

official duties. ILO Convention No. 81 (Labour Inspection), which Australia has ratified, contains an obligation to bind an inspector to secrecy, even after he leaves the Public Service.

The interpretation of section 15 of the Act does not extend this far and it has been necessary to rewrite it in the amending Bill to allow this State to be in conformity with the convention.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. W. Cooley.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. N. McNEILL (Lower West—Minister for Justice) [6.19 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 12th November.

Question put and passed.

House adjourned at 6.20 p.m.

Legislative Assembly

Thursday, the 31st October, 1974

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

TOWN AND COUNTRY BUILDING SOCIETY

Loans to Mr McKenzie: Statement by Leader of the Opposition

MR J. T. TONKIN (Melville—Leader of the Opposition) [4.33 p.m.]: I seek leave to make a statement to the House in connection with the matter which was raised by the member for Subiaco yesterday.

The **SPEAKER**: The Leader of the Opposition seeks the leave of the House to make a statement. I warn that if there is a dissentient voice leave will not be granted. Is there a dissentient voice? There being none, leave is granted.

Mr J. T. TONKIN: I have been asked by Mr McKenzie and Mr McKerrow, the Executive Director of Town and Country Building Society, to make a statement on the facts, in order that the people may be properly informed in regard to the matter which was raised by the member for Subiaco yesterday. The following is the statement which was dictated in my presence by Mr McKerrow—

On Tuesday last the Registrar of Building Societies telephoned me to advise that he had received an anonymous telephone call from a party who recited the precise terms and conditions of a series of loans which we have made to Mr W. A. McKenzie,

General Manager, Friendly Society Chemists, which were referred to in this morning's Press.

I immediately took the file of these arrangements to the Registrar, who has since acknowledged:—

- (a) That there had been no breach into the Building Societies Act.
- (b) That funds were introduced by Mr McKenzie by way of investment in the Society at rates of interest and on terms and conditions which enabled the Society to on-lend them to him on the basis which did not limit the Society's ability to make normal housing loans, or result in borrowers paying our standard rates of interest, in effect subsidising the loans to Mr McKenzie. In effect the Society was acting as an intermediary in this case.

Mr O'Connor: Were they Mr McKenzie's funds?

Mr J. T. TONKIN: Yes. To continue with the statement—

It is not a role that the Society normally seeks. However, a material factor in the ability of this Society to continue a normal lending programme during the current credit squeeze has been the success of the chain of agencies operated by the Friendly Society Chemists on its behalf.

As in any other successful business arrangement its effectiveness depends upon the relationship between the top management of the organisations concerned and the reciprocal benefits which they obtain from it.

The Building Society and Mr McKenzie's organisation are co-operatives.

It is a matter for regret that Dr Dadour did not contact me and that he apparently agonized for some six weeks after the receipt of the anonymous letter.

Point of Order

Sir CHARLES COURT: On a point of order I rise to seek a clarification of the position. I would not be one to deny the Leader of the Opposition the right to make a personal statement, but as members know one cannot be aware of what is in a personal statement until it has been made.

My understanding of the Standing Orders is that such a statement must be about something which concerns the member making it. If the precedent that has been set this afternoon is followed, it will mean that members will have an incessant array of persons calling on them to make statements on their behalf and in

their defence. I would like to know whether this is to be the practice in the future.

The SPEAKER: As I understand the situation, the Leader of the Opposition or any member may make a statement of the kind that the Leader of the Opposition has just made. The point is not covered virtually in the Standing Orders of this Chamber. However, Erskine May says that a person other than a member may seek the assistance of a member to make a statement. I have requested the Clerk to turn up the reference in Erskine May's *Parliamentary Practice* for me.

I quote from page 374 of the 17th edition—

A personal explanation has been permitted to be made by a member on behalf of another who was abroad, or was ill, or was suspended from the service of the House. Explanations have also been allowed on behalf of gentlemen not being Members, whose conduct had been reflected upon in debate . . .

In addition, the following appears—

. . . though permission to make an explanation of this nature has been refused by the Speaker.

In the light of those circumstances I felt there was no other course open to me as Speaker than for me to have permitted the Leader of the Opposition to make the explanation which he made this afternoon.

HOUSING AGREEMENT (COMMONWEALTH AND STATE) ACT AMENDMENT BILL

Message: Appropriations

Message from the Lieutenant-Governor received and read recommending appropriations for the purposes of the Bill.

QUESTIONS (14): ON NOTICE

1. ALCOA ALUMINA REFINERY

Pinjarra: Mud Lake

Mr MAY, to the Minister for Conservation and Environment:

- (1) Is he aware that Alcoa of Australia (WA) Ltd. is to construct a new 162-hectare (400 acres) mud lake at its Pinjarra refinery?
- (2) If so, have all the environmental aspects been investigated by the department?
- (3) If not, will the matter receive attention prior to construction commencing?
- (4) Including the proposed 162-hectare mud lake, what is the total area of mud lakes at present and envisaged at—
 - (a) Pinjarra;
 - (b) Kwinana?

Mr STEPHENS replied:

- (1) No.
- (2) Answered by (1).
- (3) Attention is being given to the matter.
- (4) (a) Present—approximately 81 hectares.
Proposed—approximately 160 hectares.
- (b) Present—approximately 260 hectares.
Proposed—approximately 400 hectares.

The Member should appreciate that there will be a continuing requirement for disposal areas for the life of the refineries since some three cubic metres of red mud are produced for each ton of alumina.

2.

SCHOOLS

Cockburn Electorate: Enrolments and Classrooms

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

- (1) Is a new primary school to be constructed in the area near the western end of Phoenix Road, Spearwood, and if so, when?
- (2) Which of the following schools at this point of time could be considered, based on present average levels, to have student numbers in excess of present permanent accommodation—
Hamilton Hill
Southwell
Spearwood?
- (3) Have surveys been made of anticipated pupil numbers starting school in February 1975 in each of the above schools?
- (4) If "Yes" do such surveys show that, based on present average levels, some or all of the above schools will be short of classroom space at the beginning of the 1975 school year?
- (5) If "Yes" to (4), would the Minister advise which schools could be so affected and to what degree?

Mr MENSAROS replied:

- (1) A new school is proposed for this area but the date of its establishment has not yet been determined.
- (2) None.
- (3) and (4) Yes.
- (5) Predicted enrolments suggest that Southwell may need one more classroom.

3. **MONEY LENDERS ACT***Bodies Corporate within Section 3*

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

Will he list the bodies corporate coming within subsection (c) of section 3 of the Money Lenders Act?

Mr O'NEIL replied:

The Member is referred to Erskine May, *Parliamentary Practice*, 18th Edition, Page 327. I am not therefore obliged to provide information otherwise available by reference to Statutes.

However, the Rural and Industries Bank could come within the terms of section 3 (c).

It would also be exempt under section 3 (d).

4. **MONEY LENDERS***Registrations*

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

Will he provide a list of 122 money lenders registered in the metropolitan area?

Mr O'NEIL replied:

A schedule of the 122 money lenders registered in the metropolitan area is tabled herewith.

The schedule was tabled (see paper No. 332).

5. *This question was postponed.*

6. **TRAFFIC ACCIDENTS***Newcastle-Lake Streets Intersection*

Mr T. H. JONES, to the Minister for Traffic:

(1) How many accidents have occurred at the intersection of Newcastle and Lake Streets, Perth, during the last 12 months?

(2) How many of the accidents were caused by failure to stop at "STOP" signs?

Mr O'CONNOR replied:

(1) 13 accidents have been reported.

(2) 3 reported as "failed to stop at STOP sign".

7. **HOUSING***Interest Rate Subsidy Scheme*

Mr MOILER, to the Minister for Housing:

(1) Will he table all relevant information on the establishment and the conduct of the State Housing Commission interest rate subsidy scheme?

(2) What amendments to the original scheme has he consented to?

Mr O'NEIL replied:

(1) The Member's attention is invited to the debate on amending legislation (No. 102 of 1969) to the State Housing Act, 1946, relative to the interest rate subsidy scheme.

In 1971 approval was given to the application of the scheme to a \$10 million commitment, and this amount was subscribed to in full within twelve months. No further approvals have been given.

Information relative to the conduct of the scheme is given in the attached papers, which I seek leave to table.

(2) Apart from approved variations in the interest rates payable by participating purchasers no amendments to the original scheme have been consented to.

The information was tabled (see paper No. 333).

8. **CAPE NATURALISTE***Proposed Development*

Mr H. D. EVANS, to the Minister for Conservation and Environment:

Following his answer to question 12 of 30th October, 1974 concerning reserves in the Cape Naturaliste area, will he table a map showing the location of the areas to which his answer refers?

Mr STEPHENS replied:

The Department of Lands and Surveys has supplied a map which is tabled herewith.

The map was tabled (see paper No. 334).

9. **TRAFFIC LIGHTS***Karrinyup Road-Huntriss Street Intersection*

Mr CLARKO, to the Minister for Transport:

(1) When is it anticipated that channelisation will be carried out at the intersection of Karrinyup Road and Huntriss Street, Karrinyup?

(2) (a) Is it planned to include traffic lights at this intersection; (b) if so, when?

Mr O'CONNOR replied:

(1) Plans for this channelisation have been forwarded to the Stirling City Council, which authority will be carrying out the work, and estimates for the relocation of services have been requested of public utility authorities. When estimates are received consideration

will be given to programming the work and it is anticipated that the channelisation should be completed this financial year.

- (2) Traffic control signals are installed on priority, based on traffic volumes and potential hazard. These priorities are reviewed regularly and the operation of this intersection will be assessed following completion of the channelisation.

10. SITTINGS OF PARLIAMENT

Autumn Session

Mr J. T. TONKIN, to the Premier:

- (1) As a decision concerning the commencement of long service leave for a number of Government employees is to some extent dependent upon whether Parliament is to be called for an autumn session in 1975, will he inform the House as to the Government's intentions in this matter?
- (2) If it is not proposed to have an autumn session of Parliament will he give the reasons?

Sir CHARLES COURT replied:

- (1) It is intended that there will be an autumn session in 1975. The decision has not been made as to the timing of it or the exact form. I had planned to discuss the matter with the Leader of the Opposition after Parliament re-assembles following the one-week break next week and we can see more clearly the progress with the legislative programme for the current session.
- (2) Answered by (1).

11. TEACHERS

Status: Training

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

- (1) Reverting to page 271 of *Education Circular* No. 8 of September, 1974, with respect to two-year trained teachers—
- (a) does the further explanatory note at page 312 of the October circular confirm that a two-year trained teacher who has completed ten years of satisfactory service subsequent to 1st January, 1975 will automatically gain three-year status?
- (b) if not, what further requirement must be met to enable such teachers to attain—
- (i) three-year status; and
- (ii) the Teacher's Higher Certificate?

- (2) As in the case of a two-year trained teacher who has already completed more than ten years satisfactory service and has gained credits for one, two or three papers of the Teacher's Higher Certificate he will apparently gain three-year status, will the papers completed for his Higher Certificate give him any advantages over the teacher in (1) (a)?

- (3) (a) Will the teachers referred to in (2) be required to complete four further papers (not repeats) in order to qualify for the Teacher's Higher Certificate;
- (b) if so, why can they not be credited with the papers already satisfactorily completed?
- (4) Would the teacher in (3) be at any disadvantage with those in (1) who aspire to gain the Higher Certificate?
- (5) Approximately how many teachers would be in the category of (3)?
- (6) (a) Is this change in policy designed to make it easier or more difficult for teachers to attain the Higher Certificate;
- (b) if so, in which way?
- (7) Has the change in policy been discussed with the Teachers' Union and, if so, with what result?

Mr MENSAROS replied:

- (1) (a) Yes.
- (b) Not applicable.
- (2) No.
- (3) (a) Yes.
- (b) Any teacher who has three-year trained teacher status requires an additional year of full-time study (or its equivalent) to attain four-year status.
- (4) No.
- (5) It is not possible to make such an estimation.
- (6) (a) and (b) The purpose of this policy is to assist the large numbers of teachers who successfully completed teacher training prior to the introduction of the three-year training programme and who subsequently have given the department a long period of good service. There is no intention to vary the requirements for the higher certificate.
- (7) The union was advised of the policy and subsequently discussions have been held. The department and the union are in agreement with the policy.

12. ABORIGINAL LANDS TRUST

Mineral Developments: Income

Mr DAVIES, to the Minister representing the Minister for Community Welfare:

On what basis or understanding are moneys from rents, royalties, lease and permit fees, etc., paid to the Aboriginal Lands Trust?

Mr RIDGE replied:

This question was answered in reply to question 31 (6) on Wednesday the 30th October, 1974.

The disposal of nineteen lots held by the Commission at Port Hedland and the conditions thereto is currently under consideration by the Housing Commission.

- (5) and (6) The conditions of purchase of this land (with the exception of the nineteen lots referred to at Port Hedland) are set out in the attached circular, which I seek leave to table.

The circular was tabled (see paper No. 335).

13. HOUSING AND BUILDING BLOCKS

Pilbara

Mr SODEMAN, to the Minister for Housing:

- (1) Does the State Housing Commission make funds available to the public for the purchase of land and/or homes in the Pilbara?
- (2) If (1) is "Yes"—
 - (a) what are the specific purposes for which these funds are available;
 - (b) what is the current interest rate charged;
 - (c) what conditions prevail in order to qualify for such a loan;
 - (d) what are the general terms of the loan or loans?
- (3) Does the State Housing Commission have residential land available for freehold sale to private individuals in the Pilbara?
- (4) If (3) is "Yes" then how many blocks are available now in the following towns—

Onslow, Karratha, Roebourne, South Hedland, Port Hedland, Wittenoom, Marble Bar, Nullagine?

- (5) What are the conditions of purchase of such land?
- (6) Can the land be purchased on terms, and if so, what are the applicable terms?

Mr O'NEIL replied:

- (1) No.
- (2) Not applicable.
- (3) Yes.
- (4) Onslow—20;
Roebourne—Nil;
Wittenoom—3;
Nullagine—Nil;
Karratha—Nil;
South Hedland—4;
Marble Bar—Nil.

14. NARROGIN-DUDININ RAILWAY LINE

Sidings and Services

Mr P. V. JONES, to the Minister for Transport:

- (1) Has an investigation been conducted into the Yilliminning railway line between Narrogin and Dudinin with a view to a closure of some sidings?
- (2) Is there any intention to discontinue services to and from Toolbin or Harrismith?

Mr O'CONNOR replied:

- (1) Yes. The Railways Department has a policy of constantly reviewing the justification for continued operation of all sidings.
- (2) Co-operative Bulk Handling Limited intend closing their storage facilities at both sidings. However, grain continued to be stored at both points last season.
When Co-operative Bulk Handling facilities are removed a further examination will be made and a decision on closure of the sidings will be influenced by the amount of traffic remaining.

QUESTIONS ON NOTICE

12th November: Closing Time

The SPEAKER: For the information of members I advise that questions on notice for Tuesday, the 12th November, will close at 12.00 noon on Friday, the 8th November.

QUESTIONS (9): WITHOUT NOTICE

1. TRAFFIC

Pedestrian Crossing: Pemberton

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

- (1) Was a survey and traffic count conducted at the pedestrian crosswalk from the school in the main street of Pemberton, before the crosswalk was removed?

(2) If so, when, and what was the result and by how much did the count fall short of the number required to meet the formula set down by his department?

(3) In view of the fact that the cross-walk at Pemberton referred to above is sited on a steep hill of considerable length and is used not only at peak school times but generally, will he have the policy on the establishment of cross-walks re-examined with a view to changing the formula for country areas to allow consideration of special local factors such as vision and grade of the locality?

Mr O'CONNOR replied:

- (1) Yes.
- (2) In June, 1972, resulting in 109 pedestrians and 64 vehicles at the busiest hour. This count is 43 024 short of the desirable warrant of 60 000 and well short of the relaxed warrant allowed in Manjimup.
- (3) Special conditions are taken into consideration. However, at this locality visibility is good. The Police Department is convening a meeting to consider the installation of a guard-controlled crossing at the locality.

2. TOWN AND COUNTRY BUILDING SOCIETY

Loans to Mr McKenzie

Mr B. T. BURKE, to the Premier:

- (1) Was the Premier aware of the activities of the Town and Country Building Society and its loans to Mr W. McKenzie prior to the matter being raised in this House?
- (2) Did he agree with or approve of the matter being raised?
- (3) If "Yes" to (2), what steps did he take to establish the true facts of the situation before the matter was raised?

Sir CHARLES COURT replied:

- (1) No, I did not know of the facts that were disclosed yesterday by the member for Subiaco regarding the dealings of Mr McKenzie with the Town and Country Building Society.
- (2) The honourable member raised the matter on his own initiative, as is quite proper within our party because we do not have the same Caucus discipline and direction as does the honourable member's party.

Mr Bertram: Not much you don't!

Mr O'Connor: What are you afraid of?

Mr B. T. Burke: Nothing at all.

Sir CHARLES COURT: To continue—

(3) Not applicable.

3. TRAFFIC CONTROL

Bunbury: Motor Vehicle Licensing

Mr SIBSON, to the Minister for Traffic:

In the event of the Bunbury Town Council handing over control of its traffic under the proposed legislation and electing to continue collection of license fees, could the Minister provide the following information—

- (a) Would the whole of the \$4 collection fee be retained by that council?
- (b) Would the council be responsible for sending out renewal notices each time?
- (c) Would the council have to compile complete records?
- (d) What responsibility would that council have in regard to providing after-hours information to the authority from those records?

Mr O'CONNOR replied:

I thank the honourable member for some notice of this question. The answer is—

- (a) The reference to collection fee presumably refers to recording fee. The answer is "No."
- (b) No.
- (c) No.
- (d) None.

4. ALCOA ALUMINA REFINERY

Pinjarra: Mud Lake

Mr MAY, to the Minister for Conservation and Environment:

I would like to ask a further question in relation to part (4) of question 1 on today's paper which reads—

Including the proposed 162-hectare mud lake, what is the total area of mud lakes at present and envisaged at—

(a) Pinjarra;

And the Minister replied—

(a) Present: approximately 81 hectares.

Proposed: approximately 160 hectares.

I ask the Minister: Is the proposed approximately 160 hectares the same as the area about which

I asked in part (1) of the question? If this is in the area, could he explain his answer to part (1) of my question to which he replied that he was not aware of the situation?

Mr STEPHENS replied:

In order that I might be quite certain of the facts, I ask the honourable member to put this question on the notice paper.

5. GREAT EASTERN HIGHWAY

Realignment: Sawyers Valley

Mr MOILER, to the Minister for Transport:

- (1) Has the Minister seen the article titled "MRD Wants to Realign Highway" in today's eastern supplement of *The West Australian*?
- (2) Is the article correct?
- (3) Would the Minister table the file covering the matter contained in the article?
- (4) If "No" to (3), would the Minister table the MRD proposal for the four-laned highway through Sawyers Valley which was submitted to the Mundaring Shire Council in the early part of this year and all relevant correspondence between the shire council and the MRD since the submission of the department's proposal?
- (5) Has the shire council indicated that it agrees with the early development of the Sawyers Valley bypass and if so, on what date did it indicate its agreement?

Mr O'CONNOR replied:

- (1) to (5) I have not seen the article referred to by the honourable member, but I will examine the matter and provide him with a reply to his question as soon as possible.

6. TOWN AND COUNTRY BUILDING SOCIETY

Loans to Mr McKenzie

Mr H. D. EVANS, to the Speaker:

Arising from the statement made by the Leader of the Opposition, and following on from the question asked by the member for Balga, I seek to ask you, Sir, for a ruling on this question—

Is it ethical and permissible for the member—

The SPEAKER: Order! Please resume your seat. You cannot ask a question of the Speaker at this juncture. You must place it on the notice paper.

Mr H. D. EVANS: I apologise to you, Sir. I was simply seeking clarification in regard to the validity of the ruling on this matter. The question was put to you in that light.

Sir Charles Court: It has to be raised at the time.

The SPEAKER: I urge the member for Warren to see me later about this matter. If he wished to raise a point of order arising out of an issue that occurred earlier, he should have raised it at that time. If he has some further question he wishes to ask me personally, he may come to my office at any time. We may then discuss the matter and I will endeavour to answer his query.

Mr H. D. EVANS: I will avail myself of that opportunity, Sir.

7. ALCOA ALUMINA REFINERY

Pinjarra: Mud Lake

Mr MAY, to the Minister for Industrial Development:

- (1) Is he aware that Alcoa of Australia (WA) Ltd. is to construct a new 162-hectares (400 acres) mud lake at its Pinjarra refinery?
- (2) If the answer is "Yes", will he advise whether the matter has been reported to the Department of Environmental Protection?

Mr MENSAROS replied:

- (1) and (2) I think the honourable member knows what the answer will be. I ask him to put the question on the notice paper.

8.

TRANSPORT

Departmental Inquiry

Mr B. T. BURKE, to the Minister for Transport:

Can the Minister please advise when the result of his department's inquiry into transport will be announced?

Mr O'CONNOR replied:

I thank the honourable member for some prior notice of this question. The report submitted to me in connection with this matter did not contain any recommendations. As the honourable member knows, the individual who submitted the report originally is now deceased. After perusing the report, I forwarded it to the Director-General of Transport for his further perusal and recommendation. That recommendation is now before Cabinet.

9. **TRAFFIC SPEED SIGNS****Guildford Road and Great Eastern Highway**

Mr SKIDMORE, to the Minister for Transport:

I apologise for the lack of prior notice of this question. However, I hope the Minister will be able to answer it.

Can the Minister advise when the speed signs removed from Guildford Road and Great Eastern Highway will be replaced, as their absence is causing confusion to many motorists?

Mr O'CONNOR replied:

I cannot answer the honourable member's question offhand. However, if he will see me later and inform me of the areas to which he refers, I will endeavour to obtain the answer.

SMALL CLAIMS TRIBUNALS BILL*Second Reading*

MR GRAYDEN (South Perth—Minister for Labour and Industry) [4.59 p.m.]: I move—

That the Bill be now read a second time.

This is a Bill to provide for a small claims tribunal which will deal with disputes arising between consumers and suppliers of goods and services where the claim for payment of money for goods supplied or work performed is less than \$500. It will also embrace disputes between a landlord and tenant over amounts paid up to the same figure by way of bond or security in connection with a tenancy of any premises.

Similar to legislation in other States, the "small claim" has been limited to an amount less than \$500, which is a significant amount in bankruptcy law. The Commonwealth Bankruptcy Act allows for a creditor or creditors to petition for bankruptcy against a debtor where \$500 or more is owing in one or more than one debt in the aggregate.

This Government previously expressed its desire to set up a tribunal of this nature as an inexpensive means of settling minor disputes and the Consumer Affairs Council of Western Australia, which was requested to examine the position, has given its close consideration and recommended the implementation of a tribunal based upon similar legislation which has been operating successfully in other States.

It may be pertinent to mention that Queensland instituted a small claims tribunal in 1973 followed by Victoria, and in 1974 New South Wales introduced such a tribunal. Many of the principles con-

tained in the proposed Bill follow those of Queensland, which in turn have been generally adopted in Victoria and New South Wales.

Whereas in Queensland there is power for the tribunal to make orders on a basis of what is "fair and equitable to all parties to the proceedings" it was recommended by the Consumer Affairs Council which had discussions and received submissions from the Law Society Council in Western Australia in the matter, that this State should adopt the Victorian position where an order of the tribunal must follow the rule of law with respect to the issue in dispute, and this has been done. As in the other States, an order made is final and binding on all parties and no appeal shall lie therefrom.

A function of the Consumer Protection Bureau, which operates under my portfolio, is to receive complaints from consumers as to fraudulent or other illegal or unfair practices. The bureau normally refers a complaint to a trader seeking an explanation and the matter often results in a satisfactory settlement being reached. The power of the bureau is limited somewhat to negotiation. There are, of course, other cases where the supplier either ignores the approach from the Consumer Protection Bureau or refuses to correct the cause of complaint where it is a justifiable claim.

In such cases the consumer may be required to take civil proceedings but the thought of doing so and the likely cost involved deters a person from continuing with the complaint and, by not doing so, his case may not receive the justice it merits. Many people, particularly those more elderly, have a fear of courts or a dislike of court atmosphere and are unwilling to prosecute claims by appearing in court to give sworn evidence from a witness box. As an alternative method, the Bill will provide a cheap and speedy method of settling small claims by the use of informal proceedings.

A small claims tribunal shall be constituted by a referee sitting alone. A person will be required to have legal qualifications to fill this office but in view of the fact that a difficulty could occur in suitable persons being available, the maximum age for appointment has been taken to 70 years. The tribunal may be constituted at any place in the State and will be serviced by a registrar and a small office staff.

A claim shall be eligible for jurisdiction by the tribunal if the contract was made no longer than two years before the day on which the claim is referred to the small claims tribunal.

Provision is made for a claim in a country area to be filed with the Clerk of the Local Court if that is more convenient to the consumer.

The small claims tribunal will not be a court of law in its proper context and its proceedings will not be governed by normal rules of evidence.

In the proceedings negotiation and compromise will have their part and the referee will act as a conciliator and arbitrator.

The primary function of a referee is to attempt to bring the parties to a dispute to a settlement acceptable to all parties. Where this appears impossible the referee can make an order with respect to the issue or otherwise dismiss the claim. Where matters connected with the claim involve such a complex point of law as to warrant direction of the claim to another court—for instance, the Local Court—for hearing and determination, the referee may do so. A party aggrieved by a decision of the other court would also have a right of appeal.

Cases will not be heard in a courtroom but an office or meeting room in private. Both the complainant and supplier will be required to present their side of the case personally and only in exceptional circumstances would an agent in the capacity of a professional advocate or one with a legal qualification, be allowed to represent a party to the proceedings.

An application fee will be kept to a minimum as payment of \$2 only at the time of filing a complaint with the registrar will be required. Costs shall not be allowed to or against any party to a proceedings before a tribunal. An order which is not satisfactorily settled may be enforced as if it were a judgment under the Local Court Act.

It is believed that this legislation will materially benefit consumers and preserve their basic rights. A trader involved in a complaint lodged by a consumer with the tribunal is not burdened with the costs of legal representation to defend his actions to require a settlement from the debtor by resolving the issue in dispute. Thus he may find it more advantageous to have a consumer with a grievance refer the case to the tribunal, than committing himself initially to an action before the local court for payment of an outstanding debt.

A trader who has commenced an action before the Local Court against a consumer for payment for supply or service is entitled to have his case heard in that court and a claim lodged later by a consumer to the tribunal cannot be heard whilst action is still pending in the Local Court. However this does not debar a trader withdrawing his case from the Local Court if he agrees to have it heard before the tribunal.

The Department of Labour and Industry has also been requested to make recommendations to me concerning a parallel small debts court. No other Australian State has so far moved in this direction so that traders can take more

expedient and inexpensive action to obtain orders for enforcement of small debts owing to them. Queensland has, however, expressed the likelihood of its introducing legislation in 1974 to establish a small debts court. A court of this nature, similar to a small claims tribunal, would help overcome the deterrent of persons failing to seek redress in court because often legal costs are out of proportion to the amount of money in dispute. I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

SOIL CONSERVATION ACT AMENDMENT BILL

Council's Amendment

Amendment made by the Council now considered.

In Committee

The Deputy Chairman of Committees (Mr Old) in the Chair; Sir Charles Court (Premier) in charge of the Bill.

The DEPUTY CHAIRMAN: The amendment made by the Council is as follows—

Clause 3, page 2, line 34—Delete the passage "municipality" and substitute a new passage as follows—
"municipality"; and

(d) as to the interpretation of the words "Soil erosion", by adding after the word "works", being the last word of the section, the passage ", and includes any deterioration of the soil which may be detrimental to those activities or works and is attributable to salt encroachment".

Sir CHARLES COURT: I move—

That the amendment made by the Council be agreed to.

When this Bill was before the Legislative Assembly, my colleague the Minister for Agriculture undertook to the member for Morley that he would have an amendment made in another place to the definition of "Soil erosion". If I recall correctly, there was some problem with the actual drafting of the amendment; it was not as easy as it may have appeared on the surface. The Minister undertook to submit the matter to the draftsman and have an appropriate amendment drafted and we now have the result before us.

I think it is important that members understand the significance of the amendment, because I admit I had some difficulty in following it; I tried to read something into the parent Act instead of into the Bill itself. It is a new sub-clause (d) that is being written into Clause 3 of the Bill.

Mr A. R. TONKIN: I express my appreciation to the Government for this amendment. I believe it strengthens considerably the amending Bill and enables the

commissioner to deal with salt encroachment. This was a big weakness in the parent Act and the Government in accepting my suggestion has shown itself to be well aware of the problem. I believe that, in future, the people of Western Australia will be grateful to the Government for having strengthened this most important Act. I support the Council's amendment.

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

Report

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

BILLS (2): RETURNED

1. Commonwealth Places (Administration of Laws) Act Amendment Bill.
2. Police Act Amendment Bill.

Bills returned from the Council without amendment.

FORESTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 17th October.

MR H. D. EVANS (Warren) [5.14 p.m.]: This amending Bill to the Forests Act is a most important one because it touches on the whole problem of dieback in the jarrah forest areas. Indeed, its entire purpose is to enable a much more vigorous and effective effort to be made in the control of this disease. In his second reading speech, the Minister indicated that there were four reasons for this, and perhaps I can touch on those reasons a little later.

It probably would be beneficial to remind the House of the nature of the problem and the complexities which accompany its control. The disease *phytophthora cinnamomi*, or dieback as it is commonly called, is a worldwide affliction. It takes its name because of its effect on the indigenous cinnamon trees of America, where it was first identified. It is a pathogen or microscopic fungus that is very difficult to detect and, as a consequence, the identification and treatment of affected areas is made much more difficult because of the time lapse. Generally, at least three months elapse from the time of the infection being laid before the disease becomes evident; however, by that time, it is firmly established.

So this problem does bring with it the need for prolonged and extended research which this Bill will provide. Conjecturally, the disease was introduced in the Karagullen area about 1928. It was then introduced with citrus stock from the Eastern States, but there is some element of doubt in regard to that. It was not until 1964—10 years ago—that the disease was positively identified, and two officers of the Forests Department can take some degree of credit for having made the initial start in its identification.

Shortly after that time the atmosphere which pervaded the forest industry was one of considerable despondency and all sorts of gloomy predictions were made about the determination of the date when the last jarrah tree would be grown in this State. However, following subsequent examination, prophylactic and preventive measures were developed to indicate that at least the disease could be restrained in some forests; that is, that restraint could be used to influence the fungal pathogen, and this was done in many areas. Nevertheless the methods and the techniques that have been adopted have not been to the complete satisfaction of the industry and it is now realised that a greater effort is required finally to bring some remedy to the jarrah forests which are of tremendous importance, for a number of reasons, to the State of Western Australia.

Of course, we on the Opposition side of the House strongly applaud any effort that has been made along these lines. We will give it any support we are able and perhaps even, may be able to render some assistance. However the spread of the disease is dependent upon many factors, and, in particular, it requires specific temperature, moisture, and soil conditions to enable the maximum reproduction, and consequently, the greatest spread.

For these reasons the danger of the spread of this disease reaching its highest point occurs during the later spring months. The methods of spread are generally mechanical and are dependent upon those who use the forests. These bodies would include shire councils, and the Main Roads Department in their building and construction work. The removal of infected soil to unaffected areas is, of course, the most damaging and most effective means by which the disease can be transferred from one point to another. It also goes without saying that the greater the amount of material that is spread from point A to other points the greater is the risk of transporting the disease. It is for this reason that stringent control of road-making materials has been imposed and this has caused concern to some shire councils which must have regard for their finances, because their expenditure is increased as a result of carting and hauling road-making material over extended distances.

Mining companies particularly are capable of spreading the disease and some eight years ago it was proved fairly conclusively that the incidence of the disease was established for some particular time in a very isolated area when several drill holes were put down by a mining company which transported a drilling rig drawn by a four-wheel drive vehicle.

There is also evidence of the incidence of the disease along roads that have been stripped of cover, and when materials from infected areas have been transported there. At these points the disease is clearly

distinguishable. Indeed it shows up quite clearly for extensive distances along the highways in the south-west.

The movement of water in the water table has considerable bearing on the fungal pathogen. This has to be kept very clearly in mind. With the control measures that are introduced one has to have regard for the fact that possibly the movement of water takes with it the spores that will start further infestation at a lower point. The line of progression up the grade is fairly distinguishable and travels at a fairly slow rate. But as it goes down, following the water course, it travels much more rapidly, and this is one of the points that has to be borne in mind when control measures are considered.

Also reliance can be placed on the soil type to give an indication of the incidence of the disease. Where there is a fairly deep fertile type of soil, the trees are more resistant to the disease, possibly because they can overcome the damage which is occasioned by the fungal pathogen until the stage is reached where they can recover during the growing period. It is of course the attack on the hair roots by the disease that brings about a devastating effect on the trees.

During the summer months the tree does not have the capacity to meet the stringencies of the summer period and to maintain its rate of growth. This varies with the type of tree. It is found that the karri species are naturally more resistant; they are naturally more vigorous, and the combination of the two factors renders karri, to all intents and purposes, free of the disease. However, the jarrah species and many of the under-storey plants would, to a high degree, be susceptible to an attack by dieback.

The type of terrain is therefore most important in the early deposition types of soil in many parts of the State. The attacks generally lead to vital consequences and a steady spreading of the disease from the infected area. It is for that reason that a close examination of the entire forest area must be made. The effect of the combination of these factors is known, but to this point the areas affected have not been precisely mapped to render an opportunity to bring about the control measures that ultimately will be required. It could probably be said, then, that identification of the particular area affected is a prerequisite to conducting any kind of major research to effect a remedy, either by way of prevention; or, as is hoped will be achieved in the future, to replace some of the infected species, or, further, and more hopefully—although it does not seem feasible at the moment—adopt a curative approach to the infected regions.

The area of infestation extends broadly from Wanneroo to Mundaring, south to Walpole, and west again to the Margaret River-Busselton area. The incidence of in-

festation is not easily defined. It is spasmodic; it does not follow any close pattern, except that relating to the type of soil, tree species, and moisture. In mentioning moisture, I am thinking of those trees growing in gullies as distinct from ridges, and the type of soil found in both those localities.

Aerial photography has been responsible for more accurate identification of infected areas, and has speeded up the work of positively identifying the classification of the forest in a way that hitherto was not possible. As a result of this a considerable degree of hope is offered for effectively restoring pastures in the future. The overall use of aerial mapping will reduce this time on field work to a tremendous degree and will assist not only in identifying the diseased areas, but also in assessing and typifying the soil and vegetation types that are found in a particular region.

This is a major problem. It is one that has a number of attendant problems and precisely how these will be overcome is a question we have to resolve and we have to render every assistance possible, while we are able, to those who are endeavouring to solve it. One of the ways is to provide the department charged with the responsibility of the protection of the forests the opportunity to achieve this objective.

The initial purpose of the amendment we have before us is to enable the Forests Department to institute a system of quarantine in areas which the department considers to be either infected, or likely to be infected, with the dieback disease. This could be done, of course, with a blanket measure, but at the same time there will be a consideration for which we have to have some regard. I have no doubt that when he replies to the debate the Minister will be able to elaborate on several of the points which must be worrying members in this Chamber.

In the research that will be conducted it is hoped the measure will allow the achievement of several objectives. Basically, two of those objectives—and I have made mention of them—would be the identification of the disease and susceptible areas, and the identification of areas which possibly could be prone to attack by dieback at some future time. As I have said, this is the prerequisite to what is required.

In the normal implementation of this policy a number of considerations must not be overlooked, not the least of which will be the present operation and management of the forest areas, firstly, when making a comparison with the size of our continent, and secondly, when making a comparison with the more heavily timbered and more favoured continents of the world. The forest areas of this State are not very large when we think in terms

of the forest area in the south-west. The northern section would extend roughly from the Wellington area north-west, and the southern section would embrace all the karri forests of the State. In both these sections we find problems peculiar to each which have to be resolved in their own particular circumstances.

Dealing with the northern section first, I would point out there is not quite the degree of complexity that is found in the southern section. However, the map which was printed in *The West Australian* about five weeks ago indicated that it was anticipated an area stretching from south of Armadale to north of Wellington would be placed in quarantine.

Immediately this brings two reactions. Firstly, it must be decided whether or not the timber mills operating in the area will be able to continue to function during a period of quarantine and, if so, the provisions necessary for them to do so from a point of view of the economics of the State's timber output and also from the point of view of employment, as no doubt some hundreds of persons are dependent upon the timber in that northern section.

In the reply I received from the Minister, he indicated that alternative cutting areas would be provided for the mills whose concessions lay in the quarantine area. That seems to be satisfactory and I presume the milling companies would have held discussions with the Forests Department to ensure that there would be a minimum disruption and an adequate supply of timber to permit continuity of operations by the mills involved.

The second point does have a very direct bearing on the matter; I refer to the mining operations of Alcoa. As no indication has been given on this matter, I can rely only on assumption, but it would be logical and expected that the Forests Department and the company would have held discussions to determine the operations of the company in the ensuing three years during which the quarantine will be effective. The mining company must of necessity consider the situation for some years ahead to detail its operations to decide just where it will be in three or five years' hence. I have no doubt the company will have proven certain areas which will enable it to proceed for at least a five-year period which should take it beyond the three-year quarantine which is envisaged.

As has been indicated on previous occasions in this Chamber, bauxite mining and jarrah forest management are associated because the growth of the jarrah is dependent on the presence of bauxite. Consequently the mineral explorers seeking bauxite have only to look at the growth of the jarrah in a particular area to be able to determine where the best

deposits are located, and naturally enough the operation will be centred in the best areas of jarrah forests.

Mr Shalders: In what way are they dependent on the bauxite?

Mr H. D. EVANS: It is a fact that the optimum growth of jarrah is found on bauxite. Possibly there is some chemical dependence for growth. The reasons have not been fully established, but it is definitely the case. It is a joke among foresters that no exploration for bauxite is necessary because it has already been done by the trees; and this appears to be the case.

Mr May: You get the best bauxite where the best forests are, too.

Mr H. D. EVANS: That is so. This, unfortunately, is the fact of life with which we are confronted and so there must be a rationalisation in connection with not only the economics of the extraction of the bauxite, but also the aesthetics and the State's requirements of potable water, especially in view of the growth of the metropolitan area and everything that this involves. However, that is a subject which must be studied very closely.

To return to the mining operations of Alcoa, I am fairly confident that Alcoa would have sufficient reserves to tide it over at least the next three years, and probably beyond that. Indeed, the conveyor belt from the Darling scarp into the works at North Pinjarra has to be extended and, unfortunately, it will be extended into the area of jarrah forest in the Dwellingup region which already has cost the State some hundreds of thousands of dollars and represents some of the best jarrah regrowth in the State. It would be most regrettable indeed if this area were the subject of mining activity purely because it happened to present the most rewarding immediate return. It would be far better if some degree of co-ordination occurred between the company and the department to provide that only as a last resort would the company extract bauxite from the best timbered areas.

The company has its economics to consider and must have regard to the price of its product, the return to the shareholders, and everything else. However, this is a point of which we cannot afford to lose sight and it must remain under the very close scrutiny of the Forests Department.

Apart from the Forests Department the Public Works Department is also involved because of the country water supplies. The future of Western Australia will be very closely tied to the availability of water in the coming decades. The hydrological surveys carried out on the rivers throughout the south-west are quite detailed and a fair degree of planning has already been done by the PWD to indicate the sources

of water available until about the year 2000. With the increase of industry and the natural growth of the metropolitan area there will be a proportional increase in the demand for water and undoubtedly artificial means of distillation will be perfected in the coming years in the atomic age. However, until that time we must nurse our resources.

It is an interesting exercise to consider the amount of water which falls on one acre of forest. This could be retailed—this was before the increase by the present Government—to the householder at about \$19 per acre per annum. Since the increase under the last Budget, this amount would probably be higher. The value of the same amount of bauxite extracted from that area would be anything up to about, perhaps, \$400; but that is a one-time affair, and the cost of restoration must be taken into consideration. That is an argument on the sheer economic aspect alone, without taking into consideration the relative needs of the two substances.

These two factors, accompanied by the problem of access for picnickers and walkers, must be considered. In addition access must be permitted to farms. A quarantine area cannot be cut off completely because certain access must be allowed. In his second reading speech the Minister said that the highways and main roads would not be affected, nor would access roads into farms and settlers' homes, and there are some fairly isolated settlers who would have difficulty in getting a single access-way to their properties. To a degree their activities will be curtailed, but the degree of this curtailment is difficult to envisage.

The essential restriction will be on the operators of large machinery, the timber fellers and the logging contractors, as well as shire council workers and Main Roads Department employees. Certain measures have been introduced in the northern areas. For instance, vehicles must be washed down before they move to an uninfected area. In addition, timber has been cut back to what is termed the "green line" which is the line of demarcation of infestation. It has been the practice to employ timber contractors to remove that timber from the infected area while it can still be used as saw log timber in a mill.

I make the observation, with hindsight, that this practice perhaps should not have been adopted. It might have been better to let the timber die because the removal of the timber has enabled the infestation to spread to many other areas. In the final analysis it might have been better to write off the timber in the infected areas and leave it where it was. But I make that comment with the benefit of hindsight, and not with any sense of recrimination or criticism of a decision taken at a time when even less was known about the problem than is known now.

Hikers and picnickers do not present the same degree of difficulty and danger as the large-scale operators. The southern section of the forest has problems which are occasioned by other activities and two problems in connection with the wood chip industry must be solved. When the industry commences operations the cutting will take place in as large a number of cutting coops as possible. There will be a network of roads going through these coops and this in itself will lead to a greater danger of the spread of the disease.

The stringent requirements of the environmental impact study must also be considered. They will have to be complied with to the letter if the cutting, as stipulated and expected in connection with the wood chipping industry, is to be undertaken. It is required that there be a 10-chain strip along the main highways and an area must be left along all creeks and waterways.

There will be two types of logs—the chipping log and the sawing log. In the interests of forest management there can be no question of logs of sawmill quality going through a chipper; that is just not on. It would not be putting to proper use the timber in our valuable reserves and it would not provide the best returns to the State by way of royalties. So the logs needed for sawmills will be used and the residue will meet the requirements of the chipper, thus maintaining a balance. The logs will be hauled from various points in the forests to the chip mill and also to the various sawmills. The degree of organisation will be fairly demanding. The necessity to leave uncut areas as stipulated by the environmental impact study will compound the problem of organisation.

Now a third factor has been introduced—the necessity to quarantine certain areas and the problem which will arise if a cutting coop or a haulage roadway is in one of those areas. Against all those matters is the considerable lack of information upon which the decisions must be made.

A question asked by my colleague, the member for Ascot, evoked a detailed reply from the Minister in which he indicated the extent of the action being taken in an endeavour to resolve the dieback problem. The answers showed that the number of professional officers and technical assistants had been considerably increased. At the present time a group of top-level officers is involved in this very question in the southern area. The answer also gave details of the action taken in connection with the problems associated with *phytophthora cinnamomi*, including the role of the CSIRO and the investigations in regard to water, flora, and fauna to meet the requirements of the environmental impact study and the undertakings given by the State Government and the company at the time the agreement was signed. In addition, the cost of this very expensive

research and remedial action is given. I consider the Forests Department has acquitted itself very well in the light of the restricted facilities available to it and the budget on which it must operate.

The Minister has placed on the notice paper amendments to delete the words "Crown land" from clauses 4, 7, and 8 of the Bill. The proposed new section 40A, which is provided for in clause 4 of the Bill, reads in part—

40A. The purposes of this Part are to identify the areas of Crown land, State forests, and timber reserves . . .

Those three classifications of land are referred to in the other two clauses. The Minister's amendment seeks to remove Crown land from the powers he would be able to exercise in declaring quarantine areas. In other words, the jurisdiction of the Minister for Forests would be restricted to State forests and timber reserves only and Crown land would be excluded.

I assume the reason for these amendments is that only about 1 per cent of the total area of the State is covered with forest and the Minister for Forests will not require to have this particular power in relation to the majority of the State. Such a power could conflict with the activities of other land users, particularly the Mines Department. It would be incongruous to vest the Minister for Forests with power to control *phytophthora cinnamomi* in the Warburton Range area.

In addition, the conditions in which dieback can be expected to be found exist only in the forest areas. The disease becomes operative only in areas with certain soil types, and moisture is also a very important factor. I do not think there is any evidence of dieback having been identified in the drier areas. As far as I know, there has been no incidence of the disease in the wandoo forests.

Therefore, it is not strictly necessary for the Minister for Forests to have jurisdiction in this respect over the vast majority of the land in Western Australia but he does need to have control in the areas where dieback is likely to be encountered, which take in the higher rainfall forest areas. Although most of that land is taken up by the State forests and timber reserves, there is some Crown land in the area.

At the appropriate time my colleague, the member for Morley, will move an amendment which seeks to give the Minister power, if required, to declare a quarantine area for the purpose of taking control measures in respect of dieback disease on Crown land in the South-West Statistical Division. I think this is desirable. That division does not include mining areas, so there should not be much conflict with mining interests in the Crown land in the south-west.

The remaining land is for the most part in the coastal region and is held under grazing leases at the present time. It is not very extensive and would probably amount to less than 1 million acres on the south coast, but it contains some of the most interesting flora in the State. Indeed, there is great floral beauty in the vicinity of Banksia Camp and Broke Inlet. Of the coastal vegetation, the prickly banksias and proteas are susceptible and occasions could arise when they should be protected.

If dieback is identified, it can be predicted to some extent in a locality. When the identification takes place the area must be mapped, and first and foremost the contouring, roading, direction of water movements, and soil types must be highlighted. These are the factors involved. With information regarding water availability, soil type, and proximity to infestation there is a good chance that an area can be classified as being highly susceptible, slightly susceptible, or reasonably safe.

This type of identification is possible and will be achieved in due course if the process outlined in the Bill can be followed. It will take a considerable time. It is not easy to identify an area with this degree of precision. It will be a colossal undertaking to ascertain the soil type along every creek, where the watersheds are, and the species of flora which exist. We will certainly know more about our forests when this investigation is completed, and it is only in this way that we can hope to achieve the desirable measure of control over a disease which threatens to devastate our jarrah timber.

Those are the essential points involved in the Bill. The land or forest users in the southern area must resolve the same difficulties as those experienced by users in the northern area. Perhaps the incidence of marron fishermen, hunters, and picnickers is greater in the southern area, although many people from the metropolitan area are using the northern sector of the forest. A multiplicity of problems must be sorted out before the question can be finally resolved.

I make the observation that the Minister included the term "Crown land" in his Bill and he subsequently placed an amendment on the notice paper to delete those words, possibly having regard for the areas in the north around Kalgoorlie where the imposition of another form of control by the Minister for Forests may have been unpalatable. However, having reached that stage, I think it would be a very useful compromise to include in the provisions of the Bill the Crown land in the high rainfall timbered areas in the south-west so that if required it can be included in the quarantine measures which may ultimately be determined by the Minister for Forests.

I support the Bill and hope the Minister will see his way clear to accept the amendment which the member for Morley has foreshadowed.

MR A. R. TONKIN (Morley) [5.58 p.m.]: We on this side of the House are very pleased with this Bill but we are not so pleased with the amendments appearing on the notice paper under the name of the Minister for Forests. We believe the whole future of the water supply of the metropolitan area, and indeed the south-west, is at stake.

It may be true that only 1 per cent of Western Australia consists of forest, but of course percentages do not help us a great deal. That 1 per cent is a mighty area because of its great significance. The very fact of it being only 1 per cent makes it more valuable from an aesthetic point of view, but of course it is vitally important to our water supply.

Among other things, this measure deals with the future water supply of Perth. It deals with our forests and quarantine measures to control the disease *phytophthora cinnamomi* which attacks not only jarrah but also many of the plants in the under-storey. Cures are possible but not practicable, given the economics of the situation. Cure can be effected through steam treatment and so on, which is not practicable when dealing with forests. So the only way to control the spread of the disease is to declare areas of quarantine.

The Bill gives the Conservator of Forests control over these areas—but not all areas in the south-west. Alienated land does not come under the aegis of the Conservator of Forests. I believe this is a very forward-looking move for which the people of Western Australia will be grateful to the Government.

I want to emphasise—even if I repeat myself—that we are not merely talking about a disease or about a forest—which, of course, is wonderful for the purposes of recreation and so on. We are talking about salinity problems. Only this afternoon the Government saw fit to accept an amendment made by the Legislative Council in regard to soil erosion and, in particular, salt encroachment. Here we are talking about the same kind of problem; we are dealing with saline waters. We know that at great expense the danger faced in regard to Mundaring Weir was reversed by the purchasing of alienated land and the planting of trees. The salinity problem there was reversed, but it may not be so easy next time.

After considering the Bill, we believe it is desirable because it gives to the Conservator of Forests the power he needs; it unties his hands so that he may cordon off certain areas and prevent the spread of the disease *phytophthora cinnamomi* which to a large extent is water-borne. Of course, it is also spread by machines, and

here we have to think of Government departments and local authorities as well as mining companies.

I am at a loss to understand the reason for the amendment placed on the notice paper in the name of the Minister. It seems to me the Government has probably bowed to the needs of private interests. I would like to know what influence mining interests, such as Alcoa, have had on the Government.

Mr Ridge: Your colleague, the member for Warren, is a little more understanding than you are. No-one has bowed to mining interests. I think the member for Warren probably explained the situation fairly well.

MR A. R. TONKIN: In what way?

Mr Ridge: I suggest the terms of the Bill as it stands now perhaps mean that the Conservator of Forests could declare as forest areas of Crown land around, say, Kalgoorlie.

MR A. R. TONKIN: Does the Minister think the conservator is likely to do that?

Mr Ridge: No; but at least your colleague acknowledged this. Nobody has bowed to the needs of anybody.

MR A. R. TONKIN: Then why has the amendment appeared on the notice paper?

Mr Ridge: For the reason your colleague acknowledged.

MR A. R. TONKIN: I agree the Conservator of Forests does not need to have control over land in the Kimberley in order to contain the disease *phytophthora cinnamomi*, nor would he need to have control over land in the eastern goldfields for that purpose.

Mr Ridge: All right.

MR A. R. TONKIN: I also do not believe he would use his power over Crown land in such areas. However, power over Crown land in the area to which I am referring should be given to the conservator, and the amendment of the Minister will remove his power over Crown land in that area.

Mr Ridge: Okay. So you have a brilliant amendment; but you are assuming we will not accept it. Let us wait until we get to that stage.

MR A. R. TONKIN: Thank you; I am very pleased to hear some consideration will be given to this. However, I would qualify the Minister's statement; mine is not a brilliant amendment, it is merely a very obvious one. We are concerned for the South-West Land Division by and large, and we want to ensure the Conservator of Forests has control in respect of Crown land in that area. I do not think a great deal of harm would be caused if he were given this power over Crown land throughout the whole of the State.

Mr Hartrey: I do.

MR A. R. TONKIN: No doubt the member for Boulder-Dundas does. Perhaps the member might like to make a speech a little later. The point I would like to make is that the position could be misrepresented, and various interests in the State could be concerned that the conservator will have this power in respect of Crown lands throughout the whole of the State; and in order to circumvent this kind of criticism I have proposed an amendment.

MR Hartrey: It would cause consternation on the eastern goldfields.

MR A. R. TONKIN: I do not think the people there would worry because they know very well the conservator would not worry about dieback in the eastern goldfields. So I do not think that is at all a sensible comment.

The amendment foreshadowed by the member for Warren, which I intend to move in the Committee stage, includes the South-West Statistical Division, and on looking carefully at the map I do not think that division covers the area with which we are concerned. So the areas of the Shires of Albany, Denmark, and Plantagenet have been added, and I propose the conservator will be given the degree of control over Crown land that he needs in that composite area.

I sincerely hope, because I am concerned about the future of this State, that the Minister is speaking advisedly when he says the Government has not bent its knee to any developer or mining interest, and that it will seriously consider my proposed amendment to give the Conservator of Forests the power that is envisaged in the Bill as it stands at the moment; that is, to give him control over Crown land in areas likely to suffer from dieback. This is a very serious disease which is most difficult to control. Quarantine may be only a partial answer to it, and we certainly do not want to tie the hands of the Conservator of Forests because we are not just talking about the future of our forests, but also about the future of our water supplies and, therefore, about the future of the people who reside not only in the metropolitan area but in the whole of the south-west of the State.

MR T. J. BURKE (Perth) [6.08 p.m.]: I feel the Minister, upon consideration, must agree the situation outlined by the member for Morley is a reasonable compromise. When the Minister introduced this Bill we found it most acceptable and we understood, of course, that quarantine measures will be applied only where there is an indication of dieback. Even when the Minister placed his amendment on the notice paper we felt perhaps it was prompted by the fact that Crown lands are spread throughout the whole of Western Australia and that regard was being had for that fact in order that the mining industry will not be greatly inhibited.

The proposal outlined by the member for Morley retains for the Conservator of Forests the power in the area where dieback is likely to occur. I am certain if the Minister explains to the mining interests—and it is obvious to me that is where his amendment came from—

Mr Ridge: You are wrong.

Mr T. J. BURKE:—that far and away the bulk of Crown land in Western Australia will not be affected by our amendment, and that the Opposition is concerned only with reposing in the conservator power to ensure every action possible to overcome the problem of dieback can be taken to conserve our forests and to protect our supply of water, they will accept our amendment.

I am certain the mining people, being reasonable men, will accept this compromise. I believe the Government should also give serious consideration to it. It is obvious the Government and the Forests Department are worried about the matter, otherwise the legislation would not have been introduced. I am sure the Minister is concerned for our forests. Being a reasonable man himself, and realising that the mining men in this Parliament and in the State of Western Australia are reasonable men, I am certain if the Minister puts our compromise to them and explains that it releases the rest of the Crown land in Western Australia from any possible intrusion by the Conservator of Forests, they will accept it. It is a reasonable proposition, and I would ask the Minister to give serious consideration to accepting the amendment when it is moved.

MR MOILER (Mundaring) [6.11 p.m.]: I wish to support the Bill for the reasons already outlined by the previous speakers, and also because I envisage in it an avenue by which the community may gain access to forestry areas, much of which at the moment are composed of water catchments. Whilst I am not suggesting that is the intention of the Bill, in view of the excellent attitude adopted by the Forests Department in making forest areas available to the community for recreational purposes and encouraging people to use those areas, I see in the measure the avenue whereby present restrictions on the entry of the public into the water catchment areas surrounding the Mundaring Weir may in time be relaxed.

I envisage the Conservator of Forests will be able to permit controlled access of the public to the beautiful areas surrounding the Mundaring Weir. It is quite feasible that within a short time we could see licensed operators taking busloads of people through these at present restricted areas. The areas immediately surrounding the lower Helena pipe-head dam and the Mundaring Weir are probably some of the prettiest locations

in the State and are easily accessible to the people of the metropolitan area. The forests and the man-made attractions of the weir make this a terrific area. However, at present the public are restricted from entering it due to the attitude of the Water Purity Council. The public should be allowed to enjoy the benefits of this area. I am aware of some beautiful spots which could become picnic areas.

A number of kangaroos and other animals are found there, and I foresee the time when, by the development of grazing and feeding areas, kangaroos and other wildlife will become accustomed to gathering there, and this would create an added benefit to be enjoyed by the public.

I believe this beautiful area has been denied to the public for too long, and I hope that within this Bill there is an avenue by which the Conservator of Forests, whilst maintaining control of the land, may allow the public to enjoy its natural attractions.

Sitting suspended from 6.14 to 7.30 p.m.

MR SHALDERS (Murray) [7.30 p.m.]: I support the Bill. I listened with great interest to the remarks of the member for Warren; I believe they indicated his knowledge of the subject. He explained in explicit detail a great deal about the subject under discussion. I also listened with interest to the remarks of the member for Morley. I am well aware of the complexity of the disease *phytophthora cinnamomi*, or dieback as it is commonly called, having attended two seminars conducted by the Forests Department at Dwellingup.

The first seminar was for the benefit of local government officers and explained to them how they could best prevent the spread of dieback in their areas. Officers of the Forests Department demonstrated how machines could be washed down to prevent the spread of the disease; a number of other measures were also demonstrated to the local authorities to assist them in preventing the spread of the disease in their areas so that they could keep their areas attractive and free from the problem.

I attended the second seminar at the same time as the Minister for Forests. We were taken to an area affected by dieback and were further instructed in the use of measures to prevent the spread of the disease, washing down of plant as it is moved from affected areas to disease-free areas being one of the most important control measures.

Officers of the Forests Department and people working in the timber industry, particularly in my electorate, have indicated their concern at the effect the dieback disease may have on the Western Australian timber industry if it cannot be controlled.

It is a little premature to talk of eradication; however, I know these people are extremely worried for their livelihood. As members are well aware, the timber industry is one of the most important industries to Western Australia in terms of income and of providing a livelihood to a great number of people. As the member for Warren pointed out, there appears to be a conflict between the timber industry and the bauxite mining industry. As Pinjarra is the home of one of Alcoa's plants, I am aware that conflict may occur between the two industries. In the short term, Alcoa is working in areas which are regarded as desolated, due to dieback disease and, in the near future, has no intention of moving into prime forest areas.

However, this may occur at some time in the future, whether it be 10 years or 20 years hence. Needless to say, we hope that between now and then we can work out a method whereby the dieback disease can be controlled and, if possible, eradicated.

I was disappointed to hear the member for Morley suggest that the Minister had bowed to commercial interests in placing his amendment on the notice paper; that is a slur on the Minister. I represent an area with a commercial interest in this industry, but I have certainly received no pressure from the company involved to make any representation to the Minister for Forests or to the Forests Department to influence the Minister to place such an amendment on the notice paper.

The member for Warren quite rightly pointed out how ridiculous it would be for the Minister to have power to declare quarantine areas in places like the Warburton Range. Having served some time up there, I speak with authority when I say there are just not any forest areas at Warburton.

Mr B. T. Burke: Were you teaching up there?

Mr SHALDERS: As a matter of fact, I was. This Bill represents an attempt by the Minister to provide the department with breathing space, during which it can make certain that it is fully aware of all the areas where the dieback disease exists. The three-year period proposed in the legislation will allow the department to devise even further measures to control and treat the disease. I fully support the Bill.

MR MAY (Clontarf) [7.36 p.m.]: I support this Bill. In doing so, I point out that during the three years I was the Minister for Mines and the member for Warren was Minister for Forests there existed a particularly good liaison between the Mines Department and the Forests Department in regard to matters such as we are now discussing. This is an excellent measure and, from my understanding of both departments, I believe the amendment placed

on the notice paper by the Minister represents an endeavour to continue this close relationship between the Mines Department and the Forests Department and to arrive at some compromise, where that is necessary.

The amendment foreshadowed by the member for Morley will go even further; it stipulates a particular area that can be designated as Crown land.

While we all agree that the dieback disease must be restricted as much as possible, over the years various Government departments have been responsible for doing things in State forests which obviously should not have been done. I refer to the Main Roads Department, which has its quarries in State forests; the State Electricity Commission which establishes transmission lines through these areas, and a number of other Government departments. They have all contributed in some way to the spread of dieback, with their large machinery travelling from affected areas to disease-free areas.

The member for Mundaring mentioned the case of tourist buses travelling to the Mundaring Weir area. In such cases, complete supervision of the vehicles travelling into the area and the people leaving the buses and going into the forest areas is necessary. So, there is a problem to be overcome and the Forests Department is endeavouring to resolve the problem to the best of its ability.

Over the years, the Mines Department has endeavoured to restrict mining to areas where it would not affect forests. In the Mining Bill introduced by the Tonkin Government, provision was made whereby all applications for mining tenements in State forests or other areas which could have an effect on the environment were to be referred to the Department of Environmental Protection, which was to have the overall say as to whether or not the applications would be approved. I know that Western Mining Corporation Limited would like to explore for bauxite in a number of areas in the south of Western Australia, particularly around the Walpole region; on a number of occasions, representatives from that company came to see me about these areas.

However, because the Department of Environmental Protection was examining these areas in the south-west, the question was deferred until such time as the department had made its determinations. So we have problems in terms of developing our mining and timber industries.

As the member for Warren pointed out this evening, on those locations where we have good stands of forest there are also excellent bauxite deposits. So it comes down to a question of what we will do,

in the best interests of the State, to develop both our forests and our mining deposits.

Therefore, whilst I agree that the amendment on the notice paper in the name of the Minister is an endeavour to effect a compromise between the Forests Department and the Mines Department, I consider that the amendment now foreshadowed by the member for Morley goes further by restricting the forests area to the south-west of the State, leaving the major part of Crown lands available for mining or any other type of exploration, so that applications may be lodged by those persons who wish to develop them. This is a sound amendment and the Minister would do well to look at it.

However, all these matters are, once again, subject to conditions relating to environmental protection. For example, in our coastal areas we have many mineral sands deposits and no doubt mining companies would be anxious to conduct mining operations in those areas. I am sure the member for Vasse has had experience in regard to this question. It is a matter of agreement between the Department of Environmental Protection, the Mines Department, and the Forests Department. I can recall flying over the forests area with the previous Minister for Forests and Dr O'Brien to try to find areas which were possibly affected by salinity and by mining operations that had been carried out by Alcoa. At that time everyone concerned was trying to assist in every way possible.

In view of the statement made by the Premier that every endeavour will be made to get the Alwest project off the ground, I would be glad if the Minister would inform me whether this Bill will affect the application of the State Government to the Australian Government in regard to the Alwest project. As members know, the site of the Alwest project is in the centre of the State forests near Collie and the catchment area of the Wellington Dam. Can the Minister assist by letting us know this evening whether this Bill will have any detrimental effect on the State's representations to the Australian Government in regard to the establishment of the Alwest project?

I support the measure, but I sincerely trust the Minister will give consideration to the amendment proposed by the member for Morley, because I consider it is a step in the right direction towards solving this problem in the best interests of the State and all concerned.

MR SKIDMORE (Swan) [7.42 p.m.]: This Bill, in part, seeks to control the spread in our forests of what is commonly known as dieback. As one who has been greatly concerned about the obvious spread of this disease in our forests, I cannot help feeling alarmed. I am also alarmed at the amendment appearing on the notice paper

in the name of the Minister which would remove what I believe to be the fundamental basis of the control of this disease in the first instance. The Bill as it stands indicates that the Government feels it should have control over Crown land; and I do not quarrel with that. The points raised by various speakers would seem to indicate that there is no liaison between the Mines Department or any other department on the question of the control of dieback disease, simply because we wish to have control over Crown land.

It is inconceivable to me that people—notwithstanding that restriction which would make it mandatory that talks shall take place—will upset any standard that has been set up until now. I believe that if talks have been taking place in the past they will continue to take place in the future.

I am greatly disappointed to notice that, in accordance with the amendment on the notice paper, Crown land will not be subject to control. Dieback is a disease that spreads easily from place to place—unknowingly at times—and we now find ourselves in the situation where tracts of Crown land, if the amendment is agreed to, would not be covered by the provisions of this Bill. To me, that is a great tragedy.

As printed, I considered the Bill to be sound legislation, but I am now inclined to feel that if the amendment proposed by the Minister is agreed to, it will be watered down. I therefore hope the Minister will be able to satisfy me by advancing sound reasons for his amendment. I can see little conflict occurring between people who wish to mine land on which there is forest infected with dieback, because with the quarantine provisions contained in this legislation control could be exercised to enable mining to take place.

I might perhaps agree that the amendment foreshadowed by the member for Morley would at least go part of the way towards satisfying my objection to the amendment proposed by the Minister. I say that because the amendment foreshadowed by the member for Morley does seek to impose some degree of restriction on Crown lands. I might also take up the point raised by the member for Murray. He said he did not feel that anybody in the Warburton Range, or any of the trees growing there, would be affected by dieback. I have always believed that legislation introduced to Parliament which imposes restrictions on any particular area appears to be a futile gesture. It is quite true that there may be no reason to quarantine the Warburton Range area to control the disease of dieback, but that is not the only forest area that could be affected.

Mr Shalders: There is no forest there.

Mr SKIDMORE: It is suggested that because there is no forest in the Warburton Range area it should not be covered

by the provisions of this legislation. However I know other areas that could quite easily be affected by dieback and, of course, some reason would have to be shown in dealing with the problem in any particular area. For example, one would not seek to have the disease of dieback covered in the Sahara Desert.

In the first place, I believe that the restriction should not have been imposed. All the Crown lands in this State should have been covered by the Bill. Therefore I am prepared to accept the amendment foreshadowed by the member for Morley which does offer some control over Crown lands.

MR BLAIKIE (Vasse) [7.48 p.m.]: I indicate my support for the measure proposed by the Government. With a disease as serious as dieback, it is most necessary that quarantine and control measures should be exercised, as the timber industry is important to Western Australia and will continue to be important in the future. However, it will only continue to be an industry of importance provided we make a concerted attempt to preserve what we already have.

In this respect, over the years the Forests Department has performed a tremendous service to the State in its management of the State forest areas, and there is no doubt that this Bill will provide further legislation to assist the Forests Department to achieve its objective in finding a solution to the dieback disease.

In my electorate, the timber industry is particularly important. Those who were present in the Chamber last session will recall a motion I moved in relation to the use of concrete sleepers. Sleeper cutting has been a real stabilising factor in the timber industry and will continue to be so in years to come. I repeat: it is most essential that we preserve and protect what we already have. The forest areas are now becoming tremendously important to us in other directions. We are beginning to realise and recognise the importance of the actual forests themselves.

Certain areas of usage have been indicated; there are other areas of usage in relation to the mining industry. Of course members do not need to be reminded about the tremendous importance of the forest areas of the State to our potable water sources.

Another industry which has experienced conflict with the forests of this State is the tourist industry. There are magnificent areas of forest which ought to be made accessible to the public. However, they are controlled in order to prevent dieback disease. I believe the people should be allowed to use these areas in a controlled and orderly fashion.

One could talk about the ravages of the mining industry; but I say that the ravages of the people themselves in the future will

be far more critical to the forests than those caused by mining.

No doubt members are aware of the Bibbillum track that has been established in the forest areas, extending roughly from the John Forrest National Park to Walpole. The opportunity for the people to make use of this track has been readily availed of, and as each year passes the number of people using it will increase.

I would now like to raise one item, and I hope the Minister will be able to comment on it in his reply. One section of our community depends on the forest areas of the State for their livelihood and their future. I refer to the beekeepers or the apiary industry. These people have spoken to me, and have expressed some concern because with the establishment of the wood chip industry they will lose some of the reserves that have been made available to them. Some of the honey that is produced in Western Australia is equal to the best that is produced in the world. Members should realise that with the commencement of the wood chipping industry the apiarists will lose some of these areas. I understand that other areas of State forest will also be lost to this industry when the plans to quarantine certain forest areas are finalised.

I would like the Minister to indicate whether other areas of State forest will be allocated as replacement for the areas that will be lost to the industry. Although the number of people engaged in this industry is small, nevertheless it is an important one to the State.

I conclude my contribution with those comments. I support the measure, because I consider it to be essential. I commend the Government for taking this very necessary step.

MR RIDGE (Kimberley—Minister for Forests) [7.52 p.m.]: At the outset I would like to express my appreciation to members who have seen fit to participate in the debate. Without exception they support the legislation. Not a great number of queries have been raised in the debate on the Bill, and I hope to be able to answer most, if not all of them.

The member for Warren took up the debate on behalf of the Opposition, and I would like to congratulate him for the way in which he made his contribution. He has not only an intimate knowledge of *phytophthora cinnamomi*, the dieback disease, but also of the forest industry itself. This is quite understandable, bearing in mind that he represents a forest area, and that for three years he was Minister for Forests.

At the time that I entered Parliament I had not heard of *phytophthora cinnamomi*. I did not know what it was, or where the disease originated. In one of the early speeches made by the member for Warren,

he devoted some time to explain the disease, and at the time he called for a greater awareness by the public of the dangers of this fungus. Bearing this in mind, one could be excused for asking the member for Warren why during his term as Minister for Forests he did not see fit to introduce legislation, similar to the Bill now before us.

The decision to introduce the Bill was not taken lightly by Cabinet. Obviously no Government likes to introduce legislation which will have the effect of imposing restrictions on the access by the public to important recreational areas within the State forests, from which the forest products of the State are derived.

On the other hand it is fair to say that the decision reached by the Government was a fairly easy one to make, because in the interests of preserving what can only be described as a prime national asset we had no acceptable alternative but to impose quarantine restrictions. It would have been completely irresponsible of us to ignore our advisers on this matter, because the destructive force of *phytophthora cinnamomi* is such that, if allowed to go unchecked, it could have a devastating effect on the ecology and economy of Western Australia.

I appreciate that the adoption of this legislation will inconvenience some people; but I believe such inconvenience to be of secondary importance, because our primary aim is to arrest the spread of this disease.

It is appropriate at this point for me to pay a tribute to the mining industry, the timber industry, the sawmillers, the loggers, the beekeepers, and a multitude of other people who have displayed a spirit of co-operation with the Forests Department in agreeing that the methods to be adopted are in our best interests.

The member for Warren asked whether, in the event of this legislation being adopted, the timber mills in the forest areas will be able to continue functioning, after quarantine measures are applied. The answer is that they can continue to function, because I believe that sufficient timber is available to them. This timber is to be made available from sources outside the quarantine areas.

Initially we are looking at one particular area, which extends roughly southwards from Kelmscott to just north of Collie. A great deal more work has to be done in mapping before we can determine what other areas are to be declared. In regard to the area proposed to be quarantined, we see no difficulty in being able to supply the mills which are operating there. We have discussed this matter with the milling companies involved, and they have accepted our proposals. They agree that their livelihood depends upon the preservation of the forests.

The Government accepts the fact that the timber industry is vital to the stability of the rural economy of the south-west. I think it is of importance to note that the industry employs approximately 43 per cent of the resident primary work force in this area. The present installation and infrastructure of the industry were established over 25 years ago when the full evaluation of the hardwood resources, growth rate, and likely effects of dieback disease were not known.

It is also of importance to note that vacant Crown land which contributed about 25 per cent of the log intake into the mills in the south is now depleted of timber.

Mr H. D. Evans: You will have to do something about balancing it up.

Mr RIDGE: That is right; and the question the honourable member asked indicates this. However, do not let us bring politics into this because the Forests Department is operating on a plan the honourable member signed.

Mr H. D. Evans: It was the economics of balancing that we were talking about.

Mr RIDGE: Yes, and we are very interested in that, too. In assessing the needs of the mills we must ensure there is a balance between the economics of the industry and the likely effects of dieback on the particular areas. As the honourable member himself said, there may have been a need to wipe out areas which were infected because it is obvious the disease has been picked up from those areas and taken to other areas which were quite free of the disease.

The member for Warren also asked whether provision has been made for the continuing operations of Alcoa, and, once again, the answer is, "Yes." The company was consulted by the Forests Department and it is agreeable to the quarantine period which will cover the initial area to be declared, which is in the Serpentine-Dwellingup-Harvey region. We can envisage no prospect of conflict with Alcoa on this particular point.

Towards the end of the quarantine period Alcoa might need to undertake a little more drilling, but on this point we have indicated that we are prepared to have a look at any proposals the company might have and with certain restrictions I feel sure we could accommodate the company to ensure its drilling programme is completed. It stands to reason that any special needs in connection with this or any other industry will be considered by the department.

The honourable member also spoke about access by picnickers, walkers, fishermen, and the like. Provided they are on foot we can envisage no problem whatever. However, if they want to use vehicles to go into declared dieback areas or potential dieback areas, we must make

sure they do not do so; and if they do they must pay the penalty, whatever it might be.

The Forests Department has carefully considered the matter of access to farms and private property which may be adjacent to forest areas. It is not intended to proclaim any areas in which there is a normal access road. At one stage we did think it might be desirable to issue a permit to the particular property owner to ensure he could gain entry to his property through a quarantine area; but this proposal presented all kinds of problems inasmuch as he would probably have certain suppliers who would also require access. Consequently we will make sure that the normal access to properties is not included in a proclaimed area.

On the other hand, if an isolated settler whose property adjoins a forest area should want special access for a particular reason, the department is prepared to negotiate with him and perhaps provide the access under certain conditions.

The member for Warren asked whether the wood chipping industry operations were in conformity with the environmental impact statement. This is under examination by the department at the moment; but the area which is to be subjected to the removal of timber for wood chips is considered by the department to be a low-risk area, mainly because the soils in the area are of better fertility and the area is better drained. Coupled with this is the fact that the main species to be used for chips are karri and marri which are considered to be resistant to the disease. Consequently, at this time we do not envisage any great problems.

The member for Mundaring raised a point concerning the restrictions on access to catchment areas, particularly those in his own electorate, and he said that he hoped the Bill would eventually result in an easing of those restrictions.

I would simply like to inform him that as much as I would like to put his mind at rest on this point, the matter is beyond the control of the Forests Department because at present the restrictions imposed on access to these areas are imposed by the Goldfields Water Supply Board under its by-laws, and, unfortunately, anything the Forests Department does in connection with *phytophthora cinnamomi* will not have a bearing on his problem.

Mr Moiler: I would like the Forests Department eventually to get control.

Mr RIDGE: Perhaps the department would like to, too!

The member for Murray referred to a possible conflict between the Forests Department and the Mines Department. It is probably fair to say that at times a conflict would arise between those two Ministers, but it was for this reason that written into the Bill is a provision that

before an area is declared, consultation must occur between the appropriate Ministers; that is, the Minister for Forests and the Minister for Mines. This is for the reason the honourable member indicated. I might say that I have enjoyed the same co-operation from the present Minister for Mines as the member for Clontarf indicated he enjoyed from the former Minister for Forests. Consequently we do not envisage any conflict arising, but, in the event of a conflict and our not being able to agree on the necessity for a particular area to be declared, the matter would go to Cabinet for decision.

The member for Vasse referred in particular to the operations of apiarists. The Forests Department has conferred with them and they are well aware of what we have proposed. They expressed some concern that they will not be able to put their hives in areas which may be subjected to quarantine but, on the other hand, the department feels quite sure it will be able to accommodate these people.

Mr Davies: Have you discussed the matter with nurserymen?

Mr RIDGE: What type?

Mr Davies: People who supply plants, and so on. I was told they are scared the disease can spread through the use of sawdust. I do not know whether that is true.

Mr RIDGE: I am sorry, but I cannot answer that query. Later on in the evening as we indicate the tactics to be used, there might be an opportunity to put the honourable member's mind at rest on that point. Most of the trees which are being supplied around the agricultural areas come from Forests Department nurseries in the south of the State, anyhow. I respect the point made inasmuch as sawdust could come from an infected area, but I do not think so. This is a disease which affects the hair roots of the tree in particular, and I do not think it has any effect on the timber at all. I would not expect any danger in that regard.

Mr Davies: I doubt it, too, but one person claimed that half his azaleas had been wiped out.

Mr RIDGE: I would not say that was because of the sawdust he might have used in his garden, but from soil imported from some other area.

Mr Davies: He was blaming the previous Government.

Mr RIDGE: Was he? Then he is probably dead right!

Mr May: That is a different sort of dust!

Mr RIDGE: All Opposition members who spoke raised the matter of an amendment foreshadowed under which I wish to delete "Crown land" from various clauses. They

also referred to an amendment foreshadowed by the member for Morley. I would like to point out that at present the department is responsible for the control and removal of forest products from Crown land as defined, but it is not in charge of the total land management of the areas. It has been pointed out that under this definition theoretically it would be possible for remote areas in the State—and these are areas we talked about a while ago, such as the eastern goldfields—to be proclaimed risk areas. I should point out that this was never intended, nor do I think it is desirable that the provision should be included in the Bill. The member for Boulder-Dundas indicated that he would not like land in his electorate to be subjected to the provisions of such a clause. This was not the intention and it is for this reason I desire to move for the deletion of "Crown land" in three clauses.

Mr Skidmore: Notwithstanding that, the area could be subject to dieback.

Mr RIDGE: The Forests Department is quite satisfied at the present time that there is no likelihood of dieback extending to the areas referred to, such as Kalgoorlie or the eastern goldfields, or the Kimberley. In the event of that ever happening action would be taken. It is highly unlikely that the disease will spread to the Kimberley because the fungus will not survive for any lengthy period under hot conditions. It requires moist conditions so there is very little likelihood that the fungus will survive under conditions experienced outside the South-West Land Division.

Mr Skidmore: The mere fact that the quarantine regulations need never be imposed is not sufficient reason for the exclusion of those regulations.

Mr RIDGE: Crown land is to be removed for a specific purpose. It has been claimed that people representing mining interests got down on bended knees and requested that Crown land be excluded, but that was not the case at all. The Mines Department was concerned and it made representations to the Forests Department. I do not think for a moment that the Conservator of Forests would impose such restrictions throughout the eastern goldfields, or in any areas where *phytophthora cinnamomi* is not likely to occur. We agreed to the deletion of "Crown land" to put at rest the minds of those in the Mines Department. I am sure the member for Boulder-Dundas would go along with that argument.

Mr May: The Minister has referred to the co-operation received from the Minister for Mines. Surely, by leaving "Crown land" in the Bill no inconvenience will be caused because of the very good co-operation between the two departments. The provision will not be used so why not leave it in the Bill? To say that the provision is to be taken out because of the

fears of the Mines Department is an argument which does not follow through. It cuts both ways.

The SPEAKER: Order!

Mr RIDGE: I accept the point but, on the other hand, the deletion was agreed to without any thought of precluding Crown land to the extent which some members in this Chamber are worried about.

Mr May: Perhaps the Minister will allay our fears.

Mr RIDGE: It was done in a spirit of co-operation with the Mines Department of this State. I would point out that a great deal of mapping still has to be done by the Forests Department before any area is considered for quarantine. The resources of the department are fully employed in trying to map the areas of State forests generally, to determine the effect which quarantine may have on particular areas. Whilst it may be desirable to proclaim that Crown land is possibly an area which could be affected by dieback, I think it could also be suggested that perhaps there is some necessity to be able to proclaim private land, road reserves, and national parks.

The SPEAKER: Order! Would members please watch the level of their conversation.

Mr RIDGE: I appreciate the point raised in connection with this particular matter concerning Crown land. As I indicated by interjection when the member for Morley was speaking, I am quite prepared to give consideration to his proposed amendment.

I suggest that when we go into Committee we deal with my amendment first, and then the member for Morley can propose his amendment. I will then seek leave to report progress in order that I will have an opportunity to discuss the proposed amendment with the people concerned and, at the same time, check the drafting of the amendment. I suggest that members accept my first amendment.

Mr A. R. Tonkin: But once that amendment is accepted it might be too late for me to propose my amendment.

The SPEAKER: Order! I think this is definitely Committee debate. I have been tolerant because I realised the temper and the feeling of the House, but I do consider it is a matter which could well be discussed during Committee.

Mr RIDGE: I apologise, Mr Speaker. I hope I have answered the queries which have been raised by members of the Opposition, and also by members in the Government benches. I believe this is a desirable measure.

Mr May: Before the Minister resumes his seat, could he provide some information regarding my question concerning the Alwest development?

Mr RIDGE: It has been indicated that the proposed measures for quarantine would not have any effect on the operations of the Alwest project if it were to get off the ground. The proposal will certainly be subjected to an environmental impact statement and if the Commonwealth Government is not satisfied that the area will be well safeguarded it will not accept the proposal. However, as I have said, I understand this measure will not have any effect on the operations of the Alwest project. I commend the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Thompson) in the Chair; Mr Ridge (Minister for Forests) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 40A added—

Mr H. D. EVANS: I suggest it might be better if the Minister did not move his amendment at this stage, but waited until the suggested drafting problems have been examined.

Mr RIDGE: I am quite happy to agree to the proposal, while foreshadowing the amendment which appears on the notice paper.

Progress

Progress reported and leave given to sit again, on motion by Mr Ridge (Minister for Forests).

HOUSING AGREEMENT (COMMONWEALTH AND STATE) ACT AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

ROAD TRAFFIC BILL

In Committee

Resumed from the 30th October. The Chairman of Committees (Mr Thompson) in the Chair; Mr O'Connor (Minister for Traffic) in charge of the Bill.

Clause 1: Short title—

Progress was reported after the clause had been partly considered.

Mr T. H. JONES: Last night the member for Kalgoorlie queried the title of the Bill. In my opinion he had firm ground for doing so because the Bill deals not only with traffic but also with a number of matters associated with traffic. I think the Government should be consistent.

Before and during the election we heard a great deal about a highway patrol but when the Bill was introduced we found it was entitled the Road Traffic Bill. I think it is true to say that generally speaking

the people in Western Australia were expecting a highway patrol, whether or not the patrolmen wore light blue uniforms. A great deal of publicity was given to the matter in the Press. On the 7th June and on many other occasions the Minister said, "WA to get highway patrol", and he said the police would staff the patrol. Whether or not they will do so is still open to question.

I want to know the reason for the change in the title of the legislation. We think the Bill is ill-named and we want to know why the Government has changed its attitude.

Mr O'CONNOR: I do not think the title of the Bill makes any difference to whether they are highway patrolmen or patrolmen. The existing legislation is called the Traffic Act. The reason for naming the proposed legislation the "Road Traffic Act" was to distinguish it from the previous legislation.

Clause put and passed.

Clauses 2 to 4 put and passed.

Clause 5: Interpretation—

Mr T. H. JONES: When we are dealing with the most controversial clauses in the Bill, the question whether a patrolman is a policeman will be exercising the minds not only of members on this side of the Chamber but also of the policemen in Western Australia. We would be pleased to know what they will be. The definition on page 4 of the Bill clearly states—

"patrolman" means a member of the Police Force transferred for duties in the Traffic Patrol pursuant to section 13;

Will the patrolmen be policemen or patrolmen only? As the Minister has his legal adviser in the Chamber tonight, and this matter will be discussed at length by members on this side of the Chamber, we would like to know whether a patrolman will also carry out the functions of a policeman.

Mr O'CONNOR: The definition in the clause spells it out very clearly. It says—

"patrolman" means a member of the Police Force transferred for duties in the Traffic Patrol pursuant to section 13;

In other words, every officer coming into the patrol will be sworn in as a policeman. He will be governed by the requirements of the Police Act and the appropriate industrial awards. In that regard, patrolmen are therefore policemen.

Mr T. H. JONES: The Minister has evaded the question I asked him. Will they be involved in police duties and patrol duties, or patrol duties only?

Mr O'CONNOR: The honourable member did not ask the question, but now that he has asked it I will be happy to answer it and any other questions he cares to ask. While acting as patrolmen it is anticipated

that officers will act on road patrol work only. That is their duty. However, they will have the powers of the police and if they encounter anyone who has committed an offence they will have the power to arrest the offender and hand him over to the law enforcement section of the Police Department.

We want these men to spend 100 per cent of their time on the road in order to lessen the carnage. It is obvious that if we can keep them on the road full time we will get results. The duties of these men will be concerned entirely with road traffic, but in exceptional circumstances they may become assistants to the law enforcement section of the Police Force.

Mr H. D. EVANS: I would like further clarification in this regard. At a country station staffed by a sergeant and, say, three officers, it may be necessary to transfer two additional patrolmen to that station. Will those two patrolmen, who may or may not be using the facilities of the established station, come under the control of the officer in charge of the station or will they be directly responsible to the authority in Perth?

Mr O'CONNOR: While operating as patrolmen they will come under the control of the authority. If they were under the control of the officer in charge of the police station, they could be sent out to pick up someone who has stolen goods, and this would interfere with what we are trying to do. If a riot broke out or an emergency arose in the town, with the approval of the Commissioner of Police they would come under the control of the senior officer in the area.

To answer the question specifically, they would act as traffic patrolmen and would not be required to do normal police duties. Therefore, they would not come under the officer in charge of the station.

Mr HARTREY: I wish to ask a question arising out of the definition "taxi-car" on page 4, line 20, which is—

"taxi-car" means a motor vehicle licensed to ply for hire or reward and licensed to carry not more than seven passengers at any one time;

That is the definition of a taxi-car which already exists in the Act. On page 18 of the Bill there is a somewhat different definition which states—

"taxi-car" means a vehicle, not being an omnibus, which—

(a) is equipped to carry not more than seven passengers; and

(b) is used for the purpose of standing or plying for hire, or otherwise for the carrying of passengers for reward.

What is the distinction or difference? Is it intended that one or other or both of these definitions will apply? I cannot see how both could apply, and I cannot see the necessity for both of them.

Mr O'CONNOR: I am not sure what the point is. As far as I can see, both definitions say the same thing. I will make inquiries and give the honourable member an answer at a later stage. I do not think one contradicts the other.

Mr Hartrey: I admit that they are not contradictory of each other, but they are different from each other.

Mr H. D. EVANS: I would like to proceed along the lines of my previous question in relation to the situation which will apparently develop in country stations. In a country town where the Police Force consists of a sergeant and 12 officers, my understanding of the Minister's comments is that the patrolmen would have nothing to do with the sergeant in charge of the station, although they would use the same facilities and the same radio. It seems rather ludicrous that this situation can come about.

What will happen about the radio network? In fact, who will have the police car? The patrolmen will use their vehicles for patrol work, but they will not be involved in the normal police duties in that town. Surely the co-operation that has been evident in the past where police have controlled the traffic is a far more desirable situation. If this provision is passed, day-to-day friction will develop between the two bodies of men.

Mr T. D. EVANS: I should like to take up the argument where the member for Warren left off and I refer the Minister to clause 9 of the Bill.

The Minister said as a general rule patrolmen will have to share premises with orthodox police—law enforcement officers—

Mr O'Connor: Of course they are all police officers.

Mr T. D. EVANS: I am attempting to draw a comparison between policemen undertaking general duties as distinct from those specialising in traffic control. I believe the Minister meant that as a general rule patrolmen will concern themselves with traffic matters only, but there is an exception.

Mr O'Connor: Yes.

Mr T. D. EVANS: It is to this exception that I want to draw attention. Let us consider an emergency situation, and the Minister mentioned a riot.

Mr O'Connor: I did say that.

Mr T. D. EVANS: In a situation such as that, some direction would have to be given by the authority. A quorum consists of four members, so the emergency could have arisen and dissipated

before the authority could meet to discuss the question, make a decision, and convey instructions to the patrolmen. This emphasises the point raised by the member for Warren that the Bill is rife with potential friction arising from day-to-day operations.

I suggest that unless some jurisdiction is vested in the officer in charge of the law enforcement body at the police station, confusion will result. I would like to hear the Minister's comments about this.

Mr MOILER: Clause 5 states—

"patrolman" means a member of the Police Force transferred for duties in the Traffic Patrol pursuant to section 13;

In his policy speech the Premier said—

We will make this authority completely independent of the Police Force.

I would like the Minister's comment on this point.

Mr O'CONNOR: I do not see that friction will occur, and this illustrates the main difference in our policies.

Mr Taylor: It is not policy, it is a practical situation. Policy does not come into it.

Mr O'CONNOR: It certainly comes into it.

Mr Taylor: This is a practical situation, not a theoretical one.

Mr O'CONNOR: We believe we can achieve more by having one group of individuals applying their whole time to traffic duties, and another group to law enforcement. I pointed out that in the north-west over a period of 13 weeks, more than one-third of the road deaths in the State occurred in this area and yet it represents only 2 per cent of the population. We sent police patrols to the area, and subsequently saw a dramatic reduction in the road toll in that area. The individuals involved in the patrol work were able to assist the police with some of their problems.

We must remember that these two groups of officers will use the one radio network. I believe that a responsible Minister who discovered that an emergency had arisen in a town and the officer in charge of the traffic had not gone to the assistance of the others would instruct the authority to take appropriate action.

Mr T. D. Evans: The Bill does not give him the power to instruct the authority, but only to convene a meeting of the authority.

Mr O'CONNOR: That is so, but the executive officer would report to the commissioner. I do not think this position would ever apply. However I will look at the matter in greater detail.

Mr H. D. EVANS: The Minister has skirted around the question that was posed.

Mr O'Connor: I did not skirt around it.

Mr H. D. EVANS: He has not faced up squarely to the issue that will arise. With the present Police Force the Minister can institute a system of mobile patrols. We have seen the result of his action in the north-west. Therefore, the setting up of a new authority for that purpose alone is not absolutely necessary. So that argument loses its validity to some extent.

Returning to the point about administration and supervision in country towns—and this is where problems will occur because the situation is more clear-cut in metropolitan areas—I would like to hear the comments of the Leader of the Country Party as he was not here when this query was raised before.

Let us consider a country town where the Police Force consists of a sergeant in charge, and 12 officers to carry out police duties. Under the provisions of this legislation, another six or eight patrolmen will be accommodated in the same building, using the same facilities, and even the same radio network. The Minister has not explained how the two groups will use the one radio network.

Mr O'Connor: Don't you think they could assist each other?

Mr H. D. EVANS: Mutual co-operation will certainly help, but it must go beyond that. The Minister has not yet told us who will be in charge of the patrolmen. It is not the sergeant in charge of the station; is it the authority through some obscure sort of control?

Mr O'Connor: It might be the sergeant in charge of traffic in that town.

Mr H. D. EVANS: This will be a duplication. Let us consider the town of Bridge-town which has a sergeant, three officers, and two traffic inspectors. If this Bill becomes law, what will be the position in that case? The Leader of the Country Party can think of a dozen towns in which this situation will pertain. What will happen in the larger country stations?

Mr O'Connor: Each will be treated individually. They must be.

Mr Stephens: You have been in the service, and you know how a situation develops at a station. There is no problem at all; you are making mountains out of mole-hills.

Mr H. D. EVANS: I do not think this is good enough; it is an airy-fairy approach.

Mr O'Connor: It is not.

Mr H. D. EVANS: Then perhaps the Minister will give us an indication of how it is expected to work. The utilisation of facilities, including radio, garages, and

everything else, is part and parcel of the operation of a police station, and if the control of that station is neatly divided two-thirds, one-third, between the two sections, nothing but confusion can emanate. To whom will the patrolmen report? Will they report directly to the central office of the authority in Perth?

Mr T. H. Jones: Who will do the supervising in small towns?

Mr H. D. EVANS: That is another aspect. The whole problem is so fraught with the absence of administrative details that the Bill should be reconsidered. At least some firm guidelines should be established. The Minister did not reply to this point; he said, "We will treat each case individually."

Mr O'Connor: That is what happens with police stations in all towns.

Mr H. D. EVANS: At the moment there is an officer in charge and he has a staff. In this case there will be an officer in charge with two sets of staff.

Mr O'Connor: No.

Mr Taylor: On your definition, yes.

Mr H. D. EVANS: Of course there will be. Let the Minister explain that.

Mr O'Connor: I have already told you, but it will not sink in.

Mr H. D. EVANS: What did the Minister say?

Mr O'Connor: Read *Hansard* next week.

Mr H. D. EVANS: That is not good enough. Explain just how it will work.

Mr O'Connor: I have already been on my feet to tell you.

Mr H. D. EVANS: Most ineffectively; I am afraid the Minister has not convinced this Chamber. It might be clear in his mind, but it is not clear in the minds of the rest of us. It just will not work in the way the Minister explained. If this system cannot work in the field it is no good. This problem will arise in country areas, and not in the metropolitan area. It will arise in the 78 towns which have not accepted police control of traffic. According to the way the Minister has explained this, a shambles will occur in those towns. This matter is so serious it is not funny, and it should be clarified. The Minister should have the Bill redrafted to produce something that is workable.

Mr HARTREY: I ask the Minister to contemplate the situation I am about to describe. This matter was raised by the member for Warren, but not in the same form as I raise it. In all large towns the police are divided into two sections, the uniformed force and the CIB. There is also a small plainclothes section, which is not very important for the purpose of my argument.

Mr Laurance: There does not appear to be any conflict there.

Mr HARTREY: That is what the honourable member thinks; I am about to point out there is. Some time ago the Minister accused me of being anti-police, but I am not that by any means. I have made many friends in the Police Force since I became a lawyer.

I am aware that one of the principal anxieties of the head of the CIB and the head of the uniformed branch is to preserve good relationships between the two branches, and in spite of this jealousies arise. Now a third branch is to be introduced. In Kalgoorlie there is already a third branch; that is, the gold stealing branch, which is unpopular with the uniformed and the investigation branches. If a traffic branch is introduced as well further dissension will be created. We should not have dissension in the Police Force because it is vital to the public that all members of the force obey orders and do their work with a will, and to the best of their ability.

Mr B. T. BURKE: Already in the early stages of the Committee debate the Bill appears to be crumbling. I would like to pose a situation to the Minister and ask him what will prevail in the circumstances.

If we had a country town in which there was a sergeant in charge of the law enforcement part of the duties of the police, and a sergeant in charge of the traffic control part of the duties of the police, and both used the same radio, whose will would prevail if there was a conflict?

Perhaps the Minister will answer by interjection.

Mr O'Connor: I will wait until you sit down and answer the lot.

Mr H. D. Evans: It is time you answered something.

Mr B. T. BURKE: Another interesting question is: who will handle the court procedures associated with the work of the police? Will it be the senior law enforcement officer or the senior traffic officer; or will we have dual prosecuting roles?

Mr A. R. Tonkin: A shocking expense.

Mr B. T. BURKE: The shame of the whole debate is that these things have not been explained. Even if it is possible to explain them now, it is a serious indictment of the Minister that these doubts have not been quelled so far. We are not playing games, we are trying to debate an extremely serious matter.

Let me point to another piece of futility advanced by the Minister. In one fell swoop he answered his own argument when he said that when problems occurred in the Pilbara, policemen were rushed there and the problems were solved by de-

voting the full attention of those policemen during that period to the problem at hand. Can the Minister not see that he has answered his own question?

Mr O'Connor: If those policemen had been attached to the Port Hedland station they might have been tied up at Port Hedland with normal police work, and would not have been doing the work on the road, anyway.

Mr B. T. BURKE: Of course; the Minister is half-way to the answer. If he goes the full way he will find those men would have done the same thing had they been attached to the Police Force. The Minister's problem was not the form the men took, but the fact that he did not have enough men in the right place at the right time.

This all reverts to the basic point that if we are going to grapple with a serious problem we cannot dress it up to avoid unpopularity. We cannot cut off an arm of the corpse, and then place it in the butcher's window, hoping it will be acceptable to everyone. We must seriously and sincerely take hold of the problem, find the best solution and not vacillate trying to please everybody.

It is idle to suggest that the initial efforts and skirmishes undertaken by the Government will avoid the final criticism, because the Government is only changing the form and not the end result. While it might quell the initial criticism, the crescendo which will come when people find out what the Government has done and how it has misled them will make the Government wish it had never taken the first step.

The only answer is State-wide police control of traffic.

Mr McPHARLIN: The member for Warren in directing a question to this side referred to me. He asked how the country centres will administer the proposals contained in the Bill. All of us would be conscious that in the establishment of any new authority, such as the one we are now considering, difficulties will arise. However, I believe these will be ironed out by sensible co-operation and procedures.

Mr Davies: That is not good enough.

Mr McPHARLIN: Members opposite must admit that in the operation of any new authority, difficulties will arise, but I think they will find these difficulties will be ironed out.

Only this afternoon, I had a discussion with the President and Secretary of the Country Shire Councils' Association who advised me that they had had numerous discussions with the Minister regarding some of the difficult areas of administration. However, they have agreed with the concept of the Bill. They represent a large proportion of the local government of this State—the Country Shire Councils'

Association. They admit there are difficulties which would need to be ironed out by the administrative procedures put into effect after this Bill becomes law.

Mr T. D. Evans: Are they happy with the Bill?

Mr T. H. JONES: The Minister has not answered the question. This Bill has been badly drafted; that is the opinion of the Police Union of Western Australia. The secretary of that union told me this afternoon that the union is seeking the opinion of a QC; the union does not know where it is going with the Bill. Even its legal adviser has expressed concern about the legislation.

I am expressing concern on behalf of the Police Union. As the union sees it, too many interpretations can be placed on certain clauses in the Bill. Even the Minister since he first introduced the measure has changed some ground.

Mr O'Connor: Where?

Mr T. H. JONES: In plenty of places.

Mr O'Connor: Give me one example.

Mr T. H. JONES: I refer to the question of the duties of patrolmen.

Mr O'Connor: Where did I change my ground? You cannot tell me because I have not changed my ground.

Mr T. H. JONES: In his second reading speech, the Minister said that patrolmen will be used in cases of emergency. However, under the Police Act police take the oath of allegiance which requires them to undertake certain functions. All policemen take that oath of allegiance; it does not matter whether or not they are patrolmen. This will give rise to an impossible situation, and the Minister knows it. Once a policeman signs his oath of allegiance, he is required to carry out certain duties under the Police Act.

What the Minister says about patrolmen attending emergencies is so much claptrap; it is not worth the words coming out of his mouth. These men will be policemen first and patrolmen last; they will transfer to the authority as policemen and as members of the Police Union. The Minister cannot say they will join the Municipal Officers' Association, because they will not be eligible. The Minister knows that when these men transfer to the authority, they will be policemen who are required to carry out their duties under oath.

The member for Warren directed a question on this matter to the Minister which remained unanswered. I do not think the Minister knows the full provisions of the Bill. As I said, the Police Union has expressed concern about the measure. Representatives from that union have told the Minister that the legislation should be redrafted; this was their opinion last Sunday. I have had discussions with the union secretary and members of the union and the Minister has met them on two

occasions, yet the Police Union is still uncertain about the intentions of the Bill. Members of the Police Force do not know where they are going. It is quite clear that the Minister has failed to answer the questions raised from this side of the Chamber. What he should do is to report progress and examine the legislation so that we may know where we are going.

Mr NANOVIK: I believe the Minister clearly clarified the functions of the traffic patrol and what it will be called; it will be called a traffic patrol under this new authority. I do not know where the member for Collie who is shadow Minister for Police, is looking half the time. He seems concerned only with outback areas where there are people who are half inspectors and half something else.

Mr T. H. Jones: This is the first speech you have made standing up since the Bill has been in the House, and it is good to see.

Mr NANOVIK: Perhaps I will teach the honourable member a thing or two. At least I am not continually looking around to see whether the gallery is full of members of the Police Union.

Mr T. H. Jones: I could not care less.

Mr NANOVIK: The member for Collie has downgraded the ability of these local government traffic inspectors.

Mr T. H. Jones: That is not clear, yet.

Mr NANOVIK: That is what all the noise is about at the moment.

Mr T. H. Jones: The member for Narrogin said they should take their seniority from the shires to the authority.

Mr NANOVIK: The local authority to which I wish to refer is operating as well as, if not better than, any traffic department throughout the State, particularly with its seven traffic inspectors within the district. That is how a department should be operated. Also, this authority has the greatest possible co-operation from the Police Department. I do not see how the people to be transferred to the traffic authority may be doubtfuls. I have statistics which prove this authority was the first authority to introduce Saturday afternoon licensing.

Mr T. H. Jones: What has that got to do with this clause?

Mr NANOVIK: If the member for Collie had written to this authority, perhaps he would have some real conception of what some local authorities are endeavouring to do in the field of traffic control.

The CHAIRMAN: Order! I would ask the honourable member to tie his remarks to the clause before the Chair.

Mr NANOVIK: I believe the Opposition is endeavouring to embarrass the Minister; but members opposite have underestimated the capabilities of the men who will be transferred from shire authorities to the

new single traffic authority and who will have the powers of policemen but who will be called patrolmen.

Mr Bertram: What powers are they?

Mr NANOVIK: The powers of a policeman. Apparently, the member for Mt. Hawthorn does not know what powers a traffic inspector has. Perhaps if he had undertaken a little research into the operations of some of the local authorities which are operating successfully, he may have learnt something.

There are many competent men who will be embraced by the new authority who have the necessary experience. They have carried out their duties under the provisions of the Traffic Act and they are fully aware of what is contained in it. I am sure every traffic inspector has also made a close study of the Police Act and should be quite competent to assume the duties and responsibilities of a policeman.

The Opposition should show a little common sense instead of trying to defeat the true purpose of the Bill. Members of the Opposition want the control of traffic throughout the State to be exercised by police officers only. That is their objective. It is of no use their asking the Minister to withdraw this measure and redraft the Bill. Once the authority is formed under the provisions of this measure it will prove successful, because it will embrace many competent traffic inspectors who are at present operating under the Traffic Act.

The CHAIRMAN: I ask the honourable member how his remarks relate to clause 5.

Mr NANOVIK: I was trying to outline the duties of policemen and those of traffic inspectors who will be employed by the proposed traffic authority. The Bill clearly states that a road patrolman under the authority will have the powers of a police officer. Members of the Opposition have said that a patrolman, in dealing with various aspects of traffic control, would not be able to enter into any liaison with a police officer appointed to a particular district.

The CHAIRMAN: I ask the honourable member to deal with the clause before the Chair, because it seems to me that he has mixed up his second reading speech notes with the notes he has on clause 5.

Mr NANOVIK: Mr Chairman, members of the Opposition in making remarks, have caused me to ramble and to divert from the clause in question.

Mr T. D. EVANS: I refer to the definition of "local authority" on page 3 of the Bill, and to the definition of "patrolman" on page 4. Both of these definitions are part of clause 5. I mention this in an endeavour to clarify the situation and either to confirm or repudiate the allegation that has arisen from this debate as a result of the probing that has been done by members of the Opposition.

The allegation is that this Bill is like grandfather's socks; it is full of holes. The Deputy Premier stood up in a valiant effort to assist the Minister, but, in fact, he made another hole in the socks. He indicated—and this is the reason I referred to the definition of "local authority" on page 3 of the Bill—that this afternoon he had had discussions with representatives of local authorities, and, in particular shire councils. He said that many points had been raised as a result of the discussions, and no doubt those people came to interview him because they considered there were many questions in the Bill that had to be answered.

By way of interjection I asked the Minister whether the people who spoke to him this afternoon were happy with the Bill. Obviously they are not otherwise they would not have come to see him. They came to see him as the Leader of the National Alliance, or the Leader of the Country Party wing, because they were representative of country local authorities. On this occasion they thought he was a knight in shining armour because obviously they were not happy with the Bill. It is also obvious that the Police Union is not happy with the measure and therefore it is obvious that the legislation is deficient. That is the point that is being raised by members of the Opposition.

Mr McPharlin: I did not say they came to see me. I said they came to discuss the Bill with me.

Mr T. D. EVANS: They had discussions with the Minister and something must have motivated these discussions. The Minister cannot deny that he said many provisions in the Bill had to be tidied up.

Mr McPharlin: I said there were some areas of administrative difficulty under the proposed new authority.

Mr T. D. EVANS: Exactly, and this Bill will not solve them. As has been outlined, in a country centre a situation could arise where the senior police officer is in charge of normal police duties and another senior officer is in charge of the traffic control group. It is obvious that both these groups would share the use of motor vehicles or alternative means of transport, and would certainly share radio communication and other equipment. In the event of there being a competition for the use of one of these items of equipment at any given time, who will determine the priorities?

As I have mentioned, the point made by the member for Boulder-Dundas is sound because if we find two groups of people, presumably in the same Police Force—and the Minister is trying to tell us that road patrolmen will be policemen—with defined sets of duties but with a necessary overlapping of them, it is quite obvious that jealousy could occur and conflicts arise.

This, in fact, has happened in Kalgoorlie where we have four different branches of the Police Force. The member for Boulder-Dundas overlooked the group which supervises the liquor and gaming activities. Admittedly they carry out their duties in plain clothes, but they are distinct from the CIB. The point I am making is not one that should be advertised, but nevertheless it is factual. If a situation such as the one I have exemplified is multiplied, we could have trouble, and I cannot find the formula for the solution to such problems in the Bill.

Mr T. J. BURKE: I am quite certain that there is no disagreement among members that the Minister and the Police Force are doing an excellent job in trying to reduce the carnage on the roads.

Progress

However, there is no doubt that this Bill is an absolute shambles, so in fairness to the Minister, and in order to give him an opportunity to give consideration to the points that have been raised, I move—

That the Chairman do now report progress and ask leave to sit again.

Motion put and a division taken with the following result—

Ayes—16

Mr Bertram	Mr Hartrey
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr May
Mr Carr	Mr McIver
Mr Davies	Mr Skidmore
Mr H. D. Evans	Mr Taylor
Mr T. D. Evans	Mr A. E. Tonkin
Mr Fletcher	Mr Moller

(Teller)

Noes—21

Mr Blaikie	Mr Nanovich
Sir David Brand	Mr O'Connor
Mr Coyne	Mr Old
Mrs Craig	Mr O'Neill
Mr Crane	Mr Ridge
Dr Dadour	Mr Rushton
Mr Grayden	Mr Shalders
Mr Grewar	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurance	Mr Young
Mr McPharlin	

(Teller)

Pairs

Ayes	Noes
Mr Jamieson	Mr Clarko
Mr Harman	Mr Cowan
Mr Bryce	Mr Watt
Mr J. T. Tonkin	Sir Charles Court
Mr Bateman	Mr Sibson
Mr Barnett	Mr Mensaros

Motion thus negatived.

Committee Resumed

The CHAIRMAN: The question is that clause 5 be agreed to. All those in favour say "Aye".

Mr Taylor: Mr Chairman—

Mr Bertram: Mr Chairman—

The CHAIRMAN: The member for Mt. Hawthorn.

Mr BERTRAM: This seems to be an odd situation, which I have not witnessed before in the Committee stage, where

members consecutively asked fair, reasonable, and proper questions of the Minister in order that the Committee might have some clue as to how the Bill would work, but the Minister failed to reply. This is a particularly important Bill, and it affects everyone in the community; more particularly it affects the morale, the status, and the standing of members of the Police Force.

We on this side of the Chamber are concerned to ensure that the functions and the responsibilities of members of the Police Force are not made more difficult than they are now. A number of members on this side have asked questions, and I propose to ask certain questions again of the Minister. They are elementary questions. We have had the spectacle of the Minister ignoring those questions. It is thoroughly improper for him to do so, and he is treating the Committee with complete disdain and disrespect.

If fair and proper questions are asked in a fair and precise manner, and they are understood by every member in the Chamber, surely the Minister handling the Bill has an obligation to answer them. It is not a criminal offence for Ministers not to know the answers. If the Minister does not know the answers what is wrong with saying so, and agreeing to take steps to obtain the information and to progress being reported? The Opposition has just given the Minister that opportunity, but instead of grasping it he is treating the Opposition with utter disdain and disrespect. This brings the Committee into disrepute, and that is highly improper.

At different times I have heard members being chastised for petty things. I think it was less than justified to say that their action was undignified, when on this occasion the procedure which the Minister has adopted is regarded as dignified. I regard what he has done as being undignified.

The member for Warren made two or three attempts to obtain answers, and other members have done likewise. I now propose to ask the Minister some questions. If an item of equipment, such as a radio, is required by a patrolman, and at the same time a member of another section of the Police Force also requires that piece of equipment, who is to prevail?

Mr Stephens: What would they do if traffic control was under the police, and a patrolman wanted to use that piece of equipment?

Mr Taylor: Somebody will make a decision in that case.

Mr Stephens: Who will prevail?

Mr BERTRAM: There is no problem, because the two situations are not analogous. The two constables would be under the one authority, and one would be senior to the other.

The CHAIRMAN: Order: I am prepared to allow interjections when they are directed to the member who is on his feet, but I am not prepared to allow interjections or exchanges between members who are sitting down. The member for Mt. Hawthorn has been addressing his remarks to the Chair, and there was an interjecting duel going on between two other members. That practice must cease.

Mr BERTRAM: Regarding the use of a radio, in a matter of real urgency one constable could be using it and another could be wanting to use it. Who would prevail? Does one constable push the other away?

Mr Sodeman: How often would a dual emergency occur?

Mr B. T. BURKE: Once is too often.

Mr BERTRAM: We could have a dozen of those instances. In the course of their work, one police constable might be pursuing an offender and a motor accident occurs. There we have a mixture of two difficulties. One is a straightout breach of the law, and the other is a traffic matter. If two members of the Police Force arrive at the scene at the one time what would happen? What would be the position if one is a sergeant, and the other is lower in rank in a different wing of the Police Force? Who would take charge?

If a person in a country town wishes to make a complaint and approaches a constable, not knowing that he is a patrolman, would the patrolman say, "I cannot handle this matter. See another police officer"? A citizen could approach a patrolman, but be asked to find a policeman.

Another question that has been asked is "Who will carry out the prosecution?" That is a fair enough question. What difficulty is there in answering such questions? Why are we not entitled to the answers? The reason I am speaking is that I take an extremely dim view of the fact that the Minister should allow these things to be unresolved.

It would be fair, reasonable, and proper, and the Committee's dignity would be maintained, if the Minister would now make an attempt to answer the questions. If he does not know the answers, what is wrong with his saying so. If he does not know the answers he should report progress and deal with the problem in the normal way.

Mr B. T. BURKE: I am sorry to have to rise, but I had hoped to give the Minister an opportunity to do so.

Mr O'Connor: I was on my feet too, you know.

Mr B. T. BURKE: I was afraid he would repeat his exhibition of allowing you, Mr Chairman, to put the question.

Mr O'Connor: I would be afraid of putting on the exhibition you put on.

Mr B. T. BURKE: I would be constantly shamefaced if I were the Minister.

Mr O'Connor: You are. You should look at yourself.

The CHAIRMAN: Order! We have had enough of that.

Point of Order

Mr B. T. BURKE: Before proceeding I seek some guidance from you, Mr Chairman, in connection with the putting of a question after a division. My request is sincere. Do you intend to put questions before members who have crossed the floor in a division have an opportunity to return to their own seats?

The CHAIRMAN: You are asking for a ruling?

Mr B. T. BURKE: That is right.

Chairman's Ruling

The CHAIRMAN: Whenever a division is held there is always a certain amount of time lag before members resume their seats. If the Chairman were to wait until every member was seated in his correct place, we would waste a great deal of time.

On the particular occasion to which the honourable member makes reference, the Minister was in his seat, and many members on the Opposition and Government sides were in their correct places. I therefore thought it reasonable for me to put the question. In my view sufficient members had returned to their places to enable anyone to speak if that was the desire.

That is the procedure I will continue to adopt, because, as I said, if I waited until every member in the Chamber had resumed his seat, a lot of time would be wasted over divisions.

Committee Resumed

Mr SKIDMORE: I wish to direct the attention of the Minister to the end of clause 5(1) where the definition of "warden" appears. This definition refers us to clause 13 which deals with the appointment and duties of wardens. It seems to me that a warden is to be a kind of semi-policeman. On the other hand, he is to have certain powers of a patrolman bestowed upon him. Therefore it would be logical to assume that a warden would be covered by the same conditions and awards which apply to a policeman. However, under clause 13 (6) wardens are to be subject to the Public Service Act, and under sub-clause (8) the terms and conditions of wardens are to be determined by the authority with the approval of the Public Service Board.

What a hotchpotch affair! Surely the Minister does not want further problems with which to deal.

Surely this situation in itself requires careful consideration. A warden might not be available for a particular crosswalk so

a patrolman might take his place. Obviously he would be acting as a policeman and a warden must have the right and ability to recognise an infringement of the law on a crosswalk. So naturally he should have the same powers as a patrolman, but his conditions of employment are not to be the same as those of a patrolman.

I just cannot understand the situation and this is why I say the whole Bill is riddled with so many inconsistencies—and I am trying to be objective in my argument—that we should hold our hand to enable further consideration to be given to the matter. Progress should be reported so that some sense can be made of the legislation which, in the first instance, will establish an authority which is not supposed to have any power. It will not be run by the Commissioner of Police, it will have patrolmen, and it will have wardens.

The wardens will have the powers of patrolmen, but they will not be covered by the same award. For heaven's sake let us be sensible and see if we can draft better legislation than this.

Mr O'CONNOR: I can understand the frustration of the Opposition. It is obviously frustrated because we have had the initiative and courage to introduce a Bill in an effort to save lives.

From the way members of the Opposition have spoken one would think that the police and shire traffic inspectors are totally irresponsible people. This is not the case. In country towns CIB men work alongside regular policeman and no conflict occurs. I do not believe that any conflict will occur under this Bill, either. Members opposite talk about confusion, and this has been evident in the conflicting statements made by them. The member for Avon said that this was a pleasing Bill because it pleased everyone while the member for Kalgoorlie said it does not please anyone at all. Consider that confusion.

Mr T. D. Evans: One is a question of fact and the other of Government intention.

Mr O'CONNOR: The members of the patrol will be sworn in as policemen. They will work with policemen on their normal duties. These are responsible people and when they are working in the various areas co-operation will exist. The fears expressed by members of the Opposition will be proved to be ill-founded.

Members have asked for details concerning equipment, housing, etc. I stated earlier that where possible the patrolmen will be accommodated in police stations or shire council buildings. This will save expense. They will have their own equipment, two-way radios, and their own vehicles.

Mr T. D. Evans: In duplication? Will they duplicate what is in the town?

Mr O'CONNOR: No. They will use those for their requirements in the particular towns. If a town does not require a permanent patrolman, a roving patrolman will cover the area.

Mr T. D. Evans: In all those places where there is a patrolman, there will be two radios—his as well as the policeman's.

Mr O'CONNOR: Not necessarily.

Mr T. D. Evans: That was your statement.

Mr O'CONNOR: I said they would have radios in their vehicles.

Mr B. T. Burke: On the same network?

Mr O'CONNOR: Yes. That is what I anticipate. I do not envisage a reason for duplicating the set-up, because that would be costly and unnecessary. Also, if they use the same network, and one gets into trouble the other can provide help. For instance, if a policeman becomes involved in a brawl the patrolman could assist him.

Mr A. R. Tonkin: What do you—

Mr O'CONNOR: Wait until I have finished. Members have asked certain questions I am endeavouring to answer.

I have conferred with senior civil servants and police officers as well as various other people and no-one can envisage any great problems. I believe those raised by members opposite are fictitious and will not be encountered.

Changes usually cause some frustration because generally speaking it is thought they are for the worst, but that is not so. The patrolmen will work very closely with the policemen and the problems which are feared will not exist.

The member for Swan referred to wardens, and the position with regard to those people will remain the same as it is now under the Police Act. They have certain powers of traffic patrolmen and those powers will be included in the present legislation. There will be no change.

Mr Skidmore: I suggested that changes should be made.

Mr O'CONNOR: I do not see any need for a change. Most wardens are elderly people doing a very good job. They are happy, and they arrange their own award and make submissions in that regard.

Mr Taylor: Who will do the court work?

Mr O'CONNOR: They will do their own.

Mr Taylor: So there will be a prosecuting traffic patrolman and a prosecuting law enforcement officer?

Mr O'CONNOR: That is right; that system will relieve the traffic patrolmen of a lot of work.

Mr A. R. Tonkin: Why not call them all policemen? The Minister has said that the patrolmen will go to the aid of policemen.

Mr Taylor: The Minister has said they will be policemen.

Mr O'CONNOR: We believe that the control of traffic is sufficiently important to require one group of people to devote their full time to it.

Mr MOILER: The Bill sets out that the authority shall consist of seven members, including the Commissioner of Main Roads, the Commissioner of Police, the Director-General of Transport, and then three people selected from panels of names submitted by local authority associations. The Minister said that the method of establishing the authority had been carefully planned, and he also said that the long-term objective of the legislation was to increase the efficiency and effectiveness of traffic control with the aim of achieving a significant reduction in the number of accidents. Does the Minister envisage that the appointment of three shire councillors will be of benefit to the authority?

Mr SKIDMORE: I want to refer the Minister back to the definition of "patrolman" which, in turn, refers to proposed section 13. Patrolmen who undertake duties in the Traffic Branch do so on a voluntary basis at present. Patrol work is a high risk occupation and can have a shattering effect on the nerves of those involved. The patrolman can be transferred, at any given time, back to another section of the Police Force. I am concerned that under the new measure there could be some compulsion on a patrolman to remain in the traffic control section. Will the Minister assure me, and the members of the Police Force, that a patrolman will be able to transfer out of the Traffic Department into a less hazardous occupation without loss of entitlement?

Mr O'CONNOR: I seek your guidance, Mr Chairman. Am I permitted to give detailed replies to the questions raised at this stage, or should I wait until we reach the appropriate clauses?

The CHAIRMAN: I consider that if it is desired to deal with the questions in any depth it would be better to do that while speaking to the appropriate clauses. I do not want to be too restrictive, but I would ask members at this stage to keep their remarks to the interpretations rather than speak to the ramifications of those interpretations.

Mr O'CONNOR: In that case I will answer the questions raised by the member for Mundaring and the member for Swan while speaking to the appropriate clauses.

Mr B. T. BURKE: Before I speak to the clause, Mr Chairman, with regard to the ruling I sought previously, I ask whether that is considered to be my second address to the Committee. I did not intend to make a speech.

The CHAIRMAN: I took it that the honourable member did, in fact, commence to speak to the clause. In my view, he then asked for a ruling from me. Perhaps I was a little remiss in not giving the member the call, but he did not give any indication that he wished to speak. The member for Swan rose and I gave him the call. According to my record the member for Balga has now spoken twice to the clause. In view of the fact that he may have been seeking a ruling, I now rule that he may speak on another two occasions.

Mr B. T. BURKE: Thank you, Mr Chairman. One of the patent medicine salesmen in South America used to go around selling "Hipopalorum" and "Lopopahirum". One day, after he had sold thousands of bottles of his patent medicine, someone asked him if there was a difference. He said there was a difference, that the "Hipopalorum" was made from the bark from a high part of the tree whereas the "Lopopahirum" was made from bark from a lower part of the tree! That is the situation in which we now find ourselves. After studying the definitions and their relationship to the clauses in the Bill, we have squeezed from the Minister an admission that the roles and functions of policemen and patrolmen will intermingle to the extent that they will be indistinguishable from each other.

The traffic patrolman will put his spoke in when a policeman is involved in a brawl and a law enforcement officer will co-operate with a traffic patrolman in helping him in traffic matters. Why does the Minister not have the courage to say the definitions mean the same thing?

Mr Laurance interjected.

Mr B. T. BURKE: The member for Gascoyne has plenty to say, sitting down, and I suggest that he should stand up and contribute something to the debate. I cannot promise that anyone will listen to him; perhaps his hopes will be eternally dashed. One cannot promise to listen but one can promise that on past performances one will not learn anything.

The definitions we are considering indicate quite clearly that the traffic patrolmen will perform the same functions as policemen. There is no way in which the Minister can escape that conclusion, so let him honestly face up to the fact and tell the people we are to have police control of traffic. The Opposition will co-operate with him and agree that police control of traffic is necessary. He will not have all this trouble if he will just face up, square his shoulders, and grasp the nettle. Do not tell us police patrolmen will do a better job because they are police patrolmen and not policemen. Do not tell us police patrolmen would do a better job than was done in the Pilbara recently. Does the honourable member believe they could?

Mr Laurance: Yes.

Mr B. T. BURKE: The honourable member may be prepared to place that slur upon the policemen of this State but we are not. Would the Minister say his policemen were not able to handle the situation adequately? Of course he would not. Ten minutes ago he told the Chamber it was a number of policemen who solved the problem in the Pilbara.

Mr Sodeman: For a very short period. They are short of staff up there and they had a specialist authority to look after it.

Mr B. T. BURKE: The honourable member has hit the nail on the head: they are short of staff. If a gardener has such a big garden that he is unable to collect all the leaves and he calls in another man and says, "You are a cabinetmaker—rake up the leaves", the leaves will not be better collected because the second man was called a cabinetmaker.

Mr Laurance: Gobbledygook! What has that to do with it?

Mr Sodeman: May I pose this analogy? If a gardener cannot cope with his garden and cannot handle the roses, and he gets a man to look after the roses, will they be better?

Mr Laurance: A specialist.

Mr Sodeman: Yes, a specialist.

Mr B. T. BURKE: I agree. Let us look at the situation as posed. We have a policeman doing a job. We are now proposing to bring in a specialist, and by virtue of the definition of "specialist" he will do a better job.

Mr Sodeman: He will have more time to do it.

Mr B. T. BURKE: But all these specialists will be policemen who will be doing the job anyway.

Mr Sodeman: What is your problem?

Mr B. T. BURKE: We arrive at the situation where the gardener is sweeping up the leaves; we sit a hat on his head, say he is a specialist, and he does the job better.

Mr Laurance: And saves some lives.

Mr A. R. Tonkin: What a farce!

Mr B. T. BURKE: It is beyond my comprehension, but it is nothing that cannot be overcome. I am pleased the Premier has returned. Perhaps we will now see the exercise of leadership. Certain problems have been raised; they have not been explained.

Mr Laurance: That is right, they have not.

Mr B. T. BURKE: If the honourable member wishes to tell the Minister he has not explained them, I thank him for his support.

Mr Laurance: What are the problems?

Mr B. T. BURKE: I suggest there will never be an explanation.

The CHAIRMAN: Perhaps the member for Balga would ignore the member for Gascoyne, address his comments to the Chair, and confine his remarks to the clause before the Committee.

Mr B. T. BURKE: That is my fondest wish and I am being continually distracted.

The CHAIRMAN: Just ignore them and address your remarks to me.

Mr B. T. BURKE: If I address my remarks to you, am I likely to gain your support, Mr Chairman?

The CHAIRMAN: You will get my protection.

Mr B. T. BURKE: Let us consider the position we have reached. We are considering a clause which sets out the definitions, and when taken in their context with other clauses of the Bill one of two situations must prevail: either the traffic patrolman is a policeman, or the traffic patrolman is not a policeman and his appointment will result in such conflict as to make the system unworkable. They are the only two alternatives.

If the Minister is prepared to say the situation is that the traffic patrolman and the policeman are different people, and the appointment of a traffic patrolman will result in a conflict which will make the system unworkable, I will not be a party to it. If he is prepared to say the traffic patrolman is a policeman, I ask him to stand up and say he is providing for police control of traffic in this State, and I will support him.

Clause put and passed.

Clause 6: Establishment of Authority—

Mr T. H. JONES: I ask the Minister to tell us what this clause really means. We on this side have obtained a legal opinion which is not in accordance with what the Minister said. I have on the notice paper an amendment which indicates that we consider the authority should be completely under the control of the Commissioner of Police. Clause 7 provides that the Commissioner of Police or his nominee shall be a member of the statutory authority.

Mr O'Connor: Would you please repeat what you said? I do not understand you.

Mr T. H. JONES: Clause 7 provides that the Commissioner of Police shall be a member of the authority. We want to know where the powers of the Commissioner of Police and the authority lie. The clause does not clearly spell out the powers the Commissioner of Police will have so far as the authority is concerned and what jurisdiction he will have in regard to patrolmen and policemen, generally, in Western Australia. Paragraph (d) of clause 6 (1) states—

(d) may exercise and discharge the powers, authority, duties and

functions conferred or imposed upon it by or under this or any other Act.

It is very broad legislation, to say the least. The authority will have jurisdiction not only in relation to road traffic but also in relation to other Acts. This is one of the matters about which the Police Union is concerned and about which the union proposes to seek the opinion of a Queen's Counsel. In our opinion, the Bill is badly phrased and is in conflict with the Police Act under which policemen must swear on oath to carry out certain functions and the Commissioner of Police is given certain powers.

I would like the Minister to tell us how clause 6 (1) (d) will operate and to what extent the powers of the authority will be exercised under it.

MR O'CONNOR: This clause is designed to set up the authority and details its powers. Paragraph (d) is a provision which is normally included in Bills setting up boards or authorities of this type. The powers of the authority relate entirely to traffic.

The authority will undertake research into traffic accidents and traffic education. It is anticipated that this organisation, with the assistance of the National Safety Council, will extend the research being done into the causes of road accidents. At the moment insufficient research is being undertaken into this problem. One member of the Police Department is employed in research and statistics, and this is quite inadequate. The National Safety Council is battling under inadequate conditions and lack of staff. It is anticipated that a special group will travel around the schools throughout the State to instruct the children in road and vehicle safety.

In reply to the question raised, the purpose of the clause is to set up an authority to administer all aspects of traffic control.

MR HARTREY: Is it contemplated that the authority will administer the Taxi-cars (Co-ordination and Control) Act?

MR O'CONNOR: No.

MR T. D. EVANS: This is another example of a Bill which was conceived in haste.

MR O'Connor: The member for Kalgoorlie is in conflict with himself. He said it took a long time to draw it up.

MR T. D. EVANS: It was conceived in haste before the election, and I will now come to its childhood. Despite the time taken to draw it up, it is obvious that very little homework has been done.

Recently the report of the Parliamentary Commissioner was tabled in this Parliament. Already we have seen the impact of that officer upon our way of life in this State. We know that the Parliamentary

Commission Act provides that all departments of the Crown may be subject to investigation by the Parliamentary Commissioner. The Police Department is subject to surveillance by the Parliamentary Commissioner, but any action on the part of an individual police officer is exempt from investigation by virtue of the provisions of that Act.

No reference is made in the Bill we are discussing to action taken by a patrolman which may cause an aggrieved person to seek an inquiry by the Parliamentary Commissioner. This is another example of the lack of preparation of this legislation.

Clause put and a division taken with the following result—

Ayes—21

Mr Blaikie	Mr Nanovich
Sir David Brand	Mr O'Connor
Sir Charles Court	Mr Old
Mr Coyne	Mr O'Neill
Mrs Craig	Mr Ridge
Dr Dadour	Mr Rushton
Mr Grayden	Mr Shalders
Mr Grewar	Mr Sodeman
Mr F. V. Jones	Mr Stephens
Mr Laurence	Mr Young
Mr McPharlin	

(Teller)

Noes—16

Mr Bertram	Mr Hartrey
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr May
Mr Carr	Mr McIver
Mr Davies	Mr Skidmore
Mr H. D. Evans	Mr Taylor
Mr T. D. Evans	Mr A. R. Tonkin
Mr Fletcher	Mr Moller

(Teller)

Pairs

Ayes	Noes
Mr Clarko	Mr Jamieson
Mr Cowan	Mr Harman
Mr Watt	Mr Bryce
Mr Crane	Mr J. T. Tonkin
Mr Sibson	Mr Bateman
Mr Mensaros	Mr Barnett

Clause thus passed.

Clause 7: Constitution of the Authority—

MR T. H. JONES: Mr Chairman, may I now move to delete clause 7, or do we ask the Chamber to vote against it?

The CHAIRMAN: You oppose the clause.

MR DAVIES: I would like a ruling, Mr Chairman, before the member for Collie speaks. If we vote on the clause and it is passed, may I then move to amend it?

The CHAIRMAN: You would have to move to amend the clause while it is being considered. You cannot move to amend something which has already been dealt with. If you move to amend a latter part of this particular clause, you cannot then move to amend an earlier part of it.

MR DAVIES: My colleague is moving to delete the whole clause.

MR O'Neill: There is no such motion.

MR DAVIES: In that case, Mr Chairman, if I now have the call the member for Collie will be credited with speaking once to this clause.

The CHAIRMAN: The member for Collie did not speak to the clause; he asked for a ruling.

Mr DAVIES: We have an understanding Chairman. Because the hour was late I spoke very briefly last night about the necessity to appoint a representative of the medical profession to this authority. The Minister did not answer my query, but he did say he would seek to answer the many points raised during the Committee stage.

Mr O'Connor: That is right.

Mr DAVIES: I can understand his concern last night because the Premier and the Deputy Premier were both passing notes to him to shorten his speech, and that is understandable because it was very late.

Although the Minister has not had an opportunity to reply to the matter I raised, I would like to mention it again so that it is not overlooked.

It appears that we have a Minister who is a man of great faith. We certainly could not say he is not a believer. In his early replies he said that he believed the system would work; he believed the problems of traffic control would be overcome; he believed friction always occurred at changeovers; but he believed the patrolmen would work in harmony with the uniformed members of the Police Force.

So the Minister is one of the greatest believers this Chamber has ever seen. But that is not good enough for the Opposition; in a matter as serious as this we must have firm explanations. So far we have not received them.

I want to challenge the Minister's standing as the greatest believer in this place by saying I believe the proposed authority will be completely useless unless a medical man is included on it. The assorted committees drawn from various quarters which have carried out research in Australia have been heavily biased towards medical representation. Indeed, the College of General Practitioners and the College of Surgeons have carried out a great deal of work on road trauma. Because these men are constantly confronted with the tragedy of road accidents they have built up a great deal of expertise.

Last night I said it would be difficult to ascertain the cost to the community of road accidents. Had I done a little more research I would have found the answer is available, at least, as far as the year 1969 is concerned. A report entitled "A review of the cost of road accidents in relation to road safety", prepared by John Paterson Urban Systems Pty. Ltd., No. NR/23, issued in June, 1973, states—

Roads and road transport consumed about 12c in every \$1 worth of gross product in Australia during 1969. Dur-

ing 1969 there were about 475,000 collisions of all types in Australia as a whole. Of these, about 63,000 or one in every 7.5 collisions, resulted in one or more casualties. The outcome was approximately 900,000 damaged vehicles, 88,000 injured persons and 3,500 road deaths.

That was for Australia as a whole for the year 1969. We have experienced a gratifying reduction in the number of accidents in Western Australia, but the fact remains the number is greater now than it was in 1969, and I cannot believe we will ever achieve a figure lower than that of 1969.

Mr O'Connor: This year the figure is not greater than the 1969 figure.

Mr Laurance: Not per number of vehicles.

Mr DAVIES: I am talking about people, not vehicles. Doctors experienced in this problem often say those who are killed are the lucky ones as far as they, the doctors, and the community are concerned. That may be a terrible thing to say, but if members visit the paraplegic hospital in Subiaco probably they will be inclined to agree with the statement.

I believe we should add to the authority a person appointed by the Governor, and hope that he at least will be a medical man. I have received representations from doctors who are actively concerned with this problem. I refer to Dr Peter Gibson, who is at present a member of the Road Traffic Safety Authority, and Mr George Bedbrook, probably one of the greatest orthopaedic surgeons in Australia and, perhaps, in the world. They have experienced difficulty in getting through to the Minister and the Premier. I do not offer criticism in that respect.

The fact remains they are men of high repute and vast experience who understand the problem and who have something to contribute. But there is no place for them on the proposed authority. In order to create a position for such people, I move an amendment—

Page 5, line 33—Delete the word "seven" with a view to substituting the word "eight".

I want to again challenge the Minister's record of being the greatest believer in this place. I will say I believe he will see a great deal of merit in the amendment and will realise it provides an avenue whereby a great deal of work may be done. One of the functions of the authority is to carry out research. The proposed authority will not have representation from the National Safety Council. I am prepared to sacrifice that council because I believe the authority could be overweighted.

However, I do not think the addition to the authority of one man, who I hope will be a medical man—but I leave this wide

open—will adversely affect the position; on the contrary, it will be of great assistance because one of the functions of the authority is to carry out research. I hope the Minister will accept the amendment.

Mr O'CONNOR: I agree with the member for Victoria Park that it would be advantageous to include a doctor on the research team, and I am prepared to agree to do that. However, I am not prepared to agree to the inclusion of an extra member on the authority. Already it is to have seven members, and I believe that is sufficient. This is in line with our election promise to establish a committee of seven.

Mr T. H. JONES: Completely divorced from the police.

Mr O'CONNOR: While I agree with the comments of the member for Victoria Park that a doctor would be of great assistance in the research section, and I am prepared to include one there, I see no necessity to have a doctor on the committee.

Mr T. H. JONES: On the notice paper I have indicated my intention to endeavour to remove clauses 7 to 10 inclusive.

The CHAIRMAN: Are you speaking to the amendment?

Mr T. H. JONES: I support the amendment because it seeks to include a medical man on the authority. It is quite obvious that my effort to remove this clause will be defeated on the voices.

The amendment is in keeping with the wishes of the members of the Opposition. I have no argument with local authorities; I want to make that clear. However, it seems the composition of the authority is to be overloaded with local authority representation. Therefore I suggest Parliament should give favourable consideration to the addition of another person to the authority. Three local government organisations will be represented on the authority. I am not arguing against that, but if it is good enough for local government to have such strong representation—and I agree local authorities are associated with traffic matters—then it is equally good enough to include a member with medical experience. In another clause it is stated one of the functions of the board is to investigate and report upon ways and means of improving road safety.

This suggestion is contained in clause 11 (3) (f) and (g). As it is our objective to reduce the number of fatal accidents and accidents generally on our roads, it is not unreasonable to suggest that the proposition advanced by the member for Victoria Park is valid. I cannot see why the Minister chooses to oppose it. We are not suggesting doing away with anyone; however, the Minister can do it in one of two ways. He can increase the number or he can delete one member representing local government interests to make way for a

person representing the medical profession. Members opposite will agree that Mr Bedbrook is held in high esteem. He is recognised not only in Australia but also throughout the rest of the world for the work he has done.

Mr O'Connor: We would be very happy to have a doctor on the research team.

Mr T. H. JONES: I am talking about the authority because, under clause 11, the authority is responsible for reporting to the Minister. It is no good having a doctor on the research team; we want him to be somewhere where he has some say.

Mr O'Connor: Research is where a doctor could do his best work.

Mr T. H. JONES: The doctor should be placed on the authority, because the authority will have the jurisdiction of the law. He should be on the authority because that is where policy decisions are made.

One of the things exercising the minds of people all over the world is the high road toll and, of course, this all comes back to doctors and to men like Mr Bedbrook. Who would be better qualified than Mr Bedbrook or some other person following his type of specialisation to be a member of the authority? He would provide the expertise so necessary on the authority and could make a great contribution to the effectiveness and overall administration to be exercised by this seven-man statutory authority.

The Minister has said repeatedly that the Government is fulfilling an election promise by introducing this legislation; however, we argue that the Government has not completely honoured its election promise because the authority is to be divorced from police control. The Minister says that is not the important thing; the important thing is for the Government to do something about the high number of road deaths in this State.

We believe the Minister and the Government are genuine in this endeavour, just as we would be genuine if we were in Government; in the light of that, it is difficult to understand why the Minister will not go along with the proposition advanced by the member for Victoria Park. I do not think we should play politics, or play the numbers game.

Sir Charles Court: Thank goodness we have a sense of humour.

Mr T. H. JONES: Members opposite can laugh as much as they like. This is too serious a matter to play politics. If members opposite are genuine and honest, they must support the amendment moved by the member for Victoria Park.

Mr MOILER: I believe the word "seven" should be deleted. If it is not deleted, we should at least amend the clause to provide for the replacement of one of the existing members by a member of the

medical profession. At the moment, three representatives of local government bodies, representing virtually the same section of the community, are to be on the authority. The Minister has indicated that he plans to take a strong stand on this point and will not accept the amendment moved by the member for Victoria Park.

However, the Bill provides for representation of the Local Government Association, the Country Shire Councils' Association and the Country Town Councils' Association. I would imagine that he would find the same members on two or three of those associations; yet they are to be permitted to put forward a panel of names to be selected for representation on this authority. It seems quite ridiculous that the Minister will not consider appointing a doctor or even a person representing the Road Traffic Safety Authority to this authority when it is proposed that three people representing virtually the same area of our community should be on the authority.

Mr T. D. Evans: Representing the rate-payers.

Mr MOILER: Some ratepayers, at any rate. The Minister would not deny that probably the same members would be represented on more than one of these associations.

Mr O'Connor: Are you saying there would be members of these local authorities who could be members of other associations?

Mr MOILER: I believe that would be so.

Mr Old: So what? What has that to do with it?

Mr MOILER: I am just pointing out that it is unrealistic and unnecessary to have three local government representatives on a seven-man authority while refusing even to consider appointing a member of the medical profession. How will these three representatives reduce the death toll on Western Australian roads?

Mr Rushton: They will put some common sense into it.

Mr MOILER: The Minister for Local Government would not know anything about common sense. How can the Minister substantiate his claim in his second reading speech that to increase the efficiency and effectiveness with which these functions are performed will achieve a reduction in accident rates? The Minister blatantly and pig-headedly refuses to accept the amendment moved by the member for Victoria Park. It is quite unrealistic; there is no need to have such a heavy local government representation on this authority. The Minister has not been able to show us that they will have more ideas about how to reduce the carnage on the roads than would a member of the medical profession or any other individual within the State.

If the Government suggests that local government should be represented in this manner, it would be just as reasonable to select the names from a panel of driving instructors. Those people are associated with the very people who will be driving on our roads. However, they are not to be represented on this authority. They would be more entitled to be represented on the authority than some shire councillor. It is nothing more than a political stunt.

Mr OLD: It is obvious that the amendment to delete the word "seven" has implications, and this is certainly borne out by the words of the last speaker. It is apparent that his hatred of local government is colouring his thoughts. In the bad old days when the franchise was narrow, perhaps local government may not have been truly representative of the people, but today local government represents most people in the State.

Mr Moiler: You do not know what you are talking about.

Mr OLD: Yes I do.

Mr Moiler: Have you ever studied the voting at local government elections?

Mr OLD: I am talking about local government franchise, and there is a difference. The number of people who can now be enrolled as electors in local government elections is very great.

Mr Moiler: Would you support adult franchise?

Mr OLD: It is now almost adult franchise.

Mr Skidmore: Perhaps we could confine ourselves to the question before the Chair.

The CHAIRMAN: The member for Mundaring in supporting the amendment to delete the word "seven" tried to relate the situation in regard to the various people who will be appointed to the authority and suggested that perhaps others could be appointed should the amendment be agreed to. I ask the member for Katanning to confine his remarks to the question before the Chair which is that the word "seven" be deleted.

Mr OLD: Thank you, Mr Chairman, I do not have much more to say, because I merely stood up to defend local government. I consider that the authority is fairly constituted and does in fact represent all people in Western Australia in the same way as members of Parliament represent all people of Western Australia. Therefore I cannot support the amendment.

Mr T. D. EVANS: If the amendment to delete the word "seven" is agreed to, it would be consistent with a subsequent move either to have a lesser number, or a greater number, than seven on the authority. At no stage did the member for Victoria Park indicate that he would move to have a lesser number than seven if his

present amendment were agreed to. He said he would move to increase the number of members of the authority.

The member for Katanning, however, inferred from the remarks made by the member for Mundaring that it was the intention of the Opposition to have a lesser number than seven members on the authority which would reduce the local government representation.

However the main reason I rose to my feet was to say that even if the amendment moved by the member for Victoria Park were successful, in the light of the move foreshadowed by the member for Collie, we would still like to delete the clause and possibly that could be interpreted to mean that we would not be consistent. The Minister may well come to the conclusion that if he were to accept the amendment moved by the member for Victoria Park the Opposition would not be in a position where it could enter into a compromise, because it had already indicated it was opposed to the clause by the move foreshadowed by the member for Collie to vote against it.

I indicate to the Minister that if he is prepared to accept the amendment, we would still be willing to adopt the same attitude that was adopted by a Premier in 1957, I think, when the Government of the day introduced unfair trading legislation. The then Premier said he would not shake hands with a cobra. He refused to try to amend the Bill. In this instance, if we are successful in extracting the fangs of the cobra and inserting something in their stead we would be adopting the same attitude of the Premier of that time, because we would be saying that notwithstanding the success of the amendment moved by the member for Victoria Park we indicate our displeasure with the whole context of the Bill by voting against the clause.

Mr B. T. BURKE: As the Minister for Local Government, and most other members, would know, if there is one person who is concerned with local government it is myself. In the short time I have been a member of this Chamber I have tried very hard to become involved in local government and to assist my local authority—the City of Stirling—to meet its problems as best it can.

So I think we can satisfactorily say to the member for Katanning that there is no intention on the part of the Opposition to reduce the representation of local authorities on the single traffic authority. We have indicated to the Committee that we would like to delete the word “seven” appearing in the clause preparatory to increasing the number, and to provide as a part of that increase in membership a person with specialised medical knowledge. However what the speech by the member for Katanning boils down to is that he

does not want a person with specialised medical knowledge on the traffic authority.

Mr Old: That is not right.

Mr B. T. BURKE: Then why does the honourable member speak in an airy fairy manner? Why do Government members dress up something when they want it to say something else?

We would like to know from the Minister, firstly, is he prepared to say to the public of Western Australia that no medical specialist will be appointed to this authority? Secondly, what are the criteria by which he arrived at the figure of 7, and how does he justify that selection? Thirdly, by what criteria did he decide on the composition of these seven persons?

Mr O'Connor: Were you not in the Chamber when I gave the reasons?

Mr B. T. BURKE: The Minister has said that three or four times, but he should in common decency be prepared to get up and answer the questions.

Mr DAVIES: After all the speeches that have been made, I should have thought there would be some common ground, despite certain basic differences. Although members on this side of the Chamber are willing to assist, there does not appear to be the same co-operation from members on the Government side.

Mr O'Connor: I will advise you that I am prepared to include a doctor in the research group, and I would be happy to have the person who is now working there.

Mr DAVIES: In case there is a doubt that I have an ulterior motive, I would point out that I have no other motive than to ensure the appointment of a doctor. I do not intend to speak to the remaining clauses in the Bill. I am making this plea on behalf of the doctors.

I sincerely believe there is a need for this. The Minister has said he would be happy to include a doctor on the research team; but if he does intend to set up a research team this is the first time we have heard of it. The Minister has indicated to me privately that the proposed authority is to have the power of delegation, but I cannot pick out the particular provision in the Bill to this effect.

The Minister is suggesting the research team would include a doctor. If he does set up a research team it must imply he will also be setting up a team for the purpose of collecting and analysing road traffic statistics.

Mr O'Connor: I did explain this in answer to the comments of the member for Collie.

Mr DAVIES: No doubt the Minister will also set up a team for the publication of information for the instruction of, or use by, road users on road safety and traffic

laws. He will have a team to attain the continuous co-operation and support of the community in achieving higher standards of road safety. He will also have a team for the investigation of, and reporting to the Minister upon, proposals for alterations to traffic laws. Finally, he will have a team for the investigation of, and reporting upon, any other matter relating to road traffic or road traffic safety.

The Minister has already indicated he will establish a research team. This is a body which will carry out one of the functions of the authority. There will, no doubt, be other teams to carry out the other functions. What then will be the duty of the authority? It will be overseeing the functions of the teams, and co-ordinating their efforts.

If the Minister does that he will expand the Public Service. The personnel involved in these teams will make great inroads into the permitted increase in the Public Service—an increase of 2 per cent, according to the announcement of the Premier. Surely this will add greatly to the cost of running the authority!

Mr O'Connor: Some of these officers are already employed in the service.

Mr DAVIES: Further on in the Bill, provision is made for the authority not to do work which is being done by some other party. The fact remains that the authority will be overseeing the other organisations and the functions they perform. If the authority itself is not carrying out these functions, and they are being carried out by other people, the authority will be merely overseeing the work of those people.

I say the authority should have on it the best expertise that is available. Medical research is to be undertaken, but I should point out that medical research is being undertaken by the National Safety Council, the College of General Practitioners, and the College of Surgeons and others. The members of the authority may review their work; however, there is no member on the authority who is qualified to say whether or not such work is of value. Who among the members of the proposed authority will have any medical expertise?

Of course, one of the nominees of local government could by some fluke be a doctor, such as Doctor Starke who has had long association with local government. If he is appointed to the authority it would be a help, but this would not provide an assurance that from the very commencement one of the greatest needs of road safety—treatment and organisation—is satisfied. There will be no-one on the authority with experience of road trauma.

Mr O'Connor: Is there anyone in the Police Traffic Branch doing such work now?

Mr DAVIES: No, but the Minister has told us that the authority is not to be a part of the Police Force.

Mr O'Connor: At present this does not apply.

Mr DAVIES: At present it does apply under the Acts Amendment (Road Safety and Traffic) Act. Section 4D (1) (d) provides for one other person to be appointed by the Governor. That person was included as a result of strong representations from the medical profession that there should be medical representation.

Mr O'Connor: He is not connected with the Police Traffic Branch which handles traffic control in the metropolitan area, nor is it necessary to have such a member on the authority.

Mr DAVIES: The Police Traffic Branch is not charged with carrying out research, but the Road Traffic Safety Authority is, and there is a doctor on it.

Mr O'Connor: He could still do the same work.

Mr DAVIES: Will this be put into operation?

Mr O'Connor: It is through the National Safety Council.

Mr DAVIES: The National Safety Council has its own nominee. We get back to the point that we need somebody on the authority who is able to say, "This is good and that is bad", or "This is humbug and that is desirable". I cannot plead too strongly for that kind of representation.

Without knowing whether or not there will be other types of committees established, if I can be given an assurance that one of the authority representatives mentioned in the Bill will be required to have some expertise, I am prepared to sit down and say nothing more about our proposed amendment. In the saving of human life, the saving of limbs, the prevention of accidents, the elimination of accidents, and everything associated with road trauma we need a knowledgeable doctor to provide the authority with the necessary expertise.

Mr HARTREY: May I go on record as having supported the very excellent reasons that have been advanced by the member for Victoria Park? I also support the amendment.

Mr MOILER: The Minister has said that the method of establishing the authority has been planned carefully; and we have heard the very excellent argument put up by the member for Victoria Park as to why there should be this further representation on the authority. Can he explain how the local authority representatives would reduce the carnage on the roads when he does not consider that a representative of the body mentioned by the member for Victoria Park would assist?

Mr O'CONNOR: I have already briefly answered the comments of the member for Victoria Park. We are quite happy to

have a doctor in the research group. We do not have a doctor on the administrative body of the Traffic Branch and we do not think one is necessary on this authority, but in research he could be a great help.

In connection with the comments of the member for Mundaring, all members are aware that for a long time prior to the last election we indicated that we would establish an authority in line with that proposed under the Bill.

Mr Moller: But it was to have no connection at all with the police.

Mr O'CONNOR: Does the member for Mundaring want me to answer his query or not? If he does not want me to do so I will sit down.

Mr Moller: You will tell me how the local authority representatives will cut down the number of deaths on the roads?

Mr O'CONNOR: If the honourable member will listen to me, I will explain it. I believe that the proposal regarding local authority representatives is valid. For many years traffic in three-quarters or more of the State was under the control of local authorities.

Mr Moller: If you suggested a shire engineer, or someone like that, I might agree.

Mr O'CONNOR: May I continue? I believe representatives of local authorities would have something to contribute. We have studied the whole situation carefully and we believe the provision in the Bill is reasonable. We could submit an argument in favour of the appointment of anyone we might fancy, but we believe the authority as proposed under the Bill is the best to be established.

Amendment put and a division taken with the following result—

Ayes—18

Mr Bertram	Mr Hartrey
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr May
Mr Carr	Mr McIver
Mr Davies	Mr Skidmore
Mr H. D. Evans	Mr Taylor
Mr T. D. Evans	Mr A. B. Tonkin
Mr Fletcher	Mr Moller

(Teller)

Noes—21

Mr Blaikie	Mr Nanovich
Sir David Brand	Mr O'Connor
Sir Charles Court	Mr Old
Mr Coyne	Mr O'Neill
Mrs Craig	Mr Eldge
Dr Dadour	Mr Rushton
Mr Grayden	Mr Shalders
Mr Grewar	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurance	Mr Young
Mr McPharlin	

(Teller)

Pairs

Ayes	Noes
Mr Jamieson	Mr Clarko
Mr Harman	Mr Cowan
Mr Bryce	Mr Watt
Mr J. T. Tonkin	Mr Crane
Mr Bateman	Mr Sibson
Mr Barnett	Mr Mensaros

Amendment thus negated.

Mr T. H. JONES: It will be appreciated that we oppose clauses 7 to 10 which deal with the establishment, operation, and jurisdiction of the authority. It will also be appreciated that if we are unsuccessful in our move for the deletion of clause 7, no purpose would be served in taking much action on the following clauses. However, I wish to indicate that we will be opposing the subsequent clauses as strongly as possible because we do not approve of the set-up. Because clause 7 is the one under which the authority will be established it is one of the most important in the Bill so far as we are concerned.

A great deal of conflict still exists. Members opposite might argue that the position is clear because the Bill spells out how far the authority can go. Those on this side say that the legislation is complex so far as the Commissioner of Police and his powers are concerned in relation to the patrolmen.

I do not wish to infringe Standing Orders, but, Mr Chairman, I hope you will allow a little latitude because this clause is associated with some of those following.

We consider that the authority should be under the complete control of the Commissioner of Police. For various reasons it has been argued that the functions should be separated. It has not been denied that although these men will be called patrolmen, they will be policemen because they will be subject to the police award and regulations, appeal provisions, and other provisions associated with the Police Union generally.

Mr Hartrey: And subject to police discipline, too.

Mr T. H. JONES: I will come to that aspect in a moment. We are concerned about the powers of the Commissioner of Police. Under the Bill it is clear that he or his nominee is to be a member of the authority, but if we look at the provisions of the Police Act, we find that the situation is by no means clear in relation to the jurisdiction of the Minister for Police.

Section 5 of the Police Act sets out that the Governor may appoint a fit and proper person to be Commissioner of Police, and as occasion shall arise the Governor may remove any Commissioner of Police and appoint another in his stead. The section also states that every Commissioner of Police shall be charged and vested with the general control and management of the Police Force, and also of any special constables who may be appointed. There is no question that the Commissioner of Police is responsible for controlling and managing the Police Force in Western Australia.

If patrolmen are members of the Police Union, and they are policemen as we contend, we wonder where the jurisdiction of the Commissioner of Police lies.

Section 6 of the Police Act states that the Governor may appoint such inspectors, subinspectors, or other officers of police as may be found necessary, who shall be subject to the control of the Commissioner of Police and be respectively charged with the government and superintendence of such portion of the Police Force as the Commissioner of Police may direct.

That section makes it quite clear who is in charge, so far as policemen are concerned.

Mr O'Connor: But it has nothing to do with this clause.

Mr T. H. JONES: I will put a hypothetical case to the Minister. If a patrolman, in the normal course of his duties, observes a traffic offence and a criminal offence, both occurring at the one time, to which offence will he give his attention?

Mr O'Connor: He would do his duty as a policeman, but that has nothing to do with the clause.

Mr T. H. JONES: I do not want to waste time, but the clauses are interlocking and because of that I ask the Chairman to permit me to roam a little. However, if it is not the wish of the Minister to save time I will refer only to the clause under discussion and will then speak to every other clause on three occasions. That is typical of the co-operation we receive from the Government and I assure the Minister that we will be here a lot longer than anticipated.

The Opposition desires to delete clause 7 which provides for the constitution of the authority. In our opinion the Government has not honoured its promise.

Mr Rushton: The member should be happy.

Mr T. H. JONES: We are not happy at all with the provision in the Bill. We are happy to know that an authority will be set up.

Mr Rushton: The member is happy to be unhappy.

Mr T. H. JONES: Our argument is with regard to the control of the authority. We believe it will be in the hands of the wrong people. Police control of traffic in the metropolitan area has already proved the efficiency of such a system. I have read letters to the Chamber demonstrating that generally the shires which have changed over to police control of traffic have been happy with the result. No-one can argue against that. Where the duties of a policeman and a patrolman have been combined traffic control has improved, and we agree that that principle should be extended.

The Government has every right to initiate a system which it considers to be best, but the Opposition has just as much right to present what it considers to be

the best method of control. I refer not only to administration, but also to the cost involved. The independent traffic authority will cost an additional \$693 214 in wages alone per year. We argue that that sum of money could be saved. People are crying out for schools, and the Federal Government is continually criticised.

The DEPUTY CHAIRMAN (Mr Old): The member has three minutes.

Mr T. H. JONES: The Opposition believes that traffic control in Western Australia should normally be placed under the jurisdiction of the Commissioner of Police. The officers will have to become policemen before they become patrolmen, and they will be members of the Police Union. In fact, they will be policemen so let us do the right thing and place the authority under the rightful control of the Commissioner of Police.

We constantly hear about inflation and we now have an opportunity to save the taxpayers an additional \$693 214 each year. Experience has shown that where the duties of a policeman and a patrolman have been combined a better service has been provided for the community.

Mr Rushton: That is not so, in all cases.

Mr T. H. JONES: Most local authorities which have voluntarily changed over to police control of traffic do not want to change back to the old system. Does any member opposite know of a local authority which desires to return to the old system?

Mr Rushton: Wannerog did.

The DEPUTY CHAIRMAN (Mr Old): The member's time has expired.

Mr BERTRAM: We have already dealt with clause 6 of the Bill which establishes an authority, so the authority is in existence. We are now debating clause 7—constitution of the authority.

From the notice paper members will observe that it is the Opposition's intention to move for the deletion of clauses 7, 8, 9, and 10, and on page 9 of the notice paper is the follow-up to the deletion of those clauses; namely, the insertion of a new clause 7 to replace the clauses we seek to delete. The proposed new clause 7 reads—

7. (1) Subject to this Section the Commissioner of Police shall *ex officio* be the sole member of the Authority.

That proposed subclause establishes the authority, the sole member of which will be the Commissioner of Police. The proposed clause continues—

- (2) Notwithstanding the provisions of subsection (1) of this Section the Governor may on the nomination of the Minister and the Minister administering the Police Act, 1892, appoint another officer of the

Police Force to be the sole member of the Authority in place of the Commissioner of Police for such term and upon and subject to such other conditions of appointment as he shall specify.

Consistent with our policy and to display unmistakably our confidence in the police and the Commissioner of Police, we want the commissioner or his delegate to constitute the authority. In the clause contained in the Bill the Government displays clearly and unmistakably its lack of confidence in the Commissioner of Police.

Mr Blaikie: How?

Mr BERTRAM: By removing him from authority over traffic and replacing him with seven other people none of whom, so far as I can gather, has any experience in the matter.

Mr O'Connor: You must be joking!

Mr BERTRAM: We will not improve the traffic situation without the experience, knowledge, and expertise possessed by the Commissioner of Police. Several of his senior officers have for years been continually engaged in traffic work and are amply qualified to become the authority. But the Government says, "We will not have a bar of you; we will remove you completely; we have no confidence in you at all and we will put seven people in your place." Is that fair dealing?

During the election campaign some statements were made by the so-called Liberal Party that it would set up a traffic authority, but it was not a matter which attracted any real mandate as to the actual constitution of the authority. In view of the situation in regard to inflation, why should we not give the Commissioner of Police an opportunity to work within this authority with its added finance, facilities, and emphasis, instead of removing him, without a trial and at additional cost? According to what we heard a few moments ago, the authority will cost an additional \$693 214 in wages per annum. Are we in this State in a position at this moment to commit ourselves to that kind of expenditure? It is wasteful. Is it fair and proper for us to remove the Commissioner of Police from the authority he now possesses, unceremoniously and without giving him a fair trial?

In recent times we have seen an improved performance as far as road traffic is concerned, and if we gave the Commissioner of Police the means, the funds, and the opportunity to be as efficient as he can be, he would do the job. We already have the evidence of it. It seems to me to be a clear and unmistakable indication to the populace that the Government has no confidence in the Commissioner of Police.

I believe it is very unfair to remove the Commissioner of Police from authority in this matter. We should first of all give him a fair trial. If any member of the Committee were in the position of the Commissioner of Police at this stage, he would expect to be appointed to the authority and be given a fair trial. The Government is saying, "We will not give you a chance to show your capacity in this new structure; we will not give you a chance in a situation where we are putting added emphasis on the road; you have had your go and we will give seven others a chance to take up where you leave off." No-one in this Committee would take it kindly; nor will the Commissioner of Police.

And what about the people under him? Is this the type of action which will contribute to the stature and morale of the Police Force? Clearly it is not. It is a divisive and unjustified move, and one which we oppose.

In the course of the second reading debate I asked the Minister whether he would table the estimates of the cost of running traffic under the present set-up and under the proposed new set-up. I understood him to say he would oblige in this regard but I do not know whether he has done so as yet.

Mr O'Connor: If I have not done so I will be happy to give them to you.

Mr BERTRAM: It is unfair to ask us to reach a determination on this clause in the absence of what appears to be fundamental information relating to it. We are not in a position to be spending 1c more than we can afford, so it is thoroughly relevant to this clause to know what will be the cost of the exercise. Why should we establish a new structure without knowing the cost of it? This Chamber and the people are entitled to be satisfied, and it is our duty to ensure they are properly satisfied, as to the cost of this structure.

If a Government of our persuasion had brought forward this measure it would be under very strong attack because the constant allegation is that we set up an excessive number of tribunals—bureaucracy and all that nonsense. In this instance it is proposed to appoint seven men when one man can do the job, and no clear case has been made out to justify the appointment of the seven. Let us remember that when the tables are turned in the not-too-distant future and we again occupy the Treasury bench. We do not have the funds to waste. We never do, but at the moment, according to the Premier himself, we certainly cannot afford to waste money. The nub of our opposition to the Bill is that we have not been given the statistics upon which we can argue the economics of the move. This is thoroughly unsatisfactory, to say the

least. It is less than fair to the people of this State whom we happen to represent.

Mr Rushton: You will be happy if the cost of the new proposal is less than the cost of the police takeover would have been.

Mr BERTRAM: I would not be happy—I have already indicated that—but I would be a little happier than I am now. The member for Collie has made it quite clear that we do not like the structure of the authority. We believe we are sending seven men to do the job which one can do. We have confidence in the Commissioner of Police. We believe he could do this job, and he should be given a fair trial in the new structure. We would like others to extend this courtesy to us, so surely we should extend it to a man who is not here to speak for himself or advance his views on the question.

The DEPUTY CHAIRMAN (Mr Old): The honourable member has three minutes.

Mr BERTRAM: The functions of this authority are set out in clause 11. If members look at this clause, they will see that my proposition is reinforced. Who is there here who says that the Commissioner of Police cannot perform these functions? Give him the money, permit him to obtain the expertise, give him the power, and he will be able to control traffic in our State. There is no need for an authority. We are ousting the Commissioner of Police unceremoniously and putting seven others in his place. We would want a case and a half before we did that.

I will finish on the note that we are discussing this measure without the necessary and fundamental statistics to allow the Committee to decide whether this proposal is possible financially. We are completely in the dark, and that is unfair and inefficient.

Mr O'CONNOR: I make it quite clear at this stage that we do not intend to accept the proposal of the member for Collie.

Mr T. H. Jones: Do you think I am surprised?

Mr O'CONNOR: If we accepted it we would go back on the undertaking we gave to the people before the election, and we would not set up this authority which I believe can operate efficiently.

The member for Collie has studied the Bill and he understands it very well. I cannot say the same for the member for Mt. Hawthorn. He said it is unfair that seven members of the authority should be put in the place of the Commissioner of Police, and that the commissioner did not get a guernsey. If the honourable member had read the Bill, he would know that the commissioner will have a place on the authority.

Mr Skidmore: We know that.

Mr O'CONNOR: He is correct when he says the authority will cost \$693 000 a year more to operate. However, he also pointed out how much traffic accidents cost Australia, and this money will put men on the road and help to reduce the road toll.

Mr T. H. Jones: You would get more men with police control.

Mr O'CONNOR: These men will be employed purely for traffic control.

Mr T. H. Jones: Will you answer one other question while you are on your feet? How can you substantiate your comments when you consider the men required for work in isolated areas?

Mr O'CONNOR: From our point of view the cost will be more than justified by the saving of lives and the reduction of personal injuries suffered through accidents.

The member for Mt. Hawthorn said I have no confidence in the commissioner, and I want to refute that statement right now. I have a tremendous amount of confidence in him and the men who work under him. They do a marvellous job in this State in so many ways. The Government has a great deal of confidence in the commissioner.

The proposals to delete these clauses and substitute another clause 7 are not acceptable to us. If we accepted them, we would be unable to fulfil our undertaking to the electorate.

Mr B. T. BURKE: Believe it or not I had not intended to speak until the Committee had discussed this clause.

Mr Sodeman: That is hard to believe.

Mr B. T. BURKE: I had intended to reiterate the theme that the Minister is attempting to grab the best of both worlds; he is trying to gain the advantages of State-wide police control whilst avoiding the unpopularity associated in some quarters with that proposal. However, before doing so, I would like to point to the absurdity of the situation as it has developed under the control of this Minister.

At the second reading stage the Minister promised to table the calculations which were relevant to the different cost estimates, both recurrent and capital, in the establishment of the authority.

Mr O'Connor: Have they been tabled?

Mr B. T. BURKE: As far as I am concerned they have not been tabled.

Mr O'Connor: You have not even looked for them.

Mr B. T. BURKE: If they were tabled, it was at a time which would prevent anyone from taking advantage of them to put forward arguments in this debate.

Mr O'Connor: If you had wanted them you could have had them a week ago, and you know it.

Mr B. T. BURKE: The Minister assured us that they would be tabled.

Mr O'Connor: You have not looked for them. They are available if you ask for them, as I told the member for Mt. Hawthorn.

Mr B. T. BURKE: I think it is reasonable to assume that if the Minister promises to do something we can take his word for it. We should not have to badger the Minister constantly to table them.

Mr O'Connor: Just because you are inefficient in your job, you need not think that everyone else is.

Mr B. T. BURKE: Just because the Minister cannot be relied upon to conform with the usual courtesies of the Chamber, we must badger him. That is not a proper situation. Without the financial estimates of the recurrent and capital costs we cannot discuss this fully.

Mr O'Connor: You do not even know whether or not they have been tabled.

Mr T. H. Jones: You were going to give the figures last week.

Mr O'Connor: The figures are here.

Mr B. T. BURKE: Now by interjection we have the ludicrous situation of the Minister saying he has the figures in his possession. He undertook to table them and he has not done so.

Mr O'Connor: I did not say that. I quoted the figures and they are there in *Hansard* if you care to read them, but you have not done that.

Mr B. T. BURKE: During the 1968 Presidential election, George Wallace—

Mr Coyne: Not another one.

Mr B. T. BURKE: —the third party candidate, employed several people to stand on the outskirts of the groups surrounding him—and I inform you, Mr Chairman, that I intend to relate this to the topic we are discussing. The job of these people was to take a pencil in their little hands and write down the lines which drew the most applause from the crowd.

Eventually, when the campaign had reached two-thirds of the way towards the final election, he had a speech composed entirely of best applause-drawing lines. When he made the speech he gained a lot of applause and acclamation. The only problem was that it did not mean much. That is the situation in which we find ourselves now.

Mr Sodeman: Yes, we can't follow you at all.

Mr B. T. BURKE: Without wishing to pat myself on the back, the rarified atmosphere into which I sometimes venture

would make it impossible for someone like the member for Pilbara to follow me!

Mr Sodeman: You ought to leave the door open when you are in the room.

Mr B. T. BURKE: Mr Chairman, as I know you would want me to do, I will ignore the interjections and speak to the Bill, and specifically to the clause before us.

The Minister has drawn together the applause-obtaining lines from all sorts of things that have been said from the time we moved through the pale blue uniforms to absolute police control to absolute non-police control, until he reached the stage where he finally said that police control of traffic is the only system which will work. Notwithstanding that fact, he then said we cannot have police control of traffic because the Leader of the Country Party, and the somewhat nebulous interests he represents, find it repugnant; so we will have police control of traffic dressed up in another form.

He has further said to support his argument that the costs involved, both recurrent and capital, make it incumbent upon us to follow the line that he draws. He refuses to obey the normal propriety of tabling the papers he said he would table so that we may gain information to add something worthwhile to the debate on costs; and then he says he has the papers if we wish to look at them. In the circumstances I think the Opposition has no alternative but to ask you, Mr Chairman, to report progress and seek leave to sit again.

Progress

Mr T. J. BURKE: I move—

That the Chairman do now report progress and ask leave to sit again.

Motion put and a division taken with the following result—

Ayes—16

Mr Bertram	Mr Hartrey
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr May
Mr Carr	Mr McIver
Mr Davies	Mr Skidmore
Mr H. D. Evans	Mr Taylor
Mr T. D. Evans	Mr A. R. Tonkin
Mr Fletcher	Mr Moller

(Teller)

Noes—21

Mr Blaikie	Mr Nanovich
Mr David Brand	Mr O'Connor
Mr Charles Court	Mr Old
Mr Coyne	Mr O'Neil
Mr Craig	Mr Ridge
Mr Dadour	Mr Rushton
Mr Grayden	Mr Shalders
Mr Grawat	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurence	Mr Young
Mr McPharlin	

(Teller)

Pairs

Ayes	Noes
Mr Jamieson	Mr Clarke
Mr Harman	Mr Cowan
Mr Bryce	Mr Watt
Mr J. T. Tonkin	Mr Crane
Mr Bateman	Mr Sibson
Mr Barnett	Mr Mensaros

Motion thus negatived.

Committee Resumed

Mr T. H. JONES: Members of the Opposition, and the Police Union, are still concerned about the position of policemen. Certain guarantees have been given by the Minister which are not clearly spelt out in the Bill. We asked whether under the powers vested in the commissioner, and the oath of allegiance, traffic patrolmen will be required to take orders from a sergeant of police. It is clear that under the oath of allegiance patrolmen will still be answerable to the Commissioner of Police.

So when a patrolman is sent to a country town and the commissioner so desires the patrolman may be placed under the jurisdiction of the sergeant of police at the local police station. The Minister said this will be arranged. Let us see what is the position. This matter is of such great concern to the Police Force that its members are anxiously awaiting the opinion of a Queen's Counsel in respect of it. I would like briefly to refer to the Police Act with your permission, Mr Chairman, because it is pertinent to this debate. Section 9 states—

The Commissioner of Police may, from time to time, with the approval of the Minister, frame rules, orders, and regulations for the general government of the members of the Police Force, as well with respect to their places of residence, their classification, grade, distribution, particular service, and inspection,...

That provision refers quite clearly to "the members of the Police Force", and these patrolmen will be members of the force. Mr Chairman, let us consider a matter which would be exercising your mind if you were a policeman and had taken the oath of allegiance. Members of the Police Force do not know where they will stand in relation to orders and jurisdiction when they are transferred to the traffic patrol. Let us consider the oath of allegiance every policeman must take. It is set out in section 10 of the Police Act, as follows—

No person shall be capable of holding any office, or appointment in the Police Force, or of acting in any way therein, until he shall have subscribed the following engagement, namely:—

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; and that, while I shall continue to hold the said office, I will, to the best of my skill and knowledge, discharge all from the duties thereof faithfully according to law.

Section 11 of the Act states in part—

Every person, on subscribing such engagement, shall be thereby bound to serve Her Majesty as a member of the Police Force...

How can the Minister or anyone else say that patrolmen are not policemen when it is clearly spelt out in the oath of allegiance.

Sir Charles Court: Can you tell me what all this has to do with clause 7?

Mr T. H. JONES: If the Premier had been in the Chamber—

Sir Charles Court: I have been in the Chamber and I have listened to you say the same thing for the third time.

Mr T. H. JONES: I have not mentioned the oath of allegiance previously in the debate. The Premier was not in the Chamber; he came in when the division bells were ringing.

Sir Charles Court: You were talking about this before; I heard you.

Mr T. H. JONES: I have not referred to the oath of allegiance before. It just shows how much time the Premier spends outside the Chamber. He only came into the Chamber when the division bells rang.

Sir Charles Court: You were talking about the oath of allegiance when I was here earlier this evening. I spend more time in this Chamber than you do; do not talk such nonsense. Where is your leader?

Mr T. H. JONES: Everybody talks nonsense except the Premier; he is the sole power in the entire Parliament of Western Australia. Only Sir Charles Court is right and nobody else could possibly be right.

Sir Charles Court: You said it, not I. I just want to know what all this has to do with clause 7.

Mr T. H. JONES: The Chairman of Committees is presiding over this debate, and he is not under your jurisdiction at the moment.

Sir Charles Court: But what has all this to do with clause 7?

Mr T. H. JONES: To continue after that unnecessary interjection, which clearly spelt out that the Premier was not in the Chamber—

The CHAIRMAN: Order! I suggest that the honourable member return to discussing the Bill.

Mr T. H. JONES: And I suggest that you stop this type of interjection, Mr Chairman; it is quite unnecessary.

The CHAIRMAN: Order! Please confine yourself to the clause under discussion.

Sir Charles Court: Get on with the job!

Mr Rushton: Where is your leader?

The CHAIRMAN: Order!

Mr T. H. JONES: Now that order has been restored, Mr Chairman, I will continue. We have plenty of time; we do not have to rush things.

Sir Charles Court: Yes, we have all day and all night; take your time.

Mr T. H. JONES: I think I have spelt out clearly the concern felt by the Police Union of Western Australia, representatives of which are sitting in the gallery tonight listening to the debate. They are concerned at the confusion created by this clause. If any honourable member wants to ask the opinion of the Secretary of the Police Union, he has only to go up to the gallery to do so.

We have been asked where the Leader of the Opposition is. Where is the Minister in charge of the Bill? He has not the decency to come and listen to the debate.

Mr Rushton: Cut out that rubbish! He has sat through the entire debate.

Mr T. H. JONES: I have been here for the whole debate.

Mr Young: He does not have to listen to the same thing being said over and over again.

Mr T. H. JONES: The member for Scarborough has returned, has he?

Mr Young: I have been here all night. The member for Collie is scraping the bottom of the barrel now.

Mr T. H. JONES: I would be scraping the bottom of the barrel if I tried to answer the member for Scarborough. He is another one of those great speech-makers when sitting down.

Mr Young: Your leader told you to sit down, listen, and learn.

Mr T. H. JONES: Members opposite may treat this as a joke; however, I have expressed the concern felt by the Police Union. I am sure the three officials sitting in the gallery do not share the Government's amusement. Our duty is to the working people of Western Australia and, by expressing concern on behalf of the Police Union, we are carrying out our duty. Members opposite have done the same thing quite effectively many times before on behalf of the Employers Federation of Western Australia. How often have we seen members of the Employers Federation sitting in the gallery?

The CHAIRMAN: The member has three minutes remaining.

Mr T. H. JONES: I do not wish to continue. I have spelt out clearly the concern felt by the Police Union, and irresponsible members opposite have treated it as a joke.

Mr Young: Only because you started challenging the length of time spent in the Chamber by members on this side, without any foundation in fact.

Mr T. D. EVANS: The Premier interjected on the member for Collie and queried the relevance of his remarks. I do not know whether the Premier was present during the extensive discussion on clause 6 which provides for the establishment of the authority and, in part, states—

The Authority . . .

may exercise and discharge the powers, authority, duties and functions conferred or imposed upon it by or under this or any other Act.

The implication is that if there is to be a patrol established under clause 13, it follows that the authority itself will direct the patrol. The Minister has confirmed this.

However, the oath taken by a police officer and the regulations which follow him, having taken his oath, require him to be answerable to the Commissioner of Police or his delegated officers. If these patrolmen are in fact to be policemen—and the Bill spells out that they are to be policemen—conflict will arise, because there will be a split in loyalty. No man can serve two masters. At the same time as being answerable under their oath of allegiance to the commissioner or his delegated authority, the patrolmen will be answerable to the authority; this may well be in conflict with their oath of allegiance.

I remind members opposite that a provision in the Criminal Code deals with oaths of office taken by responsible officers of the Crown and, if any question arises that their loyalties are divided, there may well be some suggestion of an offence being committed under the Criminal Code. Who wants to place the police in such a position?

Mr Young: Only in respect of the Crown v. someone else.

Mr T. D. EVANS: Here we have clear evidence of a patrolman being placed in a position where he may be called upon to serve two masters.

Mr B. T. BURKE: I wish to try to introduce a new theme to the debate—one that I hope Government supporters will find reasonable and to which, I am sure, the Premier would not object as being oft-repeated. It seems to me that, faced with a particular situation, the Government had two choices; namely, to install the Commissioner of Police in the position of authority or to go outside the ambit of his control and to appoint an authority. Whether or not the Government intends the slight, I cannot see any way that it can avoid the implication that this is a

deliberate downgrading of the ability and reputation of the Commissioner of Police. This Government has said to the Commissioner of Police, "You are not equipped to handle the job of traffic control. We will give you one-seventh of the say in the management of traffic control in this State."

Mr Sodeman: When was that said?

Mr B. T. BURKE: For the benefit of those members who have not followed the undoubted logic of my argument, let me put it again: Faced with the opportunity to appoint someone to control traffic, the Government had two choices. It could have said to the Commissioner of Police, "We wish to place you in a position of ultimate authority over traffic", or it could have said, "We will create a seven-man authority of which you, Mr Commissioner, will comprise one-seventh, and it will be the task of that authority to control traffic." If that is not a deliberate downgrading of the duties of the Commissioner of Police, I do not know what is.

Mr Young: It is similar to the Kindergarten Association being replaced by the Pre-School Education Board, but is that an implication that the Kindergarten Association has not carried out its duties efficiently?

Mr B. T. BURKE: No evidence has been advanced that the Commissioner of Police will perform more efficiently in his new role, and no evidence has been advanced as to why he was incompetent enough not to be given ultimate and overall authority.

If the Government would have us accept the argument that the Commissioner of Police would not be able to exercise a more fitting and pervasive authority than one-seventh of the traffic authority, let the Government tell us the reason, because it has not done so as yet.

I have heard the member for Boulder-Dundas at other times say that there is no reason why the shire clerk of Snake Gully should share authority with the Commissioner of Police, but this Government says he should. Is that a reasonable proposition?

Mr Shalders: Three heads are better than one, but the honourable member thinks his head is the only one.

Mr B. T. BURKE: The member for Murray can speak of three heads being better than one but he has the whole three of them.

Mr Sodeman: And none of them is as big as yours.

Mr Shalders: At least my head is not like a robber's dog.

Mr B. T. BURKE: The honourable member's head is like a dog's breakfast—all over the place. However, I do not want to enagage in that sort of talk.

Mr Sodeman: You are the thin-skinned fellow, are you not?

Mr B. T. BURKE: What I am trying to put to the Committee—

Mr Rushton: Is very trying.

Mr B. T. BURKE: I have heard it said that listening to the Minister for Local Government can be likened to the offence of unusual cruelty under the Bill of Rights.

I am trying to say that there is no avenue along which the Government can escape the implication that to supplement the Commissioner of Police with a seven-man authority is tantamount to saying, in the absence of evidence to the contrary, that the Commissioner of Police is not capable of doing his job. A man is judged by his actions and not by what he says. The Minister says he casts no stones against the reputation of the Commissioner of Police, but then he backhands the same man.

In the final analysis this Government cannot escape the conclusion that the only proper and fit course to take is to implement State-wide control of traffic by the Police Force. I do not believe the Government has advanced sufficient reasons to persuade anybody that the control of the proposed authority is acceptable. So let the Government in good grace agree that, if it has not made a mistake, it has not outlined in sufficient detail its reasons for taking this course of action. Let the Government seek from the Opposition the support it will get if it agrees to introduce State-wide control of traffic by the Police Force.

Mr MOILER: I make it clear that never at any time have I downgraded local government. All I have said is that I see no reason why local authorities should have any more representation on this authority than any other body in the State. Therefore it is only right that the Opposition should vote against this clause which would enable the member for Collie to insert in its place another provision which would give the Commissioner of Police authority to place traffic control where it rightfully belongs; namely, under the jurisdiction of the Police Force.

My criticism of local government having greater representation on this authority than any other body was not a reflection on local authorities, but a reflection on the Government which is prepared to take this course of action to pacify several local authorities in various areas. As I said previously, 75 per cent of this State has its traffic under police control. It is now proposed that to represent the remaining part of the State which is not under police control we will have a disparity of three individuals out of seven being appointed as members of this authority.

Therefore the Committee should vote against this clause to enable the member for Collie to insert a new clause which would place the Commissioner of Police in his rightful place—controlling traffic throughout the State. At this stage, also, I suggest that the Minister should move that you, Mr Chairman, do now leave the Chair and seek leave to sit again.

Mr SKIDMORE: I oppose this clause, because it seeks to appoint an authority composed of seven members, and when one studies the functions of the authority set out in clause 11 to ascertain what its duties will be, it could perhaps be assumed that some members of the authority should have sufficient expertise to execute those functions.

We should take into consideration the functions of the proposed authority, as enumerated in clause 11. Regarding the constitution of the authority, I agree with the appointment of a chairman, because someone has to chair the meetings and act as the chairman.

However, one might question the appointment of a person to be the permanent head of the department to be established. What duties is he supposed to perform, and in what way will he provide the authority with the required expertise? I hope the Government will appoint a person who is well versed in traffic safety and traffic patrol work. I would not oppose the appointment of that type of person.

The next member is to be the Commissioner of Main Roads or such officer of his department as the commissioner nominates. I do not know why there is a need for the Commissioner of Main Roads or his nominee to be on the authority. I thought the Commissioner of Main Roads had a full-time job, and would not have time to serve on the authority. I do not know how he will have any effect on traffic control. If it is the intention to appoint the Commissioner of Main Roads, then one would expect the functions of the authority, as set out in clause 11, to include the type of function which is carried out by the commissioner.

Why is there a need for such officers to be appointed to the authority? Is the authority merely to be a showpiece? Such composition of the authority does not tie up with the functions which the authority is expected to carry out.

Next we come to the Commissioner of Police or such officer of the Police Force as the commissioner nominates. In this regard I do not quarrel with the proposal in the Bill, because the commissioner or his nominee will be able to provide the necessary expertise, and will be acceptable for appointment to the authority.

The member for Balga has already made reference to the ability of this member, and to the downgrading of his posi-

tion by giving him equal status with the other six members, so that he could become subservient to the views of the other six. In my opinion the Commissioner of Police or his nominee is fully equipped to carry out the functions of the authority.

The next member of the authority is to be the Director-General of Transport or such other person as he may nominate. With the appointment of the Director-General of Transport or his nominee one would expect that the functions of the authority have to do with transport; in fact they do not. For that reason I say that the expertise of this member will be entirely wasted. This is another example of window dressing of the authority, so as to make it look nice and to convince the opponents of a single traffic authority that the Government is appointing to the authority people holding responsible positions.

The next member is to be a person appointed by the Governor on the nomination of the Minister from a panel of names submitted by the Local Government Association. Turning to clause 11 dealing with the functions of the authority, one would look in vain for the functions which could be carried out by this person. He would not know anything about traffic safety. Even if he does know something about this subject, so do a great many other people. Would it not be just as logical to appoint one of those people instead of the nominee of the Local Government Association?

The next member is to be a person appointed by the Governor on the nomination of the Minister from a panel of names submitted by the Country Shire Councils' Association. I say again that this is another example of window dressing. Here is another representative of virtually the same group, who obviously possesses the same type of expertise as the nominee of the Local Government Association.

The remaining member is to be a person appointed by the Governor on the nomination of the Minister from a panel of names submitted by the Country Town Councils' Association. Again I say there is not a need for such a person on the authority. In fact, I question the need to appoint most of the persons mentioned in clause 7(1), paragraphs (a) to (g). I do not know what functions some of them will perform on the authority.

I do not denigrate the nominees of the local authorities, and I am aware of the expertise they are able to provide, but if we are to have an effective authority which is to be vested with all the powers mentioned in clause 11 we should appoint persons who are able to perform the necessary functions.

Mr O'Connor: Whom do you suggest we should appoint to the authority?

Mr SKIDMORE: I could suggest many people who would be better equipped than those mentioned in the clause. Some of these have had long experience with industrial accidents and their prevention, and their expertise would be invaluable to the authority. No doubt there are in the Department of Labour and Industry inspectors who have other desirable expertise. There could be senior officers within the Police Force itself with expertise in traffic accidents and prevention. Such people could be appointed to the authority, and it would become a competent authority.

However, all that we are getting from the Bill is a hotchpotch of people to be appointed to the authority. I do not say that in derogation of those people; I am saying that against the authority itself. The proposal in the Bill is sheer window dressing, put forward to satisfy the desires of some people and to save the face of others, such as the country people who have said that they do not want this type of traffic control. In my opinion that is precisely what the authority will be.

Surely it must be evident, from the speeches that have been made by members on this side, that the proposed authority will not function effectively. Being at least basically logical, I fail to see where the authority will fit into the scheme of things. It is time the Government stopped this charade; and it is time members opposite acted as they are supposed to act—as members of Parliament and responsible people.

I suggest to the Government that it should withdraw this legislation, re-examine it, present it on another occasion, and appoint persons to the authority who can give the required expertise to make it function effectively, and not as a pseudo authority.

Mr BERTRAM: I want to place on record my opposition to the clause. In the discussion on this clause we see a replay of what took place, and obviously what the Minister desired to take place, in dealing with clause 5. In dealing with that clause on a number of occasions members on this side of the Chamber presented to the Minister some reasonable and proper questions seeking information to let the Committee know precisely where it was heading.

The situation is that a number of speakers from our side presented a case which calls for an answer from the Minister, but instead of attempting to give one, he is quite happy for the clause to go through in default with no answer at all having been given. This type of procedure is bringing the Committee into disrepute and is an insult to the Committee and to you, Mr Chairman. From time to time people are chastised for doing things which have far less consequence than is the case this time.

The Committee is supposed to go through a Bill in detail and come to grips with the subject. Members of the Opposition are doing precisely that, but they are ignored—not a word from the Minister.

Mr O'Connor: You are quite wrong. I spoke on this clause and you well know it.

Mr BERTRAM: I think the Minister spoke in respect of an amendment, but I am talking about this particular debate. No attempt has been made to justify the retention of the clause. We have submitted a good case—certainly a *prima facie* case—to justify the deletion of clause 7 with a view to replacing it with another which appears on the notice paper.

I complain very much about the offhand treatment the Committee is receiving. I personally have not witnessed this behaviour before. I am not saying it has not occurred, but I have not witnessed it. I would be inclined to tolerate it if the Opposition's case had not substance or justification; but that is not the situation.

It seems we are getting a raw deal and that it is a flow-on from the guillotine session we had in connection with the fuel Bill. I can only express the hope on behalf of the Committee and the people of the State that that procedure will not become general. If we are to be ignored after having submitted a proper case, I see no point in our speaking at all.

In Committee we discuss details and one of the details we should consider under this Bill is the actual cost involved in the authority. Some time ago we asked for the opportunity to examine certain calculations in this respect and this information is crucial to the debate at this stage, but we simply do not have it. In other words, the Committee is being denied the opportunity to discuss the clause and in this case the guillotine may just as well be applied because it would have the same effect, which is to deny us the opportunity to discuss the clause because of a lack of facts.

As I expected, the Minister said that the Government has a great deal of confidence in the police. However, the proof of the pudding is in the eating, and if the Government had this confidence it would prove it by giving support to the Commissioner of Police instead of denying it unto him. Although we have not been given one instance in regard to which the commissioner has fallen down on his job, he is being decapitated, or stripped substantially of his authority. No attempt has been made to justify the move. The only "justification"—and that word should be in inverted commas—appears to be that the Government gave an undertaking at election time. However, such a statement is not adequate. The Government was given no mandate to do this, particularly in view of the present stringent financial situation

brought about by inflation. After this exercise I hope the Government will desist from talking of inflation and blaming it for everything, because here it has an opportunity to show leadership and do something to cope with inflation, but it is not prepared to do so.

Clause 11 clearly indicates the responsibilities and functions of the authority, and I believe members should study these to try to decide which of the responsibilities and functions are beyond the competence of a reasonably proficient Commissioner of Police to handle.

With regard to subclause (1) the commissioner has had the complete control over the Traffic Act for I do not know how many years, and no-one has indicated that there has been a shortfall in this regard so far as he is concerned. If the amendment were accepted he would merely be given greater enthusiasm and ability to act more efficiently.

The CHAIRMAN: The honourable member has another two minutes.

Mr BERTRAM: Which of the functions and responsibilities contained in subclause (3) paragraphs (a) to (g) would the commissioner not be capable of undertaking?

Mr O'Connor: Which clause are they in?

Mr BERTRAM: In clause 11 which deals with the functions of the authority, and these are related to the clause we are considering. Which of the responsibilities in clause 11 would not be within the competence of the commissioner to handle? None!

That is the position. I want to underline the main purpose for which I arose on this occasion, but it is certainly not the sole purpose. I believe the Committee should be treated with a little respect. If what we say is to be ignored, then the courteous thing for the Minister to have done was to tell us at the outset so that we would not waste our time. After all, we would be much better employed doing something worth while.

Mr O'CONNOR: I want to refute some of the comments of the honourable member. He indicated I did not speak on this clause, but I did. However, I do not want to be accused of tedious repetition so I did not repeat what I had already said.

Mr Bertram: You spoke only on the amendment, didn't you?

Mr O'CONNOR: I spoke on the clause; had the honourable member listened he would know. Of course, he is a little sore because it was proved he had not read the Bill and he had to check quickly to find out whether the Commissioner of Police was to be on the authority.

Mr Taylor: The same way you handled the prices Bill once, I believe—clause by clause.

Mr O'CONNOR: I do not blame the member for Mt. Hawthorn.

Mr T. H. Jones: It was all right when the Minister was over here.

Mr O'CONNOR: I can assure the member for Collic that I do not mind being on this side of the Chamber. It is just as well we can smile.

Mr T. H. Jones: We will see how the Minister feels at about 6 o'clock in the morning.

Mr O'CONNOR: I am still fairly fresh so I do not mind. I will now return to clause 7. When I previously spoke I opposed the deletion of the clause. During the election campaign we indicated to the people that we would set up an authority and we believe we have a mandate to do just that.

Mr T. D. Evans: But it was to be completely independent of the police.

Mr O'CONNOR: That sounds like a record.

Mr T. D. Evans: It is true.

Mr O'CONNOR: It sounds like tedious repetition.

Mr Moller: The Government can hardly claim that it has a mandate, and then completely disregard that mandate.

Mr O'CONNOR: The fact is that we are setting up an authority.

Mr T. H. Jones: The Government did not have a mandate to include the police.

The CHAIRMAN: Order! The Minister for Police.

Mr T. H. Jones: The Government never had that mandate.

Mr O'CONNOR: I have previously said I thought the proposed authority would be a good one, and I am satisfied that it will be.

Mr Bertram: That is tedious repetition.

Mr O'CONNOR: I agree.

Mr Bertram: In what respect has the Commissioner of Police let the show down, to date?

Mr O'CONNOR: I did not say that he had done so. I did say I believed the traffic control would be more efficient under one authority. There is a need for law enforcement and crime detection. Bearing in mind the carnage on the roads, it is important to have one group of people

devoting their full time to the problem. It is also important to have one group of policemen devoting their full time to crime detection. Unless we accept there is a need for two groups we will fall down. The proof of the pudding will be in the eating.

Mr T. D. Evans: The Commissioner of Police, who has had vast experience in administering traffic, will be outnumbered three to one by representatives of local authority associations.

Mr O'CONNOR: Of course, the local authority associations will also be outnumbered.

Mr T. D. Evans: Why should the local authorities have three times the influence which the Commissioner of Police will have on the new authority?

Mr O'CONNOR: I gave reasons for the appointment of three members of local authority associations.

The member for Mt. Hawthorn claimed that I would not give figures in connection with the cost of setting up the new authority. If I remember correctly, I quoted the figures and they are recorded in *Hansard*. I am not sure, but I thought the paper was tabled. If members were not able to locate the paper I presume they would have asked for it. However, no-one has come forward, and that shows the general interest from the Opposition.

Mr Sodeman: It shows how genuine the Opposition is.

Mr O'CONNOR: That is right. I am sure that members opposite would agree that the Commissioner of Police should be on the authority. Another member will be the Director-General of Transport whose job it is to advise the Treasury where transport funds should be spent. Three persons, representing local authority associations, shall be appointed by the Governor.

Mr T. D. Evans: Why three representatives?

Mr Davies: The provision sets out that those persons shall be appointed from a panel of names, but a panel could consist of two names.

Mr O'CONNOR: I would request the local authority associations to submit a panel of three names. I believe the local authority associations have contributed towards traffic control throughout the State, because they have been responsible for handling traffic in probably three-quarters, or more, of the State.

We gave an undertaking, prior to the election, that we would set up an authority and include three representatives of local authority associations on it, and we are honouring that undertaking.

Mr H. D. EVANS: I intend to refer to the composition of the authority, and to make some observations which have not yet been made. It is interesting to note that three sections of local government will be represented on the authority, and they will be selected from panels of names put forward by shire council associations of Western Australia. It is also interesting to note that the committee which was set up earlier this year to examine the prospect of introducing this measure, did not include a country shire council representative. I believe some considerable pressure was placed on the Minister to have that oversight rectified.

That leads me to make another poignant observation. The Country Party stated categorically, on the hustings, that it would set up an independent traffic authority. The present measure is endeavouring to give the appearance of setting up that independent authority, but the authority is being set up within the framework of the Police Force.

I venture to suggest that were the Bill changed to enable the authority to be placed under police control, and were it put to the vote, it would be carried by 46 votes to five. However, in this case, the dog is being wagged vigorously by the tail; a tail which has become so obligated to the Country Shire Councils' Association that it has little room to manoeuvre and it is obliged, for its electoral support, to continue to try to institute a single traffic authority. The only way that can be done is rather hypocritical in the sense that it will not be an independent authority.

It is a charade. The real intent is being twisted to give some semblance of honouring an electoral promise. That is about the full strength of the situation and I would like that recorded, in the proceedings, as a fairly accurate observation. As we go into the functions of the authority perhaps we can examine that aspect a little more closely.

Precisely how will the administration work? The composition of the authority is more that of an advisory body than an administrative body. Surely that is evident. Precisely how will the authority operate, and where is the line of demarcation in responsibility for the Commissioner of Police? He is responsible for the total force—administration, discipline, and the effectiveness of the operations—not only in traffic but in all fields. Where does he fit into this scheme of things; and how will the authority transmit its policies, recommendations, and decisions, which I presume it will make known and implement through the patrolmen? He takes a pre-emptory position with regard to the total Police Force in this State. I seek a reply on that point.

Mr B. T. BURKE: In my absence from the Chamber I have had talks with the representatives of the Police Union who were listening to the debate, and they have brought to my attention a very pertinent and important point which seems to have been overlooked. If the Government is prepared to accept the point, we can circumvent many of the difficulties into which we have run.

According to legal opinion obtained by the union, the Commissioner of Police can in no sense cede his powers to anyone else. If that is true—and I am pleased to see the Minister has legal advice on hand to-night—the situation he is outlining is completely unworkable. If the Commissioner of Police is unable to abrogate his powers and responsibilities even if he should so wish, it follows quite logically that this proposed authority cannot exercise them.

That is not the only point. That difficulty—which, if it really exists, is insurmountable—is followed and compounded by another major difficulty. The Minister might care to reassure the Chamber that the officers and patrolmen employed by the traffic authority will be working under the police regulations. He has already done so; therefore I suppose his absence from his seat, though temporary, does not really matter because we can assume his previous assurance still holds.

I understand that regulation 260 of the police regulations says that in any given situation when there is a conflict or dispute, the senior officer shall bear responsibility and make decisions. It must be remembered that both the traffic patrolman and the policeman will be working under those regulations, which say that in the situation I have mentioned the senior of the two shall exercise direction.

So we have two very clear and new problems. Firstly, the Bill would take away from the Commissioner of Police power which in law he is unable to give even if he wants to do so.

Mr O'Connor: I believe that is not correct and that he can do so.

Mr B. T. BURKE: I understand that is the opinion of a Queen's Counsel, so perhaps the Minister's opinion is right and perhaps ours is right. But perhaps it is sufficient reason to say we will reconsider.

Mr O'Connor: Nevertheless, I have received advice on it. Would you look at clause 13 of the Bill?

Mr B. T. BURKE: The second point is that both of these officers will be working under police regulations which state quite clearly that the senior officer will exercise direction and responsibility. If that is so, we cannot escape the fact that in any given situation if the traffic patrolman has seniority he will direct the law enforcement arm, and vice versa. There is no separation.

Mr O'Connor: If each is appointed for a particular job, one to cover traffic and one to cover other matters, we have the separation.

Mr B. T. BURKE: If both are necessary and present in a certain situation, who exercises direction?

Mr O'Connor: I would say the senior man.

Mr H. D. Evans: The Country Party has seen you off on this. You should see that.

Mr B. T. BURKE: The Minister has now admitted that the senior man will exercise direction and responsibility.

Mr O'Connor: I did not say that. You cited certain circumstances where they are both brought together.

Mr B. T. BURKE: I qualify what I said by saying the Minister has conceded that in certain circumstances the senior man will exercise authority. We might have a murder case in which two sergeants make investigations. The traffic patrolman has the senior qualifications and may not have worked on the law enforcement side for many years, but he will direct the law enforcement officer. What a ludicrous situation! In a country town which is confronted with a very serious crime, if a traffic patrolman has seniority he will direct the law enforcement officer.

Mr O'Connor: He would not in a case like that. You are drawing a red herring across the trail.

Mr B. T. BURKE: The Minister has already conceded it.

Mr O'Connor: I have not.

Sir Charles Court: I was listening very carefully. Do not distort what he said.

Mr Taylor: You agreed that they do under certain circumstances.

Mr O'Connor: Yes, but not under those circumstances.

The CHAIRMAN: Order!

Mr B. T. BURKE: The most pertinent comment that has been made in the recent few minutes was an interjection by the member for Warren who is a very capable debater and has seen right to the core of the problem. The problem is that the Liberal Party has been well and truly deceived and tricked by the National Alliance.

Mr H. D. Evans: The Country Party has made fools of the Libs. It should be ashamed.

Mr B. T. BURKE: Of course it has. Outside the Chamber I heard a comment on the inactivity of the Leader of the National Alliance. The point is that he

need not be active because everything is going his way. He is conceding nothing and holding the Government and the people of this State to ransom.

Mr H. D. Evans: You are dead right.

Sir Charles Court: That is a very poor thing for a former Minister to say when we are dealing with a Bill to try to save a few lives while you waste time.

Mr B. T. BURKE: His contributions have been singularly absent from the debate.

Sir Charles Court: It is not his Bill.

Mr B. T. BURKE: It is idle for the Premier to say it is not his Bill. It is well known that for many months the Country Party or the National Alliance has had a considerable interest in this legislation.

Sir Charles Court: It is not his portfolio. If he were speaking to the Bill you would complain about his taking it over.

Mr B. T. BURKE: It is not his portfolio but the absence of any decent contribution from him has indicated a lack of interest in a matter about which he has spoken on many occasions. The fact that it was not his portfolio did not stop him speaking outside the Chamber.

The final point I make is best illustrated by a story which is told about one of the campaigners during the 1924 election for the Governorship of Louisiana. He would stand up before one crowd and say, "I used to get up at nine o'clock in the morning, hitch up the horse, and take my Roman Catholic grandparents to church." And then to another crowd he would say, "I used to get up at 10 o'clock in the morning, hitch the horse to the cart, and take my Baptist grandparents to church." Someone said to the man, Huey Long, "I did not know you had any Catholic grandparents," and he replied, "I did not even have a horse." That is what this Government has done. It has tried to gain kudos and credit from this side and from that side. What it has really done is to deceive the people.

Dr Dadour: Which clause?

Mr H. D. Evans: You are not deceiving anyone.

The CHAIRMAN: The honourable member has two minutes.

Mr B. T. BURKE: Thank you, Mr Chairman. Perhaps the Government might like to move for an extension of time for me.

Mr Nanovich: He's only joking!

Mr B. T. BURKE: What the Government has done is to dress up police control of traffic in another form hoping that it will be acceptable and palatable to the vast majority of people.

Mr SKIDMORE: I did not intend to speak again to this clause, but I feel I failed to get my message through to the Minister. I attempted to point out that the members who would be appointed to the authority would better serve were they to stay in their own particular areas of endeavour, because in those areas they would make a greater contribution to the safety of people using our roads than they would on the authority.

Mr O'Connor: This is in connection with the constitution of the authority?

Mr SKIDMORE: Yes. I do not take anything away from the ability of the Commissioner of Main Roads, but I feel the State would be better served if he used his talents in regard to the types of roads to be built, the curves and the degree of angle around those curves, the positioning of posts along the roads, the building of culverts, and the levelling of hills and valleys. This appears to be a problem area.

Mr O'Connor: You realise he is also a very dedicated man on the question of road safety, and he has been a member of the National Safety Council for many years.

Mr SKIDMORE: I accept what the Minister says. However, notwithstanding all those facts, I believe we should leave the Commissioner of Main roads to concentrate on the area of his expertise.

I fail to understand why the Director-General of Transport has a guernsey on the authority. From the Minister's comments, I believe the director-general directs the distribution of funds to be spent on transport requirements. The duties of the director-general do not seem to relate at all to the functions to be performed by this authority. He would better serve by staying where he is and advising the authority where necessary.

The authority may say to the Director-General of Transport, "We have a transport problem which has arisen because of overcrowding on a certain route. Would you look at the question of bypassing some of the heavy traffic?" It may be that a country road has received a heavy influx of traffic because the joining up of two roads has permitted transport to bypass a main road. This happened on the Eneabba Road where such a bypass became available to heavy vehicles. I can understand how the authority could utilise information available to the Director-General of Transport in that way, but he already has the power to advise on such problems under his own brief. On reading clause 11, I do not know what function he would fulfil.

In regard to the other members of this authority, I cannot understand what expertise the local government representatives would have. I do not want to be

condescending to these people, but I can be kind to them because no doubt some of them would be councillors with a fair knowledge of country traffic. However, why would we want three such members?

As we suggested in the amendment, we feel the supreme power would be best invested in the man with the expertise—the Commissioner of Police—rather than window-dressing an authority which I believe merely seeks to appease some local authorities. I feel the Government has tried to set up an authority in name only. Its functions could easily be carried out by other associations connected with safety.

The Minister referred to the National Safety Council, but the expertise of the Commissioner of Main Roads is already available to us in regard to safety. The National Safety Council could be extended.

The CHAIRMAN: The honourable member has two minutes.

Mr SKIDMORE: I again refer to the Industrial Foundation for Accident Prevention. This organisation is left lamenting. It is studying the question of fatigue, and with a little assistance it could provide some education in this area. Truck drivers, long haulage drivers, MTT bus drivers, and perhaps commercial travellers who drive many miles, could be given some degree of instruction on safety. This foundation could be the very organisation to make such information available.

I doubt the wisdom of the membership of this authority because I believe we have a man capable of doing the job of the authority; namely, the Commissioner of Police. I hope the Government will bow to wisdom and will not sustain its belief that the action it is taking is in the best interests of the people. I do not believe it is, and obviously Opposition members feel the same way.

Mr T. H. JONES: If I remember correctly, I heard the Minister say that the Government is honouring an election promise. In my view the Government is not doing this, because it had no mandate to introduce a separate authority; an authority divorced completely from police control.

Mr O'Connor: That is about the 25th time you have said that.

Mr T. H. JONES: I do not think anyone can say that under this Bill the control of traffic will be divorced from the police.

The CHAIRMAN: Order! I believe the member for Collie has made that point several times.

Mr T. H. JONES: As a matter of fact, I have not made it tonight, Sir, but I will end on that note.

The CHAIRMAN: The point has been made several times.

Mr T. H. JONES: The question of mandates is important. When we were in Government we tried to extend the franchise of the SGIO, and members know the fate of that Bill. The Government must have some good reason for the establishment of this authority. What is wrong with the control of traffic by the police in the metropolitan area? Can any member tell me where the police have failed or have been inefficient? Can members opposite assure me that the new authority will provide better traffic control than we have at present?

Mr Davies: It will not be better, but it will cost more.

Mr T. H. JONES: Costs do not worry this Government. The new authority will cost an additional \$693 214 a year. But money means nothing to this Government, if it runs short it will simply blame the Federal Government. Here it intends to throw away unnecessarily \$693 000 a year.

Mr Rushton: For an augmented service.

Mr T. H. JONES: I do not know about that.

Mr Rushton: There will be more men.

Mr T. H. JONES: The Minister has not told us how many extra men there will be.

The CHAIRMAN: Will the member for Collie confine his remarks to the clause?

Mr T. H. JONES: I am only answering interjections.

The CHAIRMAN: I ask the member to ignore the interjections and confine his remarks to the clause.

Mr T. H. JONES: I wish the interjectors would remain silent, Mr Chairman.

To get back to the clause, why is it necessary to have on the authority three representatives of local authorities? I am not arguing against that representation, but other organisations are as well equipped to be represented on the authority as the local government organisations. I would have thought the Commissioner of Police and the officers under his jurisdiction would be more experienced in traffic control than some members of the proposed authority. I may be wrong, but it could be that some of the members of the proposed authority will have little or no experience in traffic control. Would anyone argue that the Commissioner of Police and his deputies are not skilled in this matter?

What is wrong with setting up a board under the control of the Commissioner of Police and his deputies? They have handled the control of traffic in an effective manner in the metropolitan area. This is just a guise. It will not be an independent authority; it will be police control under another name.

The patrolmen will be policemen and members of the Police Union, and as a member said tonight, they will do police work on occasions. The Government has been forced into this cover-up by certain organisations in Western Australia. We have not seen one word in the Press from the Municipal Officers' Association.

Mr O'Connor: There was some comment in the Press recently.

Mr T. H. JONES: I have not seen any comment in the Press since the Bill was introduced.

Mr O'Connor: It may not have been that recent.

Mr T. H. JONES: If the Minister can show me any comment in the Press by the MOA since the Bill was introduced, I will apologise. Of course, we have seen no comment from the Local Government Association since the Bill was introduced; it would appear it is happy. It seems complete understanding has been reached between those two organisations and the Country Party.

The CHAIRMAN: How does this relate to clause 7?

Mr T. H. JONES: It relates to the composition of the authority. I understand the authority will be composed in this manner as a result of pressure applied upon the Country Party by the Local Government Association. There is no doubt in my mind about that. The Minister is well aware that he considered four propositions before he reached a determination.

Mr O'Connor: No, I had four prepared and selected the best.

Mr T. H. JONES: Well, four propositions were prepared by the Public Service. We have a clear indication that the Government did not know where it was going. It went to the people with a clear policy, but then considered four propositions. If the Government has the mandate it suggests it has, why did it consider other propositions? If it wished to be honest to the electors of Western Australia it should have introduced the policy it took to the hustings. Instead, the Government called for a report from the Public Service and considered four propositions. Why did it not introduce the system it said it would introduce? The Minister has not answered that question. All we know is that the Government, like the Opposition, is interested in the matter of traffic control, but we have heard not a word about why its policy is not being implemented. If the experts who advised the Government on its pre-election policy were so informed, why was it necessary for the Minister to call for other alternatives?

Mr H. D. Evans: That is the price of being in coalition.

Mr T. H. JONES: That is right, and I think we will see more of this. It is the result of pressure applied by the Country Party. Of course, members of that party have been very quiet.

The CHAIRMAN: Can the member for Collie confine his remarks to the Bill?

Mr O'Connor: If you look at the newspaper of the 16th October you will find a comment by the MOA. That is since the Bill was introduced.

Mr T. H. JONES: I said if the Minister could find a reference in the Press I would apologise, and I do so. I did not see that report.

Mr O'Connor: I thought there was one.

Mr T. H. JONES: Yes, but the Minister did not know; the report was handed to him by the member for Katanning.

Mr O'Connor: I said there was some comment in the Press, but I was not sure of the date. I agree none of us sees everything in the newspapers.

Mr T. H. JONES: I conclude on the note that this is a guise. It is a letdown to the people of Western Australia. We have not been told why it is not possible for the Government to introduce its "Put things right" policy. However, I am aware it is a case of pressure being applied on the Country Party by other organisations in Western Australia.

Mr T. D. EVANS: Reference has been made to the three persons who have been seated in the gallery during most of the time we have been debating this Bill. I commend them upon their fortitude and staying ability. They have a very vital interest in this Bill.

I point out that if a person with similar fortitude, but without any particular interest in the Bill, had listened to the debate on clauses 6 and 7—which relate to the authority and its powers—and endeavoured objectively to boilrillse the arguments we have put forward, having regard to the fact that the Commissioner of Police has at all material times administered the control of traffic in respect of the greater part of the population of this State and yet he will exercise only one-seventh of the voting power of the authority, and members of local government organisations will exercise three times that voting power, that person would come to the conclusion that the Opposition finds fault with an authority having full plenary powers under this legislation and which contains three persons from local government exercising three times the voting power of the Commissioner of Police. The same person would have heard the response of the Minister that local government has earned its place on the authority because of its interest and experience in traffic control.

I suggest to the Minister that all may not be lost if he is prepared to bend a little. The Opposition has suggested in no uncertain terms that it believes there should be a single authority administering traffic; however, it is our argument that this single authority should be the Commissioner of Police. I believe the Minister respects our view, although he may not accept it. The Minister believes he has done the right thing in bringing forward a Bill providing for a seven-man authority. But we object to the authority having overriding powers over the Commissioner of Police. If the Minister earnestly believes that the personnel of the authority have the necessary experience and expertise, he is entitled to that view. These people may well be the appropriate people to place on the authority; I am prepared to concede that they may serve a useful purpose.

However, I suggest to the Minister that the Commissioner of Police should be deemed to have the overriding authority if it ever came to a vote. I certainly hope we will never reach a situation where a division is required, but in such an event the commissioner is the appropriate overriding authority because he has by far the greatest expertise and interest; he will be dealing with men under his immediate jurisdiction. If the Minister whilst preserving the fabric of the authority were prepared to concede that point, the Opposition would have no objection to the Bill as it is now constituted.

Mr O'Connor: I could not accept that.

Mr DAVIES: Usually in the setting up of boards or authorities of this nature there is a clause providing for some form of payment. However, I have been unable to find such a clause in the Bill, although I have searched fairly diligently.

Mr O'Connor: There is a clause covering payment.

Mr DAVIES: Would the Minister inform me what clause it is?

Mr O'Connor: I will undertake to inform the honourable member; I do not know exactly what clause it is.

Mr DAVIES: I am pleased that some provision is to be made for payment because I am sure that however public spirited people in local government might be—I do not envy them their job—they should be paid for doing a job. If we knew the category in which they fell, we would know the amount involved and we would be able to estimate what the actual cost of running the authority will be.

Mr O'CONNOR: I give an undertaking to provide the information to the honourable member. The clause does not spell out the specific amount, but leaves it to the control of the normal Public Service Board set-up.

Mr Davies: Does this mean you have not done any estimating?

Mr O'CONNOR: Of course we have; it was done by the Public Service Board. I will supply the honourable member with the details he requires.

Clause put and a division taken with the following result—

Ayes—21

Mr Blaikie	Mr Nanovich
Sir David Brand	Mr O'Connor
Sir Charles Court	Mr Old
Mr Coyne	Mr O'Neill
Mrs Craig	Mr Ridge
Dr Dadour	Mr Rushton
Mr Grayden	Mr Shalders
Mr Grewar	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurance	Mr Young
Mr McPharlin	

(Teller)

Noes—16

Mr Bertram	Mr Hartrey
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr May
Mr Carr	Mr McIver
Mr Davies	Mr Skidmore
Mr H. D. Evans	Mr Taylor
Mr T. D. Evans	Mr A. R. Tonkin
Mr Fletcher	Mr Moller

(Teller)

Pairs

Ayes	Noes
Mr Clarko	Mr Jamieson
Mr Cowan	Mr Harman
Mr Watt	Mr Bryce
Mr Crane	Mr J. T. Tonkin
Mr Sibson	Mr Bateman
Mr Mensaros	Mr Barnett

Clause thus passed.

Progress

Progress reported and leave given to sit again, on motion by Mr Young.

ADJOURNMENT OF THE HOUSE:

SPECIAL

SIR CHARLES COURT (Nedlands—Premier) [1.01 a.m.]: I move—

That the House at its rising adjourn until 4.30 p.m. on Tuesday, the 12th November.

Question put and passed.

House adjourned at 1.02 a.m. (Friday)