the comments, so there is nothing to reconsider.

Question put and passed.

House adjourned at 8.10 p.m.

QUESTIONS ON NOTICE

TRAFFIC: MOTOR VEHICLES

Government Vehicles: Disposal

369. The Hon. H. W. OLNEY, to the Minister representing the Treasurer:

- (1) When the Government offers secondhand motor vehicles for sale, does it advertise them as having been passed by the RTA and ready for licensing?
- (2) What warranties does the Government give to the purchasers of such vehicles?
- (3) Do purchasers have the same remedies against the Government as they would have if buying from licensed car dealers?
- (4) If not, why not?
- (5) Is the Treasurer aware that the Australian Automotive Dealers Association (WA Branch) is concerned that the present vehicle disposal policy of the Government enables the Government to compete unfairly against licensed car dealers?
- (6) Will the Treasurer give consideration to remedying the position?

The Hon. I. G. MEDCALF replied:

- (1) The Government offers secondhand motor vehicles for sale either by auction or by tender. Vehicles are offered either as passed by the RTA and ready for licensing or in an "as is" condition.
- (2) None.
- (3) No.
- (4) Section 32(1) (b) of the Motor Vehicle Dealers Act specifically excludes vehicles sold by auction from the warranty provisions of the Act. Vehicles sold by tender are clearly designated as being offered on an "as is" basis and tenders are submitted on that understanding.
- (5) The Treasurer is aware of the association's concern. The present vehicle disposal policy is not aimed at competing with dealers. Government has an obligation to the taxpayer to obtain the best possible return for its replaced vehicles. The policy provides a simple method of disposal which is fair to both the public and the trade.

- (6) The Government has announced its intention to initiate a study into matters related to the acquisition, disposal and the running of its vehicle fleet.

HEALTH: DISABLED PERSONS

Problems and Needs: MTT Report

382. The Hon. F. E. MCKENZIE, to the Minister representing the Minister for Transport:

A recent press report indicates that the Metropolitan Transport Trust committee examining the problems and needs of disabled persons using public transport, has completed its deliberations and a report is available--

- (1) Will the Minister advise whether its findings will be published in the Press?
- (2) Will the Minister have a copy tabled in both Houses of Parliament?
- (3) Will it be sent to all physically handicapped groups?
- (4) Can the Minister inform me—
 - (a) whether any interested member of the public can obtain a copy;
 - (b) what the charge is for the report; and
 - (c) where it can be obtained?

The Hon. D. J. WORDSWORTH replied:

- (1) to (4) The Minister for Transport expects to receive a copy of the final draft of the report and the recommendations from the MTT shortly. He will then report to Cabinet. At this stage it is clearly not possible to predict what decisions will be reached on the matter.

MINING ACT, 1904

Reprinting

387. The Hon. PETER DOWDING, to the Minister representing the Minister for Mines:

- (1) Is the Minister aware that for some years the Mining Act 1904 has been out of print?

- (2) In view of the Government's delay in implementing the 1978 Mining Act, and in view of the fact that it is not likely to be implemented until at least next year, will the Minister arrange an interim reprint of the old Act and regulations?

(3) If not, why not?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
 (2) No.
 (3) Cost of reprinting the Mining Act 1904 is not warranted, in view of impending proclamation of the Mining Act 1978.

BOATS

Exmouth

389. The Hon. P. H. LOCKYER, to the Minister for Federal Affairs:

Will the Minister inquire as to whether the Federal Minister for Defence has granted the Shire of Exmouth access through Commonwealth property at Exmouth so that the shire can commence boating facilities at an area known as "Bundegi Reef"?

The Hon. I. G. MEDCALF replied:

The Civil Commissioner for Exmouth has advised that the Department of Defence has investigated the request but to date no decision has been conveyed to the Exmouth Shire Council.

CONSUMER AFFAIRS

Salesmen: Trainee Courses

390. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Consumer Affairs:

- (1) Is the Minister aware of a practice being developed by some firms whereby they advertise for trainee salesmen, advising in the advertisement that they can earn a good wage during training, and then upon engagement, charge them a training fee, and a fee for insurance of the items they are to sell?
- (2) Has the Consumer Protection Authority received any complaints about this matter from the public?
- (3) If so, will the Minister advise of the names of the firms against whom complaints have been made?

- (4) Will the Government take action to ensure that the necessary legislation is introduced to make this form of advertising illegal?

(5) If not, why not?

The Hon. G. E. MASTERS replied:

- (1) Yes.
 (2) Yes.
 (3) Bridgewater Importers and Transcore Endurance.
 (4) and (5) The matter of misleading advertising by a corporation concerning employment is already covered by section 53B of the Trade Practices Act. The present complaints have been formally referred to the Trade Practices Commission which is conducting an investigation.

WATER RESOURCES: RATES

Instalments

391. The Hon. P. G. PENDAL, to the Minister representing the Minister for Water Resources:

- (1) Is the Minister aware of the practice under which telephone subscribers can pay their accounts by instalments via postage stamps?
- (2) Would the Minister be prepared to investigate such a system for the payment of water rates?
- (3) Would not such a system have the advantage of—
- (a) easing the burden on many consumers; and
- (b) giving the Water Board access to revenue on a progressive basis?

The Hon. G. E. MASTERS replied:

- (1) Yes.
 (2) Such an investigation has already been carried out.
 (3) (a) and (b) Not more so than the system introduced whereby ratepayers facing genuine hardship can make arrangements with the Metropolitan Water Board to pay by instalments. Such instalment payments can be made at any official post office.

TELEVISION

Remote Areas

392. The Hon. P. H. LOCKYER, to the Minister for Federal Affairs:

Will the Minister inquire of the Federal Minister for Communications when television broadcasts will commence at the following towns—

- (a) Mt. Magnet;
- (b) Cue; and
- (c) Meekatharra?

The Hon. I. G. MEDCALF replied:

- (a) to (c) Telecom has advised that commencement of the broadcasts are "imminent" for the three towns listed.

LOCAL GOVERNMENT: WELFARE

Committee: Report

393. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Local Government:

- (1) Has the committee examining local government welfare provided the Minister with a report as yet?
- (2) If not, when does the Minister expect the report?
- (3) Will it be tabled in Parliament?

The Hon. I. G. MEDCALF replied:

- (1) and (2) A report has been submitted.
- (3) No decision has yet been made.

HEALTH: MEDICAL PRACTITIONER

Mt. Magnet

394. The Hon. P. H. LOCKYER, to the Minister representing the Minister for Health:

What progress has been made with the Shire of Mt. Magnet concerning a doctor in the town?

The Hon. D. J. WORDSWORTH replied:

The shire has contacted the department for details of how best to advertise and attract the services of a private medical practitioner.

The department has agreed to make housing available and to increase the nursing cover at the nursing post.

FUEL AND ENERGY:
STATE ENERGY COMMISSION*Assistant Commissioner (Engineering)*

395. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Fuel and Energy:

- (1) Is it a fact that Mr J. Hayes was recently appointed Assistant Commissioner (Engineering) of the State Energy Commission?
- (2) Was Mr Hayes formerly Managing Director of Burmot Australia Pty. Ltd.?
- (3) Was he in any way involved in any consultant's secret report to the State Government on nuclear power?

The Hon. I. G. MEDCALF replied:

- (1) Mr J. E. Hayes was appointed to the position of Head of Engineering with the State Energy Commission on 3 July 1981. It is intended that Mr Hayes become Assistant Commissioner (Engineering), following the necessary amendments by Parliament of the State Energy Commission Act.
- (2) Yes.
- (3) In his position as Managing Director of Burmot Australia, Mr Hayes directed the preparation by Burmot of twice-yearly reports on the world-wide status of nuclear power developments for the State Energy Commission.

FUEL AND ENERGY: ELECTRICITY

Pumped Storage Method

396. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Fuel and Energy:

- (1) Has the State Energy Commission examined the possibility of providing electricity through the pumped storage method?
- (2) If so, could the Minister advise whether it revealed that such a system is economically feasible now or at some time in the future?
- (3) If it is a feasible proposition now or in the future, what action has been taken to ensure sites are secured?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) It is not economic at this point in time, but the feasibility is reviewed at regular intervals.
- (3) A site has been secured.

- (5) It is usual for groups to request permission to enter schools and present their programmes. If there is any doubt as to suitability arrangements are made to preview and a decision made. Principals of schools have the authority to accept programmes but have been advised that previews are necessary.

397. *This question was postponed.*

EDUCATION: HIGH SCHOOLS

Film: Right-to-Life Association

398. The Hon. Lyla ELLIOTT, to the Minister representing the Minister for Education:

- (1) Has the Minister seen the film about abortion being shown to children in schools by the Right-to-Life Association?
- (2) Is the Minister aware that some adults who have viewed the film, including teachers, regard it as unsuitable for showing in schools due to firstly, the presentation of the subject, and secondly, the pictures of dismembered third trimester foetuses and bodies in Nazi concentration camps which are upsetting children?
- (3) Will the Minister stop the showing of the film in schools?
- (4) Does anyone in the department have the responsibility of viewing films and other visual material prior to its presentation to school children?
- (5) If so, what is the procedure involved?

The Hon. D. J. WORDSWORTH replied:

- (1) No. Senior departmental officers have seen the presentation and will report to the Minister.
- (2) I am aware of the concerns of some people.
- (3) Not until the Minister was received and considered the reports on the presentation.
- (4) Yes. Senior departmental Officers in all branches monitor programmes offered in schools. In this particular instance the Health Education Advisory Committee will view the presentation and report to the Minister.

WATER RESOURCES

Salinity: Agnew Clough Ltd.

399. The Hon. Lyla ELLIOTT, to the Minister representing the Minister for Water Resources:

Further to my question 377 of 12 August 1981, and the Minister's statement in *The West Australian* of 17 August that it would benefit only farmers in the area if clearing were prevented in the Wooroloo Brook catchment area—how does he reconcile that statement with the statement on page 40 of the System 6 Study Report—"The area contains the catchments of Jane and Wooroloo Brooks and Brockman River, three important but as yet undeveloped water resources close to Perth. The need to protect these water resources against any further deterioration resulting from clearing is a further strong argument in support of landscape conservation"?

The Hon. G. E. MASTERS replied:

While the effect of the clearing could be significant on the catchment of the particular tributary on which it occurs, its overall effect on the total catchment of Wooroloo Brook would be minimal. The average salinity of Wooroloo Brook is already above the maximum permissible level set by the World Health Organisation.

QUESTION WITHOUT NOTICE

EDUCATION: DEPARTMENT

Staff: Cleaning

145. The Hon. Lyla ELLIOTT, to the Minister representing the Minister for Education:

- (1) Is it a fact that cleaning staff employed by the Education Department are to be sacked?
- (2) If so—
 - (a) when is it likely to take effect?
 - (b) what other avenues of employment will be offered to the people concerned by the Government?

The Hon. D. J. WORDSWORTH replied:

I thank the Member for her advice, and I reply as follows—

- (1) and (2) Government schools have to be cleaned by cleaning staff employed by the Education Department or by contract cleaners and both methods are current in Government schools.

Any variations proposed to present arrangements will be taken into consideration when the Budget is formulated.