

# Legislative Council

Wednesday, 15 October 1980

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

## BILLS (10): ASSENT

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

1. Change of Names Regulation Amendment Bill.
2. Administration Amendment Bill.
3. Constitution Amendment Bill (No. 3).
4. Waterways Conservation Amendment Bill.
5. Government Employees (Promotions Appeal Board) Amendment Bill.
6. Public Service Amendment Bill.
7. Broken Hill Proprietary Company Limited Agreements (Variation) Bill.
8. Railways Discontinuance Bill.
9. Main Roads Amendment Bill.
10. Agriculture and Related Resources Protection Amendment Bill.

## QUESTIONS

Questions were taken at this stage.

## LAND TAX ASSESSMENT AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Leader of the House), read a first time.

### *Second Reading*

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [5.04 p.m.]: I move—

That the Bill be now read a second time.

The object of this Bill is to provide some relief for taxpayers in respect of land tax, principally to cushion the impact of increases caused by inflation and big rises in land valuations.

Members will be aware that a committee has been appointed to inquire into anomalies caused by inflation and valuation rises in rates, taxes, and charges related to land values. However, the Government has recognised the need to make a move by the introduction of this Bill pending the report of the committee.

Essentially, the Bill is in two parts. Firstly, it will allow valuation increases to be phased in and, secondly, it will remove the present exemption limit of 2,0234 hectares—five acres—on residential land.

Land tax assessments are based on the unimproved value of land which varies from time to time as a result of periodical revaluations.

These revaluations generally take place every three or four years for property situated in the metropolitan region, and at a slightly longer period for property outside that area.

Because of the time lapse between these revaluations, the difference in value of a lot over a three to four-year period in some cases, can be fairly substantial.

When that new value is adopted as the base for assessing land tax, the resulting increase in tax can be reasonably large also.

The Bill will amend the relevant provisions of the present law so that valuation increases will be phased in over a period of three assessment years.

It is proposed that the amended arrangement will commence immediately; that is, for the current assessment year. Accordingly, because of the proposed “phasing in” of valuations, assessments to be issued in the current year will generally be much less than the assessments that would have been ordinarily issued had the full effect of the revaluations been applied.

As previously stated, the metropolitan region is revalued over a period of three to four years as, of necessity, it is not possible, at the present time, to revalue the whole area in any one year. Therefore, it is not practicable to consider any period, other than the current assessment year, for the commencement of the phasing in of the valuation increases.

In addition, because of the substantial amount of revenue that would be involved, the adoption of any earlier date is not financially feasible.

Furthermore, to have used any other starting point would have created serious administrative problems.

It is relevant to note that because of the provisions of the Act, it is not feasible to introduce a percentage limit for the increase in assessments, as has been done for some other rating charges.

As it is, the cost to revenue for the current year is estimated to be about \$5.3 million and the full effect of the phasing-in programme will be some \$33.1 million by the time the programme is completed.

The second measure proposed by this Bill is to completely remove the present limit of 2.0234 hectares applicable to the owner-occupied residential land.

This will now mean that any one lot, irrespective of the area of that lot, upon which the owner resides, will be exempt from tax.

That proposal will eliminate the inequitable situation that now exists between owners of residentially-occupied land of an area less than 2.0234 hectares and those owners who reside on a lot in excess of that area.

Currently, owner-occupiers of land in excess of 2.0234 hectares receive an exemption for that area and are liable to tax on the remainder of that land.

However, this is considered to be inequitable when the land is used only for the same purpose; that is, the residence of the owner. The amendment will overcome this anomalous situation.

The PRESIDENT: Order! Members, there is far too much audible conversation. The *Hansard* reporter is having difficulty hearing the Leader of the House. Certainly, the Chair cannot hear him.

The Hon. I. G. MEDCALF: To continue: In addition, the amendment will also cure automatically the situation that confronts a taxpayer with limited financial means, who is required to pay the tax on the area in excess of 2.0234 hectares and who, for one reason or another, is unable or unwilling to subdivide his land.

Under this proposal it will mean that all owner-occupied residences will be exempt and it will matter not whether the area, the value, or the location differs from one person to another or whether one person wishes to live on a normal lot near the city, while another chooses a different lifestyle and resides on a somewhat larger lot in the outer metropolitan region.

The main aim is to exempt the lot upon which the owner resides and this will be achieved by this Bill.

However, in order to prevent taxpayers from taking unfair advantage of the proposed extension of the present residential exemption, the Bill will also include a provision to tax retrospectively land in excess of 2.0234 hectares, which is subsequently subdivided after residential exemption has been allowed.

It is proposed that any assessment raised under this provision will be for a maximum period of five years from the 1980-81 assessment year.

The proposal will be similar to that provision, which currently exists in the legislation, for religious and educational institutions. In these cases, the institutions are presently required to pay five years' taxes on the land previously reserved for an exempt purpose and exempted from land tax, but which is subsequently sold.

As was done in 1976 when inserting the exemption provision in the law for those institutions, the assessment of tax will be phased in. Currently, the tax is assessed on land owned as at 30 June of each year.

Therefore, if exemption was granted for that land and subsequently in the 1980-81 assessment year, the land was subdivided, then only one year's tax would be raised. If subdivision took place in the next year, two years' taxes would be raised, and so on until the maximum period of five years is attained.

The person liable for the tax is to be the owner of the property on the day the approval of the Chairman of the Town Planning Board is endorsed on the plan or diagram of the subdivision.

It would not be desirable or practicable to raise this tax against the previous owner or owners of the property, who were entitled to and enjoyed the benefit of the exemption provision, while the land was being used only as their residence.

Therefore, the tax is to be levied against the person who is to use the land, or the surplus area, for a purpose other than his residence.

However, under this provision, tax will be payable only on the lesser of the subdivided area in excess of 2.0234 hectares or the subdivided area which does not contain the residence.

In other words, the present area of 2.0234 hectares will not be subject to the arrears of tax. However, after the time of the subdivision, assessments in accordance with the provisions of the Act will be raised on the area of subdivided land, with the exception of the lot upon which the residence is located.

For example, a "residential" landowner, presently not liable for tax, who subdivides his half-hectare residential property into two lots, would not be assessed for five years' back tax on the second lot as his property does not exceed the 2.0234 hectares, but would be subject to "normal" land tax until that block is sold.

Similarly, in the case of a "residentially" exempted 10-hectare lot, were the subdivided land to be nine hectares, leaving a residence on one hectare, then the arrears of tax would be assessed only on 7.98 hectares—10-hectares minus 2.02

hectares—although future land tax assessments would be raised on the subdivided portion of nine hectares.

Furthermore, the tax will be levied only in those years in which the land was wholly or partially exempted. In addition, the tax is to be calculated on the basis that it is the only land owned.

The normal principle of aggregation will not apply in these cases, as not only would it be unfair to the taxpayer, but it would also be administratively impracticable because of the many changes in land ownership that occur from year to year.

The tax to be levied will be based on the unimproved value adopted for land tax purposes as at 30 June for each year of assessment.

Provision has been made in the Bill for a reduced tax assessment if the subdivided property has been in receipt of a partial exemption.

The proposed legislation will not require a landowner to advise the commissioner that land is subdivided as he will already be in possession of that information, but it will be necessary in the ordinary course of events for a taxpayer to advise the commissioner of any alteration to his land ownership as at 30 June each year.

Should a prospective subdivider wish to ascertain the tax liability in these cases, the commissioner will, upon being requested, supply the appropriate certificate of tax liability.

The cost of the proposed concession, based on 1979-80 assessments is estimated to reduce land tax collections by some \$150 000 in this financial year.

On this point, it should be noted also that under section 41 of the Metropolitan Region Town Planning Scheme Act, properties which are subject to land tax are also liable for metropolitan region improvement tax.

Consequently, the new residential exemption provision of the Bill will impact also on metropolitan region improvement tax collections at an estimated cost for 1980-81 of \$50 000.

Similarly, provision is to be made to assess arrears of this tax, as is the case for land tax, by the introduction of a Bill to amend the Metropolitan Region Town Planning Scheme Act.

As already stated, the Bill will provide immediate and considerable relief to those taxpayers affected in this current assessment year and will ultimately benefit all taxpayers.

In the meantime, in accordance with the Premier's promise, no assessments will issue until

the proposed changes to the law have been approved by Parliament.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Berinson.

### **METROPOLITAN REGION TOWN PLANNING SCHEME AMENDMENT BILL**

#### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Leader of the House), read a first time.

#### *Second Reading*

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [5.15 p.m.]: I move—

That the Bill be now read a second time.

As indicated when introducing the Land Tax Assessment Amendment Bill, it is necessary as a consequence of proposed amendments to that Act to effect also an amendment to the Metropolitan Region Town Planning Scheme Act.

Under the provisions of the principal Act, metropolitan region improvement tax is levied on all land within the metropolitan region which is subject to land tax, and for efficiency and economy of operations, both taxes are raised by the issue of the one assessment notice.

Currently, the Act imposes tax on the person who is the owner of the land as at 30 June each year, which is similar to the current provisions for the assessment of land tax. However, under the Bill to amend the Land Tax Assessment Act, tax is to be levied, under certain conditions, upon an owner at another point in time, which is to be the date that a subdivision is approved.

Therefore, it is necessary for this Bill to enable metropolitan region improvement tax to be assessed, in these special cases, against the "owner" of a property at any time other than 30 June.

This will then ensure not only the continuity of the existing assessment arrangement, but in addition will enable some of the revenue that will be foregone by the proposed widening of the residential exemption provision in the Land Tax Assessment Act, to be recovered.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Berinson.

## BUSINESS FRANCHISE (TOBACCO) AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Leader of the House), read a first time.

### *Second Reading*

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [5.17 p.m.]: I move—

That the Bill be now read a second time.

The proposals contained in this Bill are related to an announcement by the Treasurer in his Budget speech.

It is in keeping with the Government's aim of eliminating anomalies and inequities from taxing legislation and, whenever and wherever possible, to ease the burden of taxpayers and small businesses, in particular.

This Bill is the result of an examination of the Business Franchise (Tobacco) Act by the State Taxation Department and is in accordance with the Government's policy of continually reviewing and updating its taxing legislation as was the case last year when the House dealt with a Bill to amend the Stamp Act arising out of a very comprehensive review of that legislation.

In brief, the Bill proposes the following amendments—

the \$10 annual licence fee payable by tobacco retailers will be abolished;

the \$1 fee payable for the transfer of a licence or the setting up of additional, or closing down or premises will be removed;

the Commissioner of State Taxation is to be allowed to refuse the issue or transfer of a licence; and

any person will be able to appeal to the Treasurer against the commissioner's decision not to issue or transfer a licence.

Under the present legislation, a "wholesaler" pays an annual licence fee of \$100, and, in addition, a further fee of 10 per cent of the value of tobacco products sold in the State, based on a previous period.

The fees payable by wholesalers comprise practically all the revenue collected from this tax. On the other hand, a "retailer" pays currently an annual fee of \$10. This is the fee which is to be abolished.

There is a third situation, and this is that of the "retailer" who purchases a part of his tobacco products from an unlicensed wholesaler. An

unlicensed wholesaler relates to one who is outside Western Australia.

In these cases, the retailer is required to pay an additional fee similar to that payable by wholesalers of 10 per cent of the value of tobacco products sold and which he has purchased from an unlicensed wholesaler.

The imposition of the additional fee in these particular cases is necessary in order to preserve equity as between taxpayers and also to protect the revenue.

For these particular retailers, as with other retailers, the \$10 fee is to be abolished, but the additional 10 per cent fee is to remain.

A recent examination of the situation by the Commissioner of State Taxation has revealed that the revenue received from the \$10 fee is not comparable with the cost of keeping and updating records for some 4 700 retailers and the policing of requirements of the legislation to ensure that all retailers hold a current licence.

In addition, the legislation is inequitable inasmuch as the Act requires the payment of the same fee, irrespective of whether it be a store selling a large quantity of tobacco or a small shop or club, which may sell only a few packets.

Any increase in the amount of the fee is not justified.

The reasons outlined above apply equally to the proposal to remove the \$1 fee for the transfer of a licence or changes to premises by setting up or closing down an outlet.

The next proposed change is to enable the commissioner to withhold the issue or transfer of a licence should it be considered necessary to do so. Such provision is contained in most corresponding legislation in other States, and is designed to combat in part the use of a tax avoidance scheme which has operated in the Eastern States for some time.

Although the same scheme has not been noticed in Western Australia, it is appropriate that some machinery be provided to readily protect the revenue, should the situation arise.

The final change is merely to enable any person to appeal to the Treasurer should the commissioner unjustly withhold the issue or transfer of a licence.

The amendments will come into operation 28 days after the day on which they are assented to by the Governor.

The cost to revenue in a full financial year is estimated to be \$47 000. However, the effect on revenue for 1980-81 will be minimal as the \$10 licence fee is payable in advance and most of the

licences have been issued already for the current year.

Overall, the Bill will remove some irksome charges, and, in addition, the need for some 4 700 shopkeepers, club secretaries, and the like, to apply annually to the commissioner for a licence to sell their tobacco products.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. K. Dans (Leader of the Opposition).

### **RURAL AND INDUSTRIES BANK AMENDMENT BILL**

#### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Leader of the House), read a first time.

#### *Second Reading*

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [5.22 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to make amendments to two areas of the Rural and Industries Bank Act, the first amendment being to change the description of the "Rural Department" of the bank to the "General Banking Department". This has been considered desirable in view of confusion experienced by overseas bankers and financial institutions over the present description designated under the Act.

The Bill provides for the term "Rural Department" to be deleted wherever it occurs in the principal Act and to substitute "General Banking Department".

The second area to be amended relates to the approval of loans to bank staff.

Present procedures require the Governor to approve such loans on the recommendation of the Minister responsible for the administration of the Act.

It is proposed by this Bill to permit the commissioners of the bank to have the authority to carry out this function thereby relieving the Governor-in-Executive-Council of this somewhat cumbersome exercise.

The commissioners may approve loans to staff within guidelines fixed by the Minister and may delegate the authority to an appropriate officer of the bank.

In practice, it is proposed that this power shall be delegated to a senior officer responsible for the supervision of staff, on the approval of the Minister.

In addition, the Bill provides that loans to commissioners are required to be approved by the Governor upon the recommendation of the Minister.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Berinson.

### **MURDOCH UNIVERSITY AMENDMENT BILL**

#### *Third Reading*

**THE HON. D. J. WORDSWORTH** (South—Minister for Lands) [5.25 p.m.]: I move—

That the Bill be now read a third time.

**THE HON. G. C. MacKINNON** (South-West) [5.26 p.m.]: I was interested to listen to the debate on this measure, and I would like to explain the reason for my interest.

When the Government changed in 1974, one of the first groups of people to approach me in my capacity as the then Minister for Education was the non-academic staff of the tertiary institutions who wished to be represented on the senates of those institutions. At that time the Government was opposed to the proposal and I took it for granted that the previous Government had been opposed to it also.

In brief, the move to include non-academic staff on the senates of the three tertiary institutions was considered to be "unreasonable" for the very good reason that the Senates of the Western Australian Institute of Technology, the University of Western Australia, and the Murdoch University were meant to deal with the academic matters of training students and the like, and there was really no point in having non-academic staff on those senates.

Over the years the pressure from the non-academic staff has been unrelenting, and I would like to point out the lesson there for anyone interested. No matter how unreasonable an approach may be or may be considered to be, people should not be downhearted about the position; it is just a case of keeping on trying and eventually there will be success.

**The Hon. D. K. Dans:** Do you believe the creaking wheel gets the grease?

**The Hon. G. C. MacKINNON:** I am starting to believe that. Of course, it depends on the Government in power also.

**The Hon. D. K. Dans:** That is right. The wheelbarrow will go only as fast as you are prepared to push it.

The Hon. G. C. MacKINNON: Certainly the colleges of advanced education have non-academic staff on their boards, and they appear to be quite happy with that arrangement. I thought I heard someone say that the Senate of the University of Western Australia contained non-academic staff. If I did hear that, the comment was incorrect. It has a non-academic observer, and has had for some time. However, it does not have a non-academic staff member as a member of the senate. I believe that the Senate of WAIT does have such a member.

Despite years of effort for such a provision, the only references to this matter in the Minister's second reading speech, and indeed, the only references giving any indication that the Government thought the step was required are the following quotations—

... provide for representation of the non-academic staff ...

And a statement further on as follows—

The Bill also seeks to permit the election of one non-academic staff member to the Senate ...

We are given no reason—no explanation—for the change of heart. I do not expect the Minister for Lands to stand up to attempt to give us reasons now, but I would like to point out that over the years we have heard a great deal about the importance of this Chamber, and yet, to my knowledge, a change of attitude after nine years of constant pressure and refusal to act is accepted by the Chamber with just two lines of words which give no explanation whatsoever. I would really like to know the reason that the Opposition did not make hay out of that point.

The Hon. D. K. Dans: You are pre-empting some of the things I intend to say later.

The Hon. G. C. MacKINNON: All I can think is that the Opposition is quite happy with the move.

I would like to point out that I believe this was a pretty poor show. The record is there, loud and clear, for all to see. So people should know they are not to get downhearted if they do not get exactly what they want right when they ask for it. All they have to do is to keep on asking.

**THE HON. D. J. WORDSWORTH** (South—Minister for Lands) [5.30 p.m.]: I thank the honourable member for his contribution. I do not know whether the Parliament must receive an explanation as to why a previous Parliament decided one way or another on a matter. One could perhaps expect Mr MacKinnon to tell us why he made a decision against non-academic

staff representations when he was Minister; however, he did not. One can presume only that with the passing of time, we have mellowed in our attitude towards non-academic staff.

Question put and passed.

Bill read a third time and passed.

## RURAL YOUTH MOVEMENT AMENDMENT BILL

### Second Reading

Debate resumed from 30 September.

**THE HON. R. HETHERINGTON** (East Metropolitan) [5.31 p.m.]: The Opposition has no objection to this Bill, and we are quite happy to see it go through.

**THE HON. P. H. WELLS** (North Metropolitan) [5.32 p.m.]: I rise to speak on this Bill principally because I believe that youth in our State deserve support. Parliament has been responsible for this body since a change to the legislation was made in 1974, and funds were allocated to the organisation from general revenue. Since 1974, in excess of \$1 million has been paid to this organisation. Yet it is extremely difficult for one to find any information about this body. Despite the fact that section 13 of the Act requires the Rural Youth Movement to submit to both Houses of Parliament an annual report of its activities, I can find nothing in the records of the Parliament or the Parliamentary Library relating to the group. I managed to find the financial report of the organisation in the Auditor General's report. However, I had to find out from the organisation itself what it was doing.

This organisation is making a major contribution to the youth of our State. It has the support of the Parliament, despite the fact that it rated only four lines of debate by one member in *Hansard* in another place in 1974. The total debate in this place lasted only 20 minutes, which rather surprised me when one considers the large number of rural members in this Chamber. I noted that both the Hon. John Williams and the Hon. Ron Leeson joined the debate on that occasion. I am glad to be able to report to the Hon. Ron Leeson that the organisation intends shortly to take up his challenge of 1974 to move into Kalgoorlie. It already has two members living in Kalgoorlie, and the move to that area is expected shortly.

The Hon. G. C. MacKinnon: How many members does the organisation have Statewide?

The Hon. P. H. WELLS: At the moment, it is going reasonably well with about 900 members, although the organisation believes it does its best

at around 1 000 members. In 1974, it had 819 members in 53 clubs Statewide, making an average of 15 members a club; in 1975, it had 654 members in 46 clubs, an average of 14 members a club; in 1976, it had a record high of 1 020 members in 52 clubs, an average of 20 members a club; in 1977, membership of 977 was spread over 51 clubs, an average of 19 members a club; in 1978, 917 members formed 51 clubs, an average of 18 members a club; and, in 1979, there were 876 members in 51 clubs, an average of 17 members a club.

The reason I gave members those figures is that in 1976 the organisation experienced a reduction in its extension staff from nine to six, and the following year there was a 17 per cent reduction in Government funds. However, since 1974 the club has held a reasonably steady membership of young people between the ages of 16 and 25 years. It has been able to diversify itself across the State into some 51 clubs on an amount of money which, when taking into consideration the Consumer Price Index of six States, in real terms has increased by only 10 per cent since 1974, to \$197 000. Given the reduction in staff, the organisation has done a good job in holding its costs and diversifying its activities.

One explanation for the fact that it has not reported to Parliament is that it lacks staff; that may well be the case. However, I do not believe it is proper that a new member of Parliament should be required to wander everywhere to find out about this organisation. If Parliament is prepared to support it financially, there should be some accounting. It should report to Parliament on its record and achievements.

Once again, the body is to have a change of name. When the 1974 legislation was introduced, it provided for a name change. I note that during the 1974 debate, the Hon. John Williams referred to the fact that, having decided on a new name, it was some six years before the organisation got around to changing its name in legislation. I believe this time the name change has taken only four years to get to Parliament. It has been accepted by the organisation, so it is virtually a *fait accompli*.

The movement today is involved with youth in a much broader way from the earlier concept of the junior farmers' organisation. It has accepted the challenge to provide for the needs of youth not only in remote areas—if it is moving into Kalgoorlie, it certainly is moving far afield—but also in the city. Last year, the organisation held a "farm-in" which enabled city people to travel to rural areas to see what was going on there. I understand it also conducted a project at

Nungarin recently, which attracted some 400 people from a wide area.

The organisation needs to be complimented on the way it has been able to diversify its activities and penetrate a wide area of the State. There are other city-based bodies which attempt to provide a service similar to that provided by the Rural Youth Movement. Although the Rural Youth Movement has been formed to meet the needs of youth in remote areas it is also seeking within its limited resources, to help young people in the city. It has three clubs in the metropolitan area and is endeavouring to bridge the gap between the country and the city.

Youth clubs in this State should have the support of the Parliament. They make a contribution, very often without massive financial support. One aspect of the Rural Youth Movement which disappoints me is the reduction in sponsorship from business sources. I note from the 1974 and 1975 reports that organisations such as Dunlop, the Bank of New South Wales, and others granted money to the RYM. I realise, of course, that a large amount of the movement's money is raised by the federation; the council is there only to provide expertise and support. However, I hope the organisation does not rely only on grants for its revenue.

Members would be aware of the existence of other clubs, such as the Young Australia League. In 1979-80, over 1 200 young people between the ages of nine and 17 years took part in camps at Araluen run by that league which should be very dear to the hearts of all members, because it has in its possession the first football used in interschool football events. It has a lifetime association with football. In fact, I believe the Simpson Memorial Stand at Subiaco was named after an official of the Young Australia League. Over 7 000 young people from schools throughout Western Australia have used the league's centre.

Organisations such as this do not receive very large Government grants. For instance, the Young Australia League received only \$2 800 of the total 1978-79 grant programme, yet with those limited resources it is doing its best to help the young people of this State.

The Young Australia League says to young people, "Come to our camps and experience leadership." At the moment, the league is branching out, and is advising young people who are unemployed.

I visited the YMCA in my electorate at Scarborough recently, and I was impressed by the way young people were accepting leadership within that club, and were gaining a sense of

responsibility. This is important. If we are to invest money in youth organisations in Western Australia we need to watch and recognise what they are doing.

The Police and Citizens Youth Clubs are also doing a great job. The organisation at Scarborough is making a major contribution not only in its youth programmes, but also in taking youths off the streets and developing their leadership qualities.

These youth groups are experiencing financial difficulties and this year have formed themselves into one youth association. They are seeking to attract support from Government and private enterprise. We must recognise there is a need to develop the youth of our State.

Part of the change contained in this Bill is to enable the Rural Youth Movement to have a more diversified membership. I was horrified to read in the principal Act the following concerning *ex officio* and nominee councillors—

- (2) Of the persons appointed to the office of *ex officio* councillor,

one shall be an officer of the Department of Agriculture of the State; and

one shall be an officer of the Education Department of the State.

- (3) Of the persons appointed to office as nominee councillor,

one shall be a nominee of the University of Western Australia—Institute of Agriculture;

one shall be a nominee of The Farmers Union of Western Australia (Inc.);

one shall be a nominee of The Royal Agricultural Society of Western Australia;

one shall be a nominee of the Country Women's Association of Western Australia;

one shall be a nominee of The Perth Chamber of Commerce;

one shall be a nominee of the Advisory Committee of the West Australian Federation of Junior Farmers' Clubs; and

three shall be nominees of the West Australian Federation of Junior Farmers' Clubs.

Despite the high ideals of this organisation, such a list restricts the expertise upon which it can draw. We live in a changing society, and this Bill provides the movement with the ability to diversify its activities. Now it will be able to draw on people from a range of areas and with a

variety of expertise to suit its changing needs, whether it be to work with youth in rural areas or to teach city people what is going on in the country, or in the remote areas of our State.

The legislation before us will give the movement the ability to call upon expertise, and then it will be like all other organisations—it will seek recommendations from busy people in the community.

I am rather heartened by the suggestion of the Chairman of the WA Week Council that he hoped that WA Week in 1981 would also be seen as a week of youth. He wants the youth brought into the celebrations.

I hope we might be able to convince the media to dedicate one page on each day of WA Week to illustrate the positive achievements of youth, instead of continually showing only their bad achievements. I hope we might be able to look at the achievements of the Rural Youth Movement, because we do not have such records in this place. I know the Hon. Mr Gayfer and the Hon. Mr Williams, who have been involved with this organisation, may well be able to tell us about its achievements.

The Hon. H. W. Gayfer: Or the Hon. Neil McNeill, who was involved before the Hon. Mr Williams.

The Hon. P. H. WELLS: WA Week might be a time for the media to publicise the achievements and contributions of our future leaders and the achievements of organisations such as the Young Australia League, the YMCA, and the Ryler Movement. We should ferret out information as to the achievements of our youth and have it publicised during that week. We should pat the young people on the back instead of continually telling them to pull up their socks. It is time we told our young people that they are doing a good job and heading in the right direction. Just as WA Week has seen the introduction of awards for members of our community, we have a tremendous opportunity to present awards which recognise the achievements of our youth and to show that they are making a contribution to the community.

It would be tremendous if an organisation like Jaycees, which got behind the WA Week awards, would give a similar promotion of awards to take note not just of the rural youth, but also of the youth right across the State and compliment the many young people who play a major part in contributing not only to youth organisations, but also to the entire community.

This Bill goes some way towards allowing the movement to develop its own expertise and move



into an area which perhaps it has not covered before.

I believe the Rural Youth Movement needs to be complimented because although the Auditor General's Report indicates that since 1974 there has been an increase of 10 per cent in real terms in grants, the RYM has been able to maintain assistance for people in the rural area. It has been able to establish a challenging programme, and it appears that it will be moving into the Kalgoorlie region and, I trust, many other remote areas in the coming years. The request for a change is an indication that the movement recognises there must be a change and that the money provided by the Parliament must be used in the best way possible to support youth, particularly in rural areas.

I trust that not only will we hear more from them, but also that the media will take steps to report more of what is going on in that movement and the many other youth organisations which serve our community. I support the Bill.

**THE HON. R. J. L. WILLIAMS** (Metropolitan) [5.50 p.m.]: I thank the Hon. Peter Wells for reminding the House of the achievements of the Rural Youth Movement, and I would like to set the record straight. First of all, I was an extension officer with this organisation, and I succeeded the Hon. Don Taylor who was an extension officer, who succeeded the Hon. Neil McNeill, who also was an extension officer. In those days we referred to the organisation as the Junior Farmer Movement. I would like to clear up one or two misconceptions about the movement which the Hon. Peter Wells might not be aware of, and I do not blame him for that.

First of all, in 1969 the Junior Farmer Movement realised that the farming and rural community was suffering from hard times, and so two clubs were formed in the city. Indeed, one was named the City Club and had 120 members. It helped to maintain together the junior farmers who were turned off their properties because of bad years; it kept a connection for them in the city.

Many great schemes were drawn up on paper to enhance the idea, but they came to nought because when we were dealing with junior farmers in those days we had to realise, and realise quickly, that they responded to guidance and expertise, but were extremely independent; they wanted to do the job the way they saw it. As officers of the Junior Farmer Movement we were there to encourage just that.

I always thought of them as being disadvantaged because of the tyranny of the

geography of this State, and I am sure the Hon. Neil McNeill will agree the original concept was absolutely brilliant. The Hon. Mick Gayfer and I were first acquainted through the Junior Farmer Movement when we visited Bruce Rock where, the following day, we were to celebrate the demolition of the Bruce Rock hall. The junior farmers almost did away with the necessity to bring in the bulldozers on the Monday!

It is wrong for anyone to say that no records were kept. In fact, extensive records are kept, and in those days the media was extremely kind to the Junior Farmer Movement. Not all political parties thought that the movement should continue, because the original concept was lost and it was felt by some members of some political parties that it was a sort of elite movement which had more money than members. But time has proved them to be quite wrong.

The Hon. Peter Wells reminded me of the Dunlop Award, which was an award given to the person considered to be the junior farmer of the year. I can remember the award being made when we were in the Hon. Jim Brown's territory of Merredin when we had Achievement Weekends. These were held at various centres around the State on long weekends when junior farmers came together to compete in all aspects of agricultural life. There were shearing and wool-classing competitions, as well as dressmaking, debating, and drama competitions—and we had to find our way to the nearest gravel pit.

Prior to my joining the Junior Farmer Movement its membership was considerable, and it was assured that recruitment would go on because families carried on the tradition. In fact, one very famous family in Merredin had three sons who became presidents of this movement. These men were also great footballers in the region and were a great tribute to the Junior Farmer Movement. Members of the movement had no shyness after they had been involved for two or three years. Some of the girls came to the city to compete in quests. Mrs Debbie Borschoff, who was previously Debbie Farrington, excelled in this area. She helped girls gain a great deal of poise from their involvement with the movement and many girls learned the art of dressmaking, modelling, and beauty care. It was astonishing to see the development of these young people and just how they contributed to the communities from which they came. I remember that the Hon. Syd Thompson's daughter, Gail, who worked for many years in Wagin, proved to be a great asset to the movement.

Not enough tribute has been paid to the RYM. It is a quiet movement which does its job

efficiently in the way it was intended to be done. As I said, its job was to fill in those gaps in the life of rural people created by the tyranny of the geography of this State.

The name "Rural Youth Movement" was born in Queensland; it was suggested by an extension officer. The name was put forward year after year as a hardy annual at the conferences, but was always beaten by a handful of votes. At one conference it was beaten by just two votes, but finally it was accepted.

The changes the movement is making now are sensible, and I ask this and future Governments to take a charitable interest in this organisation. Although its fortunes fluctuate with regard to membership, there is no reason that it should be dispensed with, because in the rural community it forms a most essential part of rural life.

I add to the Hon. Peter Wells' appeal to the media to go out and search for the good things done by our youth. To expect this to happen is really a pipe dream, because the good things our youth do do not sell newspapers, nor do they stimulate people. Parliament should be satisfied that an organisation exists which does a great deal of good for country people. I support the Bill.

*Sitting suspended from 5.59 to 7.30 p.m.*

**THE HON. NEIL McNEILL** (Lower West) [7.30 p.m.]: This Bill could be described properly as little more than a domestic Bill affecting simply the local or domestic operations of the Rural Youth Movement in Western Australia. No particular matter contained in the Bill has any direct, far-reaching consequences. But because it has some important implications as distinct from direct consequences, it merits the sort of note which has already been struck. I think we should be grateful to the Hon. Peter Wells and the Hon. John Williams for elaborating some of these implications and at the same time referring to a little of the history of the Rural Youth Movement and its predecessor, the Junior Farmer Movement, in Western Australia.

I felt somewhat compelled to rise to my feet and make some observations because I started to feel my seniority, if not my advancing years—

The Hon. G. C. MacKinnon: You are lucky Don Taylor is not up here, too.

The Hon. NEIL McNEILL: The Hon. Don Taylor is a new boy, relatively speaking.

However, I consider there has been some loose talk, and I think some further explanation should be given for the record. I do not say the talk in this House has been loose, but certainly there has been some loose talk elsewhere.

For the benefit of those who may not know about the movement, I will commence by differentiating between the two parts of the Rural Youth Movement or the two separate organisations comprising the matter under consideration in this Bill. The first is the body known as the Federation of Rural Youth Clubs in Western Australia. It is a corporate body which is its own master and has operated for many years. It was the first organisation under this heading to come into being in Western Australia. The second organisation is the one dealt with and affected by this Bill; that is, the "Rural Youth Movement Council" as it will be named as a consequence of the Bill. It is also a separate organisation, but it has an association with the Federation of Youth Clubs. It is the "Rural Youth Movement Council" we are talking about in this Bill.

Having said that, I will refer to the history and some of the loose talk. It has been mentioned here and elsewhere that a member of this Parliament—one of the expressions used was "a number of members"—obtained training in the Rural Youth Movement in order to fulfil future ambitions. I am not sure that is correct. If one bears in mind the two organisations, one knows it is true that a considerable number of members of Parliament—both of this Parliament and of the Federal Parliament—have had the advantage of training received within the Federation of Junior Farmers Clubs or Rural Youth Clubs in this State. They obtained the benefits and some of their training through their participation in the Junior Farmer or Rural Youth Movement as members of various clubs throughout Western Australia.

A number of people were responsible for the training. Those people who were members of the staff of the Junior Farmer Movement or Rural Youth Council are also members of Parliament. Taking them in the order in which they took part in that movement or council as staff members, they are, first of all, myself, prior to 1961, succeeded by the Hon. Don Taylor and the Hon. John Williams. We three are the only members of this Parliament who occupied positions as senior extension officers and staff members of the Junior Farmer Movement or the Rural Youth Movement Council.

Other members of Parliament have served in the capacity of either adult advisers to the Junior Farmer or Rural Youth Clubs in Western Australia or as members of those clubs. Two members of Parliament, present and past, have enjoyed those benefits, and at least one senator in the Federal Parliament was a member of the Junior Farmer Movement a long time ago. I stand to be corrected but I believe it is Senator Peter

Walsh who was one of the earlier participants in the Junior Farmer Movement as a member.

I will also put on record some of the history of the movement. The Junior Farmer Movement did not commence with the original legislation in this Parliament, which I understand was introduced in 1955 by the then Hawke Government which set up the Junior Farmer Council in Western Australia. The Junior Farmer Movement had been operating for some years prior to that, and its origins lay with one gentleman of revered memory in this State, Mr Norman Elliott, who at the time was headmaster of the school at Harvey. He provided the initiative to start the clubs, making use of an idea which had already been in operation in some other States. I am referring to a time more than 40 years ago.

The first club was the Harvey club. I am not sure which was the second, but the two clubs formed subsequently were those at Waroona and Kellerberrin. I believe they were the first three clubs in the Junior Farmer Movement in Western Australia, and that was more than 40 years ago.

The value of the movement was recognised by the Government at that time and a gentleman was seconded for the purpose of providing some guidance in much the same way as the extension officers do at the present time. The person to whom that lot fell was a Mr George Young, who is also well remembered by many junior farmers throughout Western Australia. Mr George Young accepted the responsibility but there was no legislation at the time. He operated almost alone but in co-operation with the junior farmers themselves, and in fact it was a very successful organisation. There were, and I have no doubt there still are, some people who believed that the operations of the junior farmers might well have been the most successful during that period of its operation. But that point is not open to debate.

In 1955, when the Hawke Government brought in the legislation setting up the Junior Farmer Movement Council, the services of Mr Young were no longer required in that capacity—there was no place for him—and an establishment was set up with an executive officer and three extension officers who, with three members of the clerical staff, constituted a total staff of seven people. It was about that period that I joined the movement council as an agricultural extension officer, and I believe it was the beginning of a very active period within the movement.

The Hon. Peter Wells referred to the membership and activities in recent years and the difficulty experienced by the staff in preparing annual reports for Parliament, and suchlike. In

the four years prior to 1961, when I had an intimate knowledge of the movement, we had in excess of 2 000 members of the Junior Farmer Federation throughout Western Australia, and in excess of 100 clubs, indicating an average membership per club in the vicinity of 20. It was a very active period.

The Hon. Peter Wells also referred, quite rightly, to the publicity given to those people at that time. There was a great deal of publicity. In fact, there was some criticism that they were getting too much publicity. The federation itself, in co-operation with the council, had its own magazine going out on a regular basis. In addition, one of the newspapers, the *Farmers Weekly*, handed over a double-page spread to the movement council to use as it wanted, and it was a very good news source. This continued in succeeding years. There were also regular weekly features on the ABC "Country Hour" programme.

The Hon. P. H. Wells: That has gone long since.

The Hon. NEIL McNEILL: I do not know what has gone wrong, if anything. I make the observation that that is what happened. It was said that I and others received some training at that time. It certainly was an opportunity for me to get some training in live broadcasting. I made many broadcasts over the ABC in the "Country Hour" programme during that period.

I have recounted that history because I think one needs to keep these things in perspective. Many people in those days probably thought the movement council was overstuffed, but we did not have as much staff then as we had subsequently, and there was much more activity and there were more members than there are at present. I do not know what has happened, but for one reason or another either the movement council or the federation, or perhaps both, combined with other influences, have not been able to adjust themselves to the changes which have taken place in the last 20 years.

The Hon. P. H. Wells: Drought is certainly affecting them at the moment.

The Hon. NEIL McNEILL: I would not agree with that; I do not believe the drought would affect them. Perhaps it could be said that bad seasons and indigent circumstances have dogged the farming community of Western Australia ever since farming first started here. I believe it is during periods of difficulty that community spirit and initiative have operated at their best. In many instances these organisations have flourished in somewhat difficult circumstances because their

members have realised that the responsibility has come back upon them to provide outlets, to provide initiatives, and to gain training. Such responsibility has rested with them to a great extent. It may well be that the movement has made its greatest strides during such periods.

Of course, the reverse of what the Hon. Peter Wells said may well be the case; it may be that a wave of interest has been caused because the situation has been better over a greater part of this period. I do not know; I simply make these observations because I believe they may be relevant.

To come back to the point which I think is important: We must recognise that the spirit of rural youth as an organisation started long before the legislation. In other words, it did not need the legislation because the initiatives came from within and not from without. Therefore, what we are doing now in amending the Act may have some benefits in that it may revitalise the organisation, although I am not sure to what extent and I am not sure it will be necessarily significant unless the initiative remains with the people in the country districts, because that is where the drive will come from.

Let me come now to the Bill itself and make some specific observations on it in other than general terms. The Minister said the Bill was concerned mainly with three amendments to the Act. The first is to change the name of the movement; the second is to change the membership of the Rural Youth Movement Council, and the third is to give the council power to establish subcommittees.

I must confess that I am rather curious about the necessity to amend the Act to introduce statutory recognition of the setting up of subcommittees for a specific purpose. Frankly it seems to me to be almost unnecessary. Why should we need to have statutory recognition of the fact that an organisation may set up subcommittees at Albany, Narrogin, Karratha, Kalgoorlie, or some other place?

I would like the Minister to inform me why this is necessary. I would imagine that there would not be anything limiting the ability of extension officers, in conjunction with the members of the federation, to form their own groups. For years we operated in that way in co-operation with the clubs, and I can really see no reason that the movement should not continue in that fashion. When the Minister replies to the debate I would like him to make an observation as to why it is deemed necessary to have statutory endorsement

for the setting up of subcommittees. Frankly, I can think of nothing of less consequence in a Bill.

I would like to make a further point. The Minister said the Bill contains three amendments; in fact it has four amendments. I refer to clause 6 which in my view may well be the most important part of the Bill. This matter may well be best dealt with in Committee, so I will refer to it only in general terms. Clause 6 amends section 8 of the Act. The relevant part of section 8 is subsection (1)(b) which, until now, has been concerned with the functions, powers, and duties of the council, "with power to review and amend programmes". The Bill proposes to delete those words so that the provision will read, ". . . in all aspects of its activities with power to suggest programmes of activities of that body."

The significance of that change will be seen. Until now the movement council has had power to review and amend programmes of the Federation of Rural Youth Clubs; and it would seem to me that the federation does not believe—and probably the council does not believe or has been persuaded that it should not believe—it should have power to review and amend programmes, and so those words are to be deleted from the Act. In fact, the movement in future will have power only to suggest programmes of activities. I do not know what is the reason for this, but there must be significance in the fact that the organisation has gone to the department and the Minister seeking an amendment of this nature.

This brings me to the point made very rightly and properly by the Hon. Peter Wells: that as no reports of this organisation have been tabled in the Parliament, the Minister might well have taken the opportunity with the introduction of this Bill to do what I and other members have done and report on the operations and activities of this body. I think it would have been most appropriate had he done that so that at least the Parliament and the public would be more aware of how this body is operating and what sort of activities it is engaging in.

We should not have to rely on the Hon. Peter Wells to supply information, in reply to an interjection, as to the number of members and the number of clubs. That is something the Minister might well have given in his second reading speech. Certainly I am saying this in a critical sense, but I am not saying it only in a critical sense; because as other members have said, if the Minister had done this he would have given practical recognition to the importance of the organisation. I believe it would be something of a revelation to many people to learn the extent to which people throughout Western Australia in

prominent positions have gained their foundation through their association with this movement. Many prominent people who have achieved a high position and have contributed to a tremendous number of rural activities—not only the Farmers' Union, the Pastoralists and Graziers Association, and the Country Women's Association, but also local authorities—gained a tremendous foundation through their association with this movement.

The ranks of those people include many shire presidents, shire councillors, and members of Parliament. I believe the contribution made by this organisation to the development of Western Australia has been significant and has been of immeasurable worth. This is something to which recognition could have been given in the Minister's second reading speech.

I would close by commenting that this is an organisation to be encouraged. I recall an expression I used on a great many instances when, after attending achievement days and taking part in the judgment of displays throughout Western Australia, I would return home to my wife and family and comment that I never ceased to be impressed by the achievements and attitude of those young people in their public activities. There was never an occasion on which I did not express that sentiment. The young people involved have benefited from that involvement, and the whole of Western Australia has benefited from the training they have received, not only as a result of the activities of the movement council, but also as a result of the exercise of their own responsibility and initiative.

I support the Bill and I hope that the Minister when replying to this debate, or at the third reading, may be able to give us a little more authentic information about this organisation and its future operations, prospects, and aims. If he does that, the Parliament will be a little more aware of the contribution these young people have made. Of course, some of those who have been involved are now quite elderly; but certainly the young people are continuing to make a contribution to the growth and development of Western Australia.

**THE HON. J. M. BROWN** (South-East) [7.56 p.m.]: I join with other members in supporting the Bill. The reason I have risen to my feet is that I had the opportunity last weekend to be a guest of the Rural Youth Movement Council at its State achievement weekend held at Nungarin. At 2.00 p.m. some 450 persons were there, and as I headed home I could see cars rolling up in droves. The organisation needed an attendance of 500 to break even.

The Hon. John Williams, the Hon. Neil McNeill, and the Hon. A. D. Taylor would have been very pleased and proud of the organisation of the weekend. I am aware of their background of association with rural youth organisations, and they will be pleased to learn that the weekend went without a hitch.

A tremendous effort was made by the people of Nungarin; by not only those in the local authority, but also the men and women of the district. They are to be congratulated on their organisation, on the way the tents were situated throughout the recreational area, and on the marquees in which displays were conducted by members of the Rural Youth Movement Federation. The displays in particular were something to be admired. I am sure the members to whom I have referred would be proud to know how successful the weekend was and how their contribution has been so worthwhile.

Not only the people of Nungarin attended the event because I noticed people from neighbouring shires making a contribution by judging the displays. The effort that went into the organisation of the weekend can add only credit to the movement.

I would like to refer to a Mr Graham Bailey, who is locally known as "Bails". He was previously an organising chairman and is now an organising secretary of the movement, and was responsible for the organisation of the Nungarin weekend. He left no stone unturned to ensure that everybody was able to participate. I think the all-important matter here is that it is not the contribution from the Government to this organisation which counts; it is the contribution from the community which counts.

If the community wants something to be successful, it must contribute to it. This spirit has been exemplified by the Rural Youth Movement over many years. Had the movement had to rely on handouts, I am sure it would not have achieved the success it has achieved. Whilst the movement is small in number at the moment, I do not think that is the criterion for its continued success. There are fluctuations in any movement; but the performance of this one is to be admired.

I was reminded this evening that the Rural Youth Movement has one life member, Professor C. A. Parker—Lex Parker—who for 10 years was the chairman. The member for Fremantle is the son of that gentleman.

The Hon. Neil McNeill: Could I be precise and say he was chairman of the movement's council?

The Hon. J. M. BROWN: Yes. He was chairman of the movement's council. I understand

that his contributions to the organisation over many years were of inestimable value to it. For two years the Hon. H. D. Evans was a district youth officer stationed at Bridgetown, as he informed me this evening. Therefore there has been a long link between the Parliament and the RYM. Those people have made a contribution to what I consider to be a very successful organisation.

Whilst it does not have much publicity in the metropolitan newspapers, the RYM is afforded good publicity in the country Press. It is sad that there is little opportunity for people in the city to learn of these things. There has always been ample publicity within the rural community, because in the main they organise their pursuits.

I wish to comment on how well the RYM has been functioning, and whether its numbers are small or large, it will continue to flourish. Many a young person has had the opportunity to travel interstate and overseas through it.

A young lass from England was at Nungarin and she was relying on somebody from Albany to take her to that town for a further part of her study tour. The nature of the organisation is world wide.

The Hon. John Williams mentioned a family, and we decided in the corridor that the Cahill family was the family he meant. I know the three boys very well indeed; and two of them are still farming in the district.

Many persons, both male and female, have had a wonderful opportunity to show their talents. As the Bill sets out, the ethics of good citizenship have always been displayed by the young people in the RYM. For my part, I support the Bill.

**THE HON. W. M. PIESSE** (Lower Central) [8.02 p.m.]: It may not be that I am the oldest member in the House, but it may be I am the oldest or the longest serving member of junior farmers. I say that because no-one has mentioned they were ever a member of the then Junior Farmer Movement.

My childhood was spent in the State of Victoria. It seems to me that, listening to the debate, perhaps this organisation had a much earlier birth in Victoria than it did in the State of Western Australia. I do not know whether that is true; but it is a fact that it was in the earlier part of the 1930s that I was a member of the Junior Farmer Movement when it first started. I lived 25 miles from Melbourne; and in that town the Junior Farmer Movement was started by the headmaster at the State school.

I was most interested to see the following clause in the Bill—

- (c) the remaining members of the Council shall be appointed by the Minister from the community and shall be persons having special interests and expertise in areas such as rural affairs, development of youth, education, civic affairs, women's affairs, . . .

Women's affairs! That reminds me of something that is rather funny. I was only a small girl in the State school, and the headmaster said "We're going to start this new farmers club, and every child who joins it"—at that stage, we were very young; about nine years of age—"will have to have a project." We were all asked what was the special thing that we liked to do regarding farming. Of course, I had been born and bred on a small orchard-cum-mixed farm; and one of my jobs before and after school was to feed our pet calves. I said to the headmaster, "Well, I would like to take calves as my project", because I knew quite a lot about them. He tut-tutted, and he was embarrassed. I think he was an academic; and he said, "Oh, no, Win, you couldn't have calves. I mean, that's for boys. You couldn't do calves." That showed that the headmaster did not really know what the daughters of farmers had to do!

One should bear in mind that the 1930s were the years of the Depression, and this movement was born out of the Depression. There is no doubt about that. In those days, the children on the farms had to do work before they walked to school; and they had their particular jobs to do when they came home at night. My second job was to feed the fowls; so when I was not allowed to take calves as my project I said, "All right, I'll have fowls." "Oh no", he said. "No, no. That's not for girls. You couldn't have fowls as your project. What about—what about gardening? Now, that's a nice thing for girls. What about gardening?" I said, "Well, yes, I have a good vegetable garden." "Oh, no, no", he said. "Flowers—only flowers. I think you'd better make that your project." Therefore, my initiation into the Junior Farmer Movement in Victoria was with a project on flowers. It is true I did have some flowers; but they were not considered by myself or my parents to be half as important as the rearing of the calves, the feeding of the fowls, the gathering of the eggs, or the growing of the vegetables. However, that was a sign of the times.

The Hon. Peter Wells said, "What has gone wrong?" I do not think one can really say something has gone wrong; but things are different. The needs are different. Unfortunately we are moving into a time when belts will have to be tightened, and the important things will be the rearing of calves, the growing of vegetables, and

things like that which will lead to the return of those values.

The Hon. P. H. Wells: I think there are some non-agricultural people moving into that area.

The Hon. W. M. PIESSE: That is so. I would like to speak a little about that, because in those days, this organisation grew and flourished specifically in agricultural areas. I say this without any "sour grapes" or "tongue in cheek", when it was seen that the young people were gaining such benefits, such education, and such sheer joy of living out of the organisation, it spread into the areas that were not purely agricultural. That was a good thing, and it is still a good thing. However, as I say, at present the needs are different.

When the Minister replies, I hope he will be able to tell me exactly what he visualises to be included in the term "women's affairs". That is quite interesting. We still have the CWA; and that is another movement that grew in the country and spread to the city; but that is another story. Members probably will find that if they need somebody who is able to talk about finance, the development of youth, civic affairs, and local government, one person who can do that is a member of the CWA; and she would come under the title of "women's affairs".

When the Junior Farmer Movement was born in my town in Victoria, there was a certain amount of adult resistance because the farmers were struggling. That was not because there was a drought, but simply because everything was at such a low ebb. The parents were anxious to learn whether this Junior Farmer Movement would be costly to their families. They wondered whether the children who were members would have to contribute, bearing in mind that one penny bought a double-sized loaf of bread in those days. I think \$2 of 1, or it may have been 15s, was the basic wage. Parents were concerned about whether there would be a joining fee. They wondered whether the children would have to have special things to belong to the organisation.

As has been said tonight, for the most part from that time until now, the Junior Farmer Movement and the Rural Youth Movement have been largely self-supporting. It is only in more recent years that the Governments have contributed anything towards the movement. I am very much in favour of the giving of assistance, but there should not be any taking over.

After I came to Western Australia and settled in Wagin, when the first group was starting in that town I was asked to be an adult adviser. That was in the late 1940s or the early 1950s—I cannot remember the year exactly. At that time,

the movement had taken a slightly different turn, and the girls were doing the things, which in my youth, I had been persuaded not to do. They were encouraged to move into the sphere of those types of projects. This was after the War, when the Women's Land Army had done such a sterling job during the Second World War. That had made a difference. The young women were then accepted as capable of understanding and rearing calves, and of handling quite a lot of stud stock work.

The young women were also doing projects such as reafforestation and many other things, which undoubtedly became women's affairs as well as men's affairs. This was a tremendous step forward.

Later, in that area, when my children reached teenage, the joining age for the movement had been defined as somewhat older than nine years. The Rural Youth Movement served as a wonderful bridging time for the teenagers. When they were on the point of leaving school or had left school and were going to secondary school, when they were at the "hot and cold flush" stage, the movement helped them. If anyone had spoken to them, they would have been terrified; and they would have been terrified if nobody had spoken to them. The movement served a wonderful purpose in those times.

I can remember when my children were at that age, and my daughter went for the first time to a Rural Youth Movement meeting. She was very shy and embarrassed, wondering how she would cope. During the evening, one of the older members came to her and said, "Somebody has to make the tea. I wonder if you would help?" Of course, this gave her something to do. She was needed. So many of our young people today must feel needed, and they must believe that people consider they are capable of doing a job. They need to be able to get out in a crowd of strangers and gain confidence. Today, the Rural Youth Movement has that wonderful attribute for the young people. It is a great help in our society that the young fledglings entering society have this sort of assistance.

There is one other matter I would like to mention in relation to the Bill, apart from the aspect of women's affairs; that is, the power to amend programmes. I would be most interested to have an explanation from the Minister as to why that clause has been inserted. It seemed to me that the reason for adult advisers in the Rural Youth Movement was just that—to advise. Perhaps it has been found that the wrong people or people without sufficient rapport for young people have been in that capacity. For whatever

reason, they no longer have the power to amend programmes.

It may be that young people now are much more confident and able to work out their own programmes without the aid of adult advisers. I do not know; but I would be most interested to hear why that provision is incorporated.

I certainly support the Bill. Although the membership of the Rural Youth Movement is down at the present time, I believe it will go up again. One of the reasons the membership fluctuates is that it depends on the age of farmers in that zone. There are farms which belong to people such as the Hon. Mick Gayfer and I who eventually reach the age where our children take over the farm. The grandchildren then become involved in these activities and there is a new influx of memberships to these rural youth groups.

The Hon. H. W. Gayfer: I cannot remember the early 1930s. I can remember only the late 1930s.

The Hon. W. M. PIESSE: Some people have better memories than others, even though we were all there.

The Hon. P. H. Wells: I was not there. I may have been a twinkle in the eye.

The Hon. W. M. PIESSE: The Hon. Mick Gayfer and I were there. This is the reason the memberships of these organisations fluctuate. At the present time there is a decline in the population numbers generally in rural areas. As families reproduce, and the next generation comes along, so too will the memberships of these organisations increase. When these young farmers reach adulthood, the numbers will decline again until their children are of an age to join these organisations.

The Rural Youth Movement will continue to have its ups and downs. Let us hope it will be of as much value to the people during the next decade as it was in the past.

**THE HON. D. J. WORDSWORTH** (South—Minister for Lands) [8.17 p.m.]: I feel the length and standard of the debate on this Bill is a tribute to the rural youth organisations or clubs.

The Hon. D. K. Dans: I thought you were going to say it was a tribute to the stamina of members who have spoken.

The Hon. D. J. WORDSWORTH: Perhaps that could apply also. I am sorry I was not able to prove I was a member of one of these clubs before the Hon. Win Piesse; but I lived in another State and, in the 1940s, I was a member of one of these

clubs. That was certainly before the Rural Youth Movement was started in Western Australia. I believe it began in 1954. It is obvious the clubs were in operation throughout Australia prior to that time. I was also a member of the State council in Tasmania, and we used to have interstate competitions in those days.

I thank Mr Wells for the research he carried out, even if he served to fire up the more experienced members who have had so much background in either the rural youth organisations or the Young Farmers' clubs as they were known in those days.

I am a little old-fashioned; I believe these clubs should still be called "Young Farmers" clubs.

The Hon. P. H. Wells: You must bear in mind that 60 per cent of the members do not have an agricultural background.

The Hon. D. J. WORDSWORTH: That may be so; but in the days to which the Hon. Win Piesse referred, a number of the members were not sons and daughters of farmers, but were interested enough to join and participate in the projects that took place.

The Hon. P. H. Wells: Don't you think they had more of an agricultural background in those days?

The Hon. D. J. WORDSWORTH: In those days perhaps everyone in Australia had a better appreciation of the rural situation. We are beginning to lose that. One of the benefits of the Rural Youth Movement is that it gives people in the city a better appreciation of agriculture.

The Hon. P. H. Wells: Don't you think when Government funding began the organisation extended to people both country and city living?

The Hon. D. J. WORDSWORTH: I am not sure whether I agree with the honourable member. Perhaps the Rural Youth Movement took the place of the boy scouts.

The Hon. P. H. Wells: The boy scouts are still going strong.

The Hon. D. K. Dans: This reminds me of a nice little arm-chair chat.

The Hon. D. J. WORDSWORTH: Perhaps when members consider how quickly the Bill was dealt with in the other place, they will realise that is not such a bad thing.

I do not intend to answer the questions raised at this stage, but rather to deal with them in Committee.

The Hon. Win Piesse referred to women's affairs. I believe that perhaps the person who prepared the second reading speech was



endeavouring to interpret the executive positions which have been replaced. If members look at them, they will find such organisations as the University of Western Australia, the Farmers' Union, the Royal Agricultural Society, the Country Women of Perth, the Chamber of Commerce, and the rural youth members themselves.

When I looked at the various matters involved, I noticed the first one mentioned was "finance". When the young farmers' clubs started off, they were sponsored by the Bank of New South Wales. I was on the executive council in Tasmania and I believe the bank contributed \$15 000 and another \$15 000 was received, making a total of \$30 000 in sponsorship. That is why the sponsors were listed as councillors in the early days. As soon as Government funding began, the sponsors stopped contributing and I believe that is something of a loss.

I thank members for their support of the legislation.

Question put and passed.

Bill read a second time.

### ADOPTION OF CHILDREN AMENDMENT BILL

#### *In Committee*

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. D. J. Wordsworth (Minister for Lands) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 10 amended—

The Hon. H. W. OLNEY: I move an amendment—

Page 3, after line 11—Add the following passage:—

provided that notwithstanding the provisions of paragraphs (a), (b) and (c) of this subsection where

- (d) a child the subject of an application for an order for adoption has attained the age of twelve years, and
- (e) the application seeks an order to confer on the child the surname by which the child was known immediately before the making of the order,

the Judge may make an order conferring that surname on the child if he is satisfied that the child agrees to continue to be known by that name.

The amendment seeks to remedy what I suggested in my second reading speech was an

inadequacy in the present legislation. I should like briefly to explain the alternative method we propose.

Section 10 of the Act provides for the conferring on an adopted child of the surname of the adopting parents and that name, together with the Christian name, is to be set out in the order of adoption. Subsection (2) of section 10 makes provision with respect to the Christian or given name of the adopted child. It reads as follows—

(2) Where—

- (a) a child the subject of an application for an order of adoption has attained the age of twelve years; and
- (b) the application seeks an order to confer on the child a name (commonly known as a Christian name) other than the name by which the child is known immediately before the making of the order,

the Judge shall not make an order conferring that other name on the child unless he is satisfied that the child agrees to be known by that other name.

As far as the Christian or given name of the child is concerned, the Act provides that, where the child is over 12 years of age, that name cannot be changed without the child himself or herself agreeing and without the judge being satisfied the child has agreed.

The provision with respect to the surname is as I indicated earlier; that is, that the order of adoption shall confer the surname of the adopting parent on the adopted child.

In his second reading speech, the Minister said—

There has been uncertainty in the Family Court in cases where adopting parents have different surnames, because the wife has retained her own surname after marriage. This Bill provides that an adopted child, like any other child of married parents, will take the surname of the adopting father.

Before I came into this Parliament, I would have been surprised to think I would ever agree with anything said by the Hon. Graham MacKinnon; however, I am finding as time goes by I agree with a great deal of what he says. I agree particularly with a statement he made tonight with regard to the lack of detail provided to the House in Ministers' second reading speeches on Bills.

When I spoke during the second reading stage of the Bill I took up this particular point and said—

The Minister in his speech said that there has been some uncertainty in the Family Court in certain circumstances.

I then referred to a matter which had been mentioned in a previous Bill that night dealing with the view of the Parliamentary Counsel. I went on to say—

Here again, I would have liked to hear from the Minister what the uncertainty is, because if one looks at the Act as it stands—that is, section 10, which is proposed to be amended in relation to the surname of the adopted child—perhaps there is some uncertainty that needs to be cleared up. However, I would have thought the Minister would tell us what the uncertainties are in order to justify the legislation; and in so doing he may have indicated to us whether or not the particular means sought to remedy the uncertainty in the form they take in the Bill are the appropriate means.

We have the word of the Minister that the Family Court is in some uncertainty, but we have not been told what the uncertainty is, so we are at some disadvantage in knowing whether or not the proposals of the Government are the best ones, because we do not really know what the proposals are aimed at.

Clause 4 of the Bill before the Committee seeks to make it mandatory that, in every adoption, the surname of the adopted child will be, in the case of a married couple adopting a child, the surname of the husband of the parent of the child. So it removes the possibility of a child retaining a surname which he certainly could well have had all his life, unless he had been adopted previously or some other change had taken place.

The Bill seeks to make it quite arbitrary that the adopted child takes the name of the adopting father. The amendment I have moved has been prepared carefully so as not to over-reach the situation and to make special provision for the type of case I discussed with the Minister in his reply during the second reading stage. I refer to page 1860 of *Hansard* where I made the following comment by way of interjection—

The point is, you may get both parents of the child wanting the adoption and wanting the child to retain its former surname, but the court has no power to rule accordingly. That is the problem.

Of course, I understand the situation there, because both the parents and the child could want

the child to retain the former name, but the amendment does not provide scope for that. The Minister then said—

That is a point which perhaps has not been raised. In the case mentioned by Mr Olney, both parents want the child to retain its surname, but the court does not have the right to rule in that regard.

When the Minister concluded his remarks he said he would ask the Minister in the other place to examine the matter before it was debated in Committee.

The proposal we put forward simply is that the provisions provided by the Government in the amending Bill should be varied to the extent that in a case where a child, the subject of an application for an order of adoption, has attained the age of 12 years—the same age referred to in subsection (2) where the approval of the child to a change of Christian name is required—the parents can seek an order to confer on that child the surname by which the child was known immediately before the making of the order. The other factor is that if the applicants and the child all wish that there should be no change in the surname, then the judge may—and it is a discretion—make an order conferring that surname on the child if the judge is satisfied that the child agrees.

I respectfully suggest this is altogether a reasonable approach. In a case where all the concerned parties agree, it allows for the judge of the Family Court to have a discretion which, obviously, he will exercise in a judicial manner in order to promote the best interests of the child whenever such an application is made. One can imagine that almost invariably under such circumstances the previous surname of the child ought to be retained.

The amendment we submit overcomes a serious objection. It really does not go as far as the Opposition would have liked to go, but we have to be realistic and consistent. We have endeavoured to be consistent in order to provide criteria with respect to a child retaining his surname, and the criteria are virtually the same as those for a child changing his Christian name on adoption. I commend the amendment.

The Hon. D. J. WORDSWORTH: I think the Hon. Mr Olney has explained fairly well the manner of his amendment. I must disagree with him over his criticism of the second reading speech in which I said there has been uncertainty in the Family Court in cases where adopting parents have different surnames. I think it can be understood there could be uncertainty where a

mother before the court could have a son with a different surname. We then have a third surname being introduced; that is, the name of the second husband. It is fairly simple to understand there would be uncertainty in this regard, and the whole point of the amendment is to clear up that uncertainty.

This Bill explicitly sets out that the child will take the name of the father.

While the proposed amendment is plausible, I nevertheless feel it breaks with the nature of the Bill.

The Hon. H. W. Olney: It is intended to break from the proposal.

The Hon. D. J. WORDSWORTH: That is right; it is the exact opposite.

The Hon. H. W. Olney: It is not the exact opposite. It will apply in very limited circumstances.

The Hon. R. Hetherington: It is an amendment.

The Hon. D. J. WORDSWORTH: I am not being technical. I am saying it is a contradiction of the amendment which we have introduced. The idea of this Bill is to make it quite explicit that the child will take the surname of the father, as if the child were naturally born of the marriage. The naturally born child takes the name of the father. The whole idea is to try to make the position of the adopted child the same as it would be if it were born in wedlock, when there never is any doubt as to the surname.

The Hon. N. E. Baxter: Could it not be a case of the child having to accept the name of the stepfather?

The Hon. D. J. WORDSWORTH: Yes, by being adopted; that is the idea.

The Hon. H. W. GAYFER: It could be that a child would attend school under two different names on two consecutive days.

The Hon. D. J. WORDSWORTH: That is the difficulty, and perhaps one should not be adopted. A child can have a guardian and not change his name. However, if the child wants to be adopted and be in the same situation as he would be were he the child of a natural marriage, then there is no doubt.

The Hon. W. M. Piesse: It is not a matter of whether or not the child wants to be adopted.

The Hon. D. J. WORDSWORTH: The child has a right to object to his being adopted.

The Hon. P. G. Pendal: The problem is where the child who is a third party to an adoption agrees to the adoption, and he welcomes having a

new Dad, but does not necessarily want to adopt the new surname. Is that not the point?

The Hon. D. J. WORDSWORTH: In that case he really would not want to be adopted.

The Hon. D. K. Dans: Not necessarily.

The Hon. D. J. WORDSWORTH: If he does not want to change his surname his new Dad becomes his guardian.

The Hon. D. K. Dans: If he does not accept the new surname, he cannot be adopted.

The Hon. D. J. WORDSWORTH: The two parents would become the guardians of the child.

The Hon. W. M. Piesse: If the parents become the guardians, how does that affect the family law?

The Hon. D. J. WORDSWORTH: As far as I can gather, the family law is affected very little. In the original Act the words "guardian" and "adoption" are used together.

This matter was argued in another place; the amendment is not necessarily original. A child will have to decide whether he wants to be adopted or whether he wants to have a guardian. There is ample opportunity for a child, over the age of 12 years, to go into the Family Court and make his views known. A child will not be adopted unless he wishes to be adopted. If a child wishes to be adopted, he should adopt the surname of the parents.

The Hon. D. K. Dans: Would it not be better to give the child being adopted the choice of maintaining his original name?

The Hon. D. J. WORDSWORTH: There is very little difference between "guardian" and "adoption".

The Hon. D. K. Dans: The child will not be given much choice. There is a new concept in names. Women get married and retain their maiden names. The options available to a child over the age of 12 years will be reduced. A child might want to be adopted, but retain his original surname.

The Hon. D. J. WORDSWORTH: If a child is so independent he wants to retain his original surname, he should have a guardian rather than be adopted. We are really talking about the technicalities of the difference between adoption and guardianship. It is just as easy for parents to be guardians, as it is to change the surname of the child.

The Hon. D. K. Dans: This amendment will make the whole process very technical.

The Hon. D. J. WORDSWORTH: Really there are three options. Firstly, a child can be

adopted and take the surname of the father as though he had been born into the family. Secondly, the child can have a guardian and keep his surname. Thirdly—and I suppose this is almost going to the ridiculous—the Change of Names Act could be used, anyway. I know it sounds ridiculous to change one's name back to what it was originally. That is the reason for the introduction of the legislation.

The Hon. R. HETHERINGTON: I find the Minister's explanation very lame and all over the place. He has talked about the technicalities and options that might be open. He has not talked about human psychology and what faces a family when the original husband has died, the widow remarries, and the new husband wants to give the child the same rights as a child born of the new marriage. At the same time, the child could have grown up and possibly still love his father, and want to keep that name. The option should not be guardianship; the option should be that the family is allowed to become a legal family and entity, where the husband can show his love for the wife and new child by adopting the child.

The Hon. D. J. Wordsworth: You are saying that anyone who is a guardian cannot do that.

The Hon. R. HETHERINGTON: I am saying the child should be part of the legal family. If a guardian dies, his property does not descend to the child. The adopted child is a legal child the same as a naturally-born child.

We argue that we should allow the husband who has acquired a child to make that child a part of his own family legally so that the child is in the same legal position as would be any future children born of the marriage. We suggest that if the father is humane enough to recognise the fact that the child is old enough to remember his own father, and the child wants to retain his former surname, the new father should allow him to do so. I cannot see this is anything but something humanely desirable. I am not talking about whether we have to seek the convenience of the court or whether we should be worried about the confusion of judges. I do not think judges would be confused on these issues because, after all, they are learned people. If they were not learned, they would not be there.

This is not just a matter of barren legality and the fact that a child who has lost his or her father and who is acquiring a new stepfather can show his or her independence. He or she may not have all that much independence—he or she may just love the memory of his or her own father. At the same time his or her mother might be grateful

that the child is now to be adopted and to become legally part of the family.

Let us think of the humane situation and forget the legalities. If I had my way I would object to the whole Bill, but I could not expect the Government to agree with that course. We should have more freedom of choice than is allowed for, but the amendment is the minimum we should have.

Every child wants to feel he is wanted and loved, and if he is adopted formally he is legally on a par with other children of the marriage. At the same time he should be able to retain the name he has always had and the memory of his father. This is a simple amendment that will not confuse anybody, and it is one the Government should accept if it has any real sense of humanity.

The Hon. I. G. PRATT: I am very concerned at the Minister's suggestion that a youngster of 12 years of age should be faced with the alternatives of renouncing his own father or not being adopted by his mother's husband, who obviously wishes to take the place of a father in his life. Young children need a father in their lives—I found this out in my teaching career. As a teacher I dealt with many children, and I have dealt with many families as a member of Parliament. In many cases, where a family has been broken up problems have arisen when one parent has attempted to build up a new family. It is not uncommon for a young child from a broken home to be very anxious to find someone to look upon as a father. These children still want to call their own fathers "Dad", but they are very excited also to have a new Dad.

We realise this happens in *de facto* situations, but how much more important must it be to a child who has lost his or her father through death? These children want to be able to associate themselves with the man who is the husband of their mother. It is more important to the children to be able to call that person "Father" than to have the situation recognised by an act of adoption. It is important also to recognise a child's right to the memory of his own father. It is not fair to suggest to a child that he must choose between guardianship—which he probably does not want—or adoption, and that if he chooses adoption he must renounce his father's name. I personally would like to give this amendment much more serious thought and I suggest to the Minister that he should report progress. I am sure other members must feel the same way.

The Hon. P. G. PENDAL: I took some interest in this matter when the Hon. Howard Olney first raised it in the Chamber. Certainly I do not

pretend in any way to be expert in the adoption laws of Western Australia, or even an expert on the intent of the amendment to the adoption laws of Western Australia. Therefore, I would like to echo some of the comments made by the Hon. Ian Pratt who has just resumed his seat. I have some reservations about the clause.

Whilst the Minister was speaking I interjected, and I was chastised by my venerable colleague, the Hon. Graham MacKinnon, for whom I have a high regard.

The Hon. G. C. MacKinnon: Did you say "venerable"?

The Hon. P. G. PENDAL: Yes, just last week we referred to "Father Baxter". It seemed to me that interjection was the only option I had to voice some concern about the clause in the Bill, and to give some support to the concept raised by the Hon. Howard Olney.

The Hon. Robert Hetherington referred to a youth of, say, 14 years and even up to 17 years. In an obscure way my own family could have been faced with this very same situation 16 or 17 years ago, and it was for that reason I took some interest in it.

I would like to clarify some points on this matter, and as I go on, no doubt members will tell me whether my understanding of the particular clause is right or wrong.

In the case of a person of 18 years or over, as I understand the situation, no problem will exist. Such a person is an adult. In the case of children under the age of 12 years, perhaps the problem would not be as severe. Certainly there would be no peer group pressure on a three or four-year-old. We are concerned with what could be a fairly real problem to a child in the formative teenage years from 13 to 17. A young person of this age is at his most sensitive and he is mixing with children of his own age at school. It may well be that one day at school he must answer the roll as Billy Jones, and the next day he is asked to answer as Billy Smith. If that is the objection being raised to the clause by Mr Olney, then I see it as a real one.

I guess any new person coming into this place has a moment of truth and, particularly as a Government member, one faces a moment of truth if one ever wants to cross the floor to vote with an amendment moved by the Opposition; that is, an amendment to legislation which has been introduced into the Chamber by the Government.

The Hon. H. W. Gayfer: There is no need to be frightened of that.

The Hon. P. G. PENDAL: That is all right for Mr Gayfer to say—he has been a member of Parliament for a long time. Perhaps I could repeat to him the comment made to me by Mr MacKinnon; that is, if Mr Gayfer would like to make a speech on the matter, I invite him to do so.

The Hon. H. W. Gayfer: Do not get touchy.

The Hon. P. G. PENDAL: I am simply trying to get across the point to Mr Gayfer that I, as a person who supports this Government to the hilt and who supports the Government that is going to be re-elected next Saturday—

An Opposition member: Which one is that?

The Hon. R. Hetherington: Promise?

The Hon. P. G. PENDAL: I am saying that the Hon. Howard Olney appears to have raised a legitimate point, and his argument was taken some steps further by the Hon. Robert Hetherington. If the clause does what the Hon. Howard Olney says it will do, then it would seem to be a shade insensitive. I do not wish to make any comments beyond that, but I would certainly like the opportunity for a further study of this clause.

The Hon. N. E. BAXTER: I agree with the previous speakers, and I applaud the Hon. Howard Olney for placing this amendment on the notice paper and for moving it.

The Minister's second reading speech was fairly scanty; as the Hon. Howard Olney said, this matter was given only two paragraphs. We were told that there has been uncertainty in the Family Court in cases where adopting parents have different surnames because the wife has retained her own surname after marriage. The other paragraph refers to the fact that the adopting child will take his adopting father's name. The word used is "will"—there is no choice about it.

I believe that a short cut was taken in framing this clause, and certainly I can see problems arising with a child of, say, 12 years of age. It could be pretty traumatic for a child to go to school with one name one week and another name the next week.

This matter should be referred back to the Department for Community Welfare and the adoptions section to discover what has transpired in the Family Court. Also, we should be informed of any precedents in this area. I suggest to the Minister that he should report progress and that inquiries be made as to the whole ramification of this measure. We should not proceed further without due consideration.

The Hon. D. J. WORDSWORTH: I hope that I have interpreted adequately the views of the Minister in another place on this matter, and the reasons for the introduction of the measure.

We have been presented with various arguments against this clause, and the main contention appears to be the difference between adoption and guardianship. Certainly I would like more information on this matter, and I will seek to have answered the questions raised. Mr Chairman, perhaps I could ask other members what other information they would like to have.

The Hon. W. M. PIESSE: I would like to raise a point about the maintenance of children. I endeavoured to ask this question of the Minister by way of interjection as I am aware of a case that occurred in Victoria. A problem arose because one of the children of a broken marriage was under 12 years of age and no longer wanted to keep his father's name. This child had been knocked about by his father. There was no remarriage involved; the mother reverted to her maiden name, and the children wished to do the same thing. However, if the children did that, the mother would lose their maintenance payments. I do not know whether the same situation applies in this State. If someone becomes a guardian through a second marriage, then perhaps the question of maintenance does not hinge on whether or not a child retains a name.

The whole matter should be cleared up because it is a real problem. It is unfair to force a change of name upon a child who does not wish it.

The Hon. NEIL McNEILL: Clause 4 of the Bill seeks to amend section 10 of the principal Act. In order to understand Mr Olney's amendment, one needs firstly to refer to section 10 and secondly to section 4 of the Act. Section 10 states as follows—

10. (1) Subject to subsection (2) of this section, the order of adoption shall confer the surname of the adopting parent on the adopted child and shall confer and set forth the name (commonly called the Christian name), by which the child is thereafter to be known.

(2) Where—

- (a) a child the subject of an application for an order of adoption has attained the age of twelve years; and

- (b) the application seeks an order to confer on the child a name (commonly known as a Christian name) other than the name by which the child is known immediately before the making of the order,

the Judge shall not make an order conferring that other name on the child unless he is satisfied that the child agrees to be known by that other name.

This establishes the principle to which the Hon. H. W. Olney referred, although it refers to Christian names, while the amendment refers to the use of a surname. The fact is that the current Act sets a precedent; it recognises that a child of 12 years of age, if he so satisfies the judge, need not be known by the Christian names which an application seeks to confer on him. Mr Olney's amendment seeks to provide the same opportunity in respect of his surname.

I recognise there are legal and other differences between Christian names and surnames; however, the principle must surely be the same. I suggest to the Minister that he seek further explanation as to the distinction which may be drawn between an order which applies to a Christian name, and an order which applies to a surname.

The Hon. D. J. Wordsworth: Whether it should apply to both?

The Hon. NEIL McNEILL: Yes. If the current law provides that a child who has attained the age of 12 years can make a decision relating to his Christian names, can it also apply in respect of his surname?

The Hon. P. G. Pandal: As an optional thing?

The Hon. NEIL McNEILL: Yes. I have had years of experience in the administration of the Change of Names Regulation Act, and I realise a child would have the opportunity in later years to change his name if he did not like or agree with the Christian name which was conferred on him.

The Hon. R. Hetherington: There may be a great deal of psychological damage in the meantime.

The Hon. NEIL McNEILL: I wish Mr Hetherington had not made that comment because I thought what I just said had some relevance to his earlier comments. If no discretion is available to the child as to the acceptance or otherwise of his surname, some distress may be caused. I am well aware of the many hundreds of cases where obviously some embarrassment, concern, and even distress has been caused in

respect of families where there are not two names, but three or four names. I am sure this point is well appreciated by members. I hope the Minister may be able to answer my further query.

The Hon. T. KNIGHT: I seem to be playing the role of devil's advocate on this issue. We have today what is known as the age of consent; there is an age at which people are allowed to vote, drink, drive, and go to fight in wartime. I believe that in this case we are playing with words by suggesting that a 12-year-old child should be asked to make a decision as to the surname he or she wishes to adopt. I believe the proper course of action is to allow the two parents to decide. As the Hon. Neil McNeill mentioned, there is nothing to stop that person from changing his name by deed poll once he reaches the age of 18 years.

We have all had children. There are seven children in my family, and they have all gone through the age of 12 years. I would hate to think of asking any of those children at age 12 which surname he would prefer to carry. At the age of 18, when they have moved into the business world, can take out hire-purchase agreements, and all the rest of it, they are much more capable of making such a decision. If they are aggrieved, they can then change their names by deed poll.

The parents are the legal guardians and I believe it is proper for them to decide the surname by which the child should be known. I do not believe it is proper that a child of 12 years should go before the court and be asked which surname he wishes to bear. That child would be in the awkward position of having to upset his mother or his father. That is an invidious position in which to place a child.

I reiterate that this decision is more properly left to the parents of the child.

The Hon. H. W. OLNEY: I do not think the Hon. Tom Knight has read my amendment because it will not put a child in the position of having to decide which surname he or she wants. Nor is it a situation where the parents have decided the child should have one name, and the child is invited to take another name.

My proposal is that in cases where the parents of the child agree that the child should continue to be known by his or her existing surname, the judge should have a discretion. Plenty of safeguards are built into the amendment. Firstly, we must have the agreement of all three parties, the two parents and the child, before the matter can succeed. Secondly, the judge must be satisfied that all these requirements have been met. Obviously, the court would need to be satisfied

that the interests of the child are best served by the child retaining the name he started off with and has borne, by definition, for at least 12 years. I suggest to the Hon. Tom Knight that the problems he raised are not serious.

The other point is that a child is not brought before a court in adoption proceedings. It is just not the way things are done. Bits of paper are signed, and that is all there is to it.

The Hon. T. Knight: It is still putting the child under pressure.

The Hon. H. W. OLNEY: It has been suggested elsewhere that if a child wants to retain his original surname, he can change it under the Change of Names Regulation Act by obtaining a licence. That is just not a real alternative for a child who may be between 12 and 18 years and who in most cases has consented to the husband of his natural mother adopting him.

Adoption is not the same as guardianship. There are legal consequences which flow from adoption which are set out, I think, in section 7 of the Act. The law is quite clear on this point; it involves questions of inheritance, entitlement under wills and intestacies and the like. Adoption is an important step.

I welcome the Minister's suggestion that progress be reported. However, I took this opportunity to rise again to make those points so that in any future considerations which may take place, some of the comments which have been put forward by members may be put in their proper perspective.

### *Progress*

Progress reported and leave given to sit again, on motion by the Hon. D. J. Wordsworth (Minister for Lands).

## MARINE NAVIGATIONAL AIDS AMENDMENT BILL

### *Second Reading*

Debate resumed from 14 October.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [9.12 p.m.]: The Opposition agrees with this legislation. However, before I proceeded to discuss the Bill it had been my intention to remind the House of the very scant information we are given in the second reading speeches. Members might recall that earlier this evening I interjected on the Hon. G. C. MacKinnon to the effect that his comments pre-empted what I intended to say later.

This Bill provides for a number of changes; however, it is nothing about which we should get

wildly excited. It provides authority for the department to make agreement with a private company which controls its own port. However, the Minister did not tell us which ports are involved.

The Minister's second reading speech went on to say that where a private company has had control and in fact has owned its own navigational aids, and subsequently passes control of those aids to the relevant authorities, the State will be indemnified against any action which may arise due to the failure of those aids. However, the Minister did not specifically say what type of aids are involved—whether they are beacons, buoys, radar transponder beacons, or whatever. It seems to us that whilst the State may take control of those aids, there is nothing to suggest the State will actually own them.

I am one of those people who has never agreed with private navigational aids. I know a number of private operators have invested money in navigational aids, and they have been very well maintained, principally due to the provision in the existing legislation which states that if such aids fail as a result of which there is an accident or a fatality, the company controlling those aids could be held responsible.

The Minister would be aware that the navigational aids provided by the various port authorities and the Harbour and Light Department are not held responsible if there is an accident as a result of the failure of such aids. However, the Bill does not say any of these things; it does not indicate to me where the aids are set up and what companies and ports are involved, if, in fact, those navigational aids will be required for the State, or if the Bill is seeking to take control of them in order that the companies will not be held responsible if any of them fail.

I repeat: I am supporting the Bill and I hope that when the Minister replies he answers some of the points I have raised. As I said when I first rose to my feet, it is time we were given more information in Ministers' second reading speeches. Perhaps I should have chosen another Bill, but this amending Bill is quite prominent for the lack of information it gives. This situation has been building up for some time.

This legislation was enacted in 1973 and the Act contains just three pages. It was amended in 1977, in 1978, and again this year. I suggest to the Minister handling the Bill, and to the Leader of the House, that tonight we had a very long and extensive discussion on a Bill dealing with junior farmers. Members were on their feet giving very lengthy explanations about that Bill's origins and

history. Some members went to great lengths to indicate how old they were, and I really did not know what a lot of what they said had to do with the Bill. However, it may have had something to do with the lack of information provided in the Minister's second reading speech on that Bill.

With your permission, Mr Acting President (the Hon. R. J. L. Williams), I indicate that I have been looking at this problem for some time. It is becoming almost impossible to obtain information from Minister's second reading speeches, and that is the only place we can get the information. There is little chance of a member being able to go to the experts when he does not know the intention of a Bill.

I suggest we give some consideration in the not-too-distant future to considering the situation existing in the Federal Parliament. One could imagine what the situation would be if 75 per cent of the members of the Federal Parliament wanted to speak about a Bill covering the Junior Farmer Movement. I do not know how many members the Federal Parliament has, but if each gave his life history in respect of the Junior Farmer Movement one could imagine that the Federal Parliament would not move very far; it would be bogged down in the one spot.

The Hon. H. W. Olney: Especially if they spoke about stallions, too.

The Hon. D. J. Wordsworth: As you know, the Federal Government limits the number of speakers.

The Hon. D. K. DANS: True enough, but sometimes that is not always the case; there is a different situation in the Senate and sometimes there are no time limits in the other House. The Hon. Joe Berinson told me about a time in the House of Representatives when they were discussing a Bill about Meals on Wheels when it took three or four days to complete the speeches. The members wanted to get their names in *Hansard* so that the people in Upper Wilcannia or Lower Broken Hill, and so forth, would know their members were still there. They went on to speak about the taste and the variety of the meals provided by that organisation.

The Hon. H. W. Gayfer: That is a typically cynical approach. I am surprised at the Leader of the Opposition.

The Hon. D. K. DANS: Cynical it may be, but if the member holds his fire—

The Hon. H. W. Gayfer: Yes, it is a cocky speaking.



The Hon. D. K. DANS: One can well imagine that if members from urban electorates were to rise and speak about marine navigational aids—

The Hon. H. W. Gayfer: It would not worry me.

The Hon. D. K. DANS: Of course, they would be entitled to do that. I do not think there would be a need for all that historical speechmaking we heard earlier tonight.

The Hon. D. J. Wordsworth: You are asking for the history of this Bill; it is in the previous legislation.

The Hon. D. K. DANS: The Act consists of three pages and it was amended in 1977, 1978, and 1980. I am referring to Act No. 27 of 1973.

Would it not be a far better proposition if we adopted the practice followed in the Federal Parliament? When controversial Bills are to be introduced, the Federal Minister circulates an explanatory memorandum to accompany his second reading speech.

The Hon. D. J. Wordsworth: We have done that with complicated legislation.

The Hon. H. W. Gayfer: I bet you tear the Budget to bits.

The Hon. D. K. DANS: The Hon. Mick Gayfer should wait and see. The honourable member should know that the relevant motion in this House is that we take note of the Budget papers. I have not seen the debate go on clause by clause. Perhaps the Standing Orders Committee might want to consider that matter.

The Hon. H. W. Gayfer: I think they have gone half way already.

The Hon. D. K. DANS: I am not so sure it is a good thing; but I am speaking now of ordinary Bills.

The Hon. D. J. Wordsworth: The truth of the matter is that we in this House did not examine the legislation well enough the last time.

The ACTING PRESIDENT (the Hon. R. J. L. Williams): Order! The Leader of the Opposition.

The Hon. D. K. DANS: The point I am making is that this Bill was not accompanied by a Minister's second reading speech which contained information. It did not tell us about the things I am asking; it did not tell us about the Bill. The reason for all those members getting up to speak about the Rural Youth Movement involves the matter I am talking about now. I hope the Hon. Mick Gayfer is listening. I am not being cynical; but I think this House is entitled to know what this amendment really means. If we did not know

about the previous legislation, let us understand it now so that it will not have to come back again. I have made a comment which has been made by other members; that is, Ministers' second reading speeches are containing less and less information.

The Hon. H. W. Gayfer: Yours too.

The Hon. D. K. DANS: We can overcome the situation by adopting the practice in the Federal Parliament of Ministers circulating explanatory notes with their second reading speeches. Perhaps this is not the Bill on which I should be making this point; however, it is a Bill which is compact and which would give the Minister the opportunity to say the things which were left out. I know the Pilbara harbour service has X-number of navigational lights and the State is taking them over—but the Bill does not actually state this. Is the State acquiring the navigational aids in those ports which were previously owned and operated by private organisations so that there is no indemnity applying to them? Is the State to take control of these navigational aids in order to remove the possibility of a private company being sued in the case of a light going out; or is the State actually acquiring them?

The Hon. D. J. Wordsworth: If the State was acquiring these aids, this would not be necessary.

The ACTING PRESIDENT: Order! The Leader of the Opposition.

The Hon. D. K. DANS: The Minister is saying that the State is to take control of these navigational aids.

The Hon. D. J. Wordsworth: No, I am not.

The Hon. D. K. DANS: That is what the Bill seems to indicate. It seems the State will control them in order to relieve the company of the possibility of someone claiming damages following an accident. I am not saying that is wrong, but I would like the Minister to spell out what is involved.

The Hon. D. J. Wordsworth: It will take the liability away from the company. But that is not the purpose of the Bill.

The Hon. D. K. DANS: It would have been a far better proposition had the Minister's speech spelt out the intention of the Bill. I am not complaining about what the final answer will be. As I said earlier, the Bill is not something about which to get excited. It is one of the Bills in respect of which, because of its simplicity, a few more pages included in the second reading speech notes would have assisted everyone. Members would have been able to say they knew exactly what the Bill was all about. Had that been the

case, I could have said as I do at other times, "I support the Bill in principle and in detail."

The Hon. D. J. Wordsworth: Excuse me if I give a long history of the pastoral industry next time.

The Hon. D. K. DAns: It is high time we considered including explanatory memorandums with respect to certain Bills—in fact, to all Bills. The Opposition supports the Bill.

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [9.28 p.m.]: I for one am very conscious of the fact that second reading speeches ought to explain in general terms what is included in a Bill; but they do not necessarily have to explain the detail of a Bill.

The Hon. D. K. DAns: I said you could supply explanatory memorandums.

The Hon. I. G. MEDCALF: Sometimes an explanatory memorandum has been supplied.

The Hon. D. K. DAns: Not very often.

The Hon. I. G. MEDCALF: But they been supplied on occasions. I remind the Leader of the Opposition of the last occasion on which I produced an explanatory memorandum; it was to do with the Constitutional Amendment Bill. On that occasion only one member of the Opposition—the Hon. Bob Hetherington—read it.

The Hon. D. K. DAns: Because that was the Bill he had to read.

The Hon. D. J. Wordsworth: You are not suggesting he would not have read it otherwise?

The Hon. R. Hetherington: That is not quite true.

THE ACTING PRESIDENT: Order! The Leader of the House.

The Hon. D. K. DAns: We have a committee system which looks at Bills.

The Hon. I. G. MEDCALF: Certainly, if other honourable members read that memorandum they did not comment on it. Only Mr Hetherington displayed any knowledge of it. I believe that applied to the other House as well, because nothing intelligent was said there.

The Hon. D. K. DAns: I am sure you did not read the explanatory notes issued by the Minister for Fisheries and Wildlife. We have a committee system, and Mr Hetherington read the Bill well on your own admission.

The Hon. I. G. MEDCALF: It is a very good idea to have an explanatory memorandum in appropriate cases. However, any member who is to comment on a Bill is expected to read more than the second reading speech. He is expected to

make whatever inquiries he can about the matter; but that does not preclude the explanation made by the Minister. I concede that the Minister responsible is in another place so these remarks bear no application to the Minister in this place. If we may speak in general terms, I agree that a second reading speech should contain sufficient information to enable a proper and adequate examination of what the Bill is all about, and it should be expressed in simple English.

The Hon. D. K. DAns: I am not opposing the measure.

The Hon. I. G. MEDCALF: The Leader of the Opposition was not speaking about this Bill at all. I do not know why.

The Hon. D. K. DAns: I used that opportunity and I did speak about the Bill.

The Hon. I. G. MEDCALF: The Leader of the Opposition made the Bill an opportunity for some general comment and suggested I should take an interest in the matter. I have taken an interest in the matter; hence my comments. Any member examining a Bill should not rely on the Minister's second reading speech alone.

The Hon. D. K. DAns: I have not done that.

The Hon. I. G. MEDCALF: The Leader of the Opposition does not normally do that. He normally goes into the the matter quite thoroughly.

The Hon. D. K. DAns: I have gone into the matter.

The Hon. I. G. MEDCALF: I agree that the second reading speech should be explanatory and I shall certainly follow that matter up because it is evident some members are finding that not enough information is provided in respect of Bills. I will take the matter up with Ministers, generally.

I would like also to add that one would not gain any information by just reading an amendment in the Bill. The Bill needs to be brought into line with the Act and, of course, the Leader of the Opposition would know that very well.

Debate adjourned, on motion by the Hon. M. McAleer.

## RURAL RELIEF FUND ACT REPEAL BILL

### Second Reading

Debate resumed from 14 October.

THE HON. R. T. LEESON (South-East) [9.33 p.m.]: I do not intend to delay the House because I find another repeal Bill before me. It is about the third this session and I ask the Government to

keep them coming forward because I am sure there are many hundreds more we should perhaps get rid of.

If one were to look at the Statute book one would find that this Act has not been in operation for many years. I have heard some good words and bad words spoken about the legislation but personally I do not know much about it.

I support the repeal of this Bill.

**THE HON. D. J. WORDSWORTH** (South—Minister for Lands) [9.34 p.m.]: I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

#### *In Committee, etc.*

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

#### *Third Reading*

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

### **APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)**

#### *Consideration of Tabled Paper*

Debate resumed from 1 October.

**THE HON. P. H. LOCKYER** (Lower North) [9.37 p.m.]: I take this opportunity to address to the House a few remarks about the Budget. As members are well aware, because my electorate stretches over more than half a million square miles, the consideration of the Budget is very important to it.

I would like to deal firstly with the generous allocations and the not-so-generous allocations. I believe my comments should be taken into consideration when Budgets are prepared in the future.

As members are aware, a fishing industry is located in the coastal parts of the Legislative Assembly seat of Gascoyne and I am very pleased that the Treasurer has taken this fact into consideration when allocating funds. He has recognised the fact that the fishing boat harbour in Carnarvon needs continued support and has allocated some \$181 000 to this facility. Money will be spent also on a fish landing facility which is important to the owners of small fishing boats, who need a proper facility for the unloading of a catch to be passed on to the markets.

The Hon. R. T. Leeson: In Carnarvon they would have to drag it through the mud first.

The Hon. P. H. LOCKYER: The Hon. Ron Leeson would know very little about fish. Perhaps he has discovered a fish and chip shop in Kalgoorlie whilst wending his way home from various establishments I am led to believe he attends on Friday evenings. However, I do not wish to deal with the honourable member's habits. I am sure he will have ample opportunity later to support some parts of my speech.

I am impressed that the Government saw fit to allocate some \$104 000 to the rebuilding of the Denham jetty, which was destroyed during a cyclone some years ago. It is important that the small, but lucrative fishing industry in Denham is supported and the Government recognises that fact.

I hope that in Budgets to follow—and I know the Hon. Gordon Masters is very aware of this need—these facilities will be maintained.

I am also impressed to see that the Government has seen fit to allocate some \$420 000 for a police facility at Wiluna. To say things are grim in Wiluna as far as the Police Department is concerned would be a gross understatement.

At present the courthouse in Wiluna is the sergeant's office and the prisoners are seated at an arm's length from the magistrate or justice of the peace who is conducting the case. This is a shocking situation and I am pleased that the Government is taking the first step towards the provision of a new police station and prison facilities for Wiluna.

The Hon. D. K. Dans: But there are no policemen!

The Hon. P. H. LOCKYER: The Leader of the Opposition astounds me. He has probably never been to Wiluna.

The Hon. D. K. Dans: I was there before you were born.

The Hon. P. H. LOCKYER: The Leader of the Opposition was criticising members for talking about their age previously.

The Hon. D. K. Dans: I have driven to Wiluna.

The Hon. P. G. Pental: He was in charge of the Seamen's Union there!

The ACTING PRESIDENT (the Hon. R. J. L. Williams): Order!

The Hon. P. H. LOCKYER: It is important that something be done about the atrocious facilities at Wiluna and the Government allocation is the first step towards rectifying the situation.

My next subject will no doubt gain the support of the Hon. Ron Leeson. Members who use our internal airlines will perhaps be interested also. I have been concerned about the comments made in the Press and on a couple of television programmes to the effect that the new gas line to Karratha will mean that there will be more expansion of the airport facilities at Karratha.

Once again we hear the noise of TAA rattling its sabres and indicating its wish to take part in the lucrative trade which will result from this facility.

Long before I came to this place I opposed this move. It is not in our State's best interest that we allow TAA to run a dual route with our internal airline, MacRobertson Miller Airlines.

The Hon. R. T. Leeson: Don't you believe in free enterprise?

The Hon. P. H. LOCKYER: It is amazing when we consider that there are two parts of the anatomy of the honourable member behind me which are not interchangeable—and one does not have to be Einstein to know which part the Hon. Ron Leeson uses. If he would listen he would hear the reason for my opposition to TAA's intrusion into the airline system of this State. That airline has always gone out cherry picking. It picks out the best spot to go. At the moment it operates from Perth to Port Hedland and through to Darwin.

MMA has to operate the smaller less-profitable ports to make its dollars. If we are silly enough to allow TAA to go into Karratha and continue its flights, places such as Kalgoorlie, Carnarvon, Geraldton, Broome, Learmonth and Derby will have a good chance of being struck off the regular service runs of MMA. One could be reduced to the situation which exists at Meekatharra now. If one wishes to go there one is forced to fly in an aircraft which resembles a flying pencil.

Members in this Chamber would be better able to hear my comments if the Hon. Ron Leeson ceased to make inane remarks.

In past years Meekatharra and Mt. Magnet enjoyed a regular service by MMA with modern large aircraft. The service is now reduced to modern small aircraft, which are nowhere near the standard to which the people have been accustomed, and I believe it is a retrograde step.

Karratha will now have a largely increased flying population, and TAA wants to come in and rip off the profits. I put it to the House that MMA has served this State very well. The service is not perfect, but MMA looks after the small, less profitable ports; and make no error, it is a pure economic fact that if the more profitable

areas are cut off there is no way out but to cut off ports which are not profitable. Members can be assured that places like Kalgoorlie, Geraldton, and certainly Learmonth, Broome, and Derby will have to be passed by and served by commuter aircraft like the "flying pencil". If members would like to take a trip to Meekatharra in an aircraft at some time, I can assure them it will be an experience. I hope that when this matter is brought to Parliament I will have the support of members such as the Hon. Ron Leeson.

While I am on the subject of aircraft, I would like to address some brief comments to a Press statement made by Senator Malcolm Colston, who is a Queensland ALP Federal member of Parliament. He got stuck into the surveillance contractors in Western Australia—Trans-West Air Charter.

The Hon. D. K. Dans: Who is he?

The Hon. P. H. LOCKYER: Senator Malcolm Colston is one of the Leader of the Opposition's ALP colleagues from Queensland, who has set himself up as a watchdog over the operations of free enterprise in Western Australia and who, under parliamentary privilege, takes the opportunity to get stuck into a Western Australian firm. He has said such things as this, and I quote from his Press statement—

Trans-West Air Charter Pty. Ltd. is a foreign-owned company . . .

That is not the case. It is 50 per cent owned by a British company—Jardine Matheson.

The Hon. D. K. Dans: Based in Hong Kong.

The Hon. P. H. LOCKYER: That is quite right.

The Hon. D. K. Dans: Which made its money out of the opium wars.

The Hon. P. H. LOCKYER: The Leader of the Opposition has looked into this matter to some extent. This particular airline employs 170 people in this State. I take umbrage at Senator Colston's getting up in Federal Parliament and having a crack at these people. Many of the pilots are based in Perth and Port Hedland.

The Hon. P. G. Pental: They spend their wages here.

The Hon. P. H. LOCKYER: That is correct. Unlike Senator Colston, I have been on these surveillance flights. One of the things Senator Colston accused these pilots of doing was cutting short their flights, not correctly covering the areas, and doctoring their log books. I would like to expose Senator Colston's statements as being nothing but unmitigated lies.

The Hon. R. T. Leeson: Because they did not do it the night you were with them it does not mean it does not happen.

The Hon. P. H. LOCKYER: I hope Mr Leeson is not saying 170 pilots in Western Australia cheat. If he is, I hope *Hansard* will record it.

The Hon. D. K. Dans: Are 170 pilots engaged in surveillance?

The Hon. P. H. LOCKYER: Trans-West employs 170 people and the pilots do surveillance runs in turn. If the Leader of the Opposition would like to go on one of these runs, I will arrange it for him, free of charge. The weather up there now produces turbulence which would wrinkle even a politician's skin.

The implication that log books were falsified with the intention of building up flying hours is quite erroneous. Log books are scrutinised by the Department of Transport, and it is quite wrong for Senator Colston to make this sort of allegation under parliamentary privilege. Trans-West carries out its surveillance duties in a right and proper manner, and Western Australians in particular should be grateful that it does so, because not only does it protect our coastline from drug runners and foreign fishermen, but also during the recent floods at Carnarvon it was responsible for the rescue of some people in a boat.

The Hon. D. K. Dans: It protects our coastline from pleasure craft.

The Hon. P. H. LOCKYER: It protects the coastline from drug smugglers and the influx of people from our Communist neighbours. I am always pleased to see the Leader of the Opposition squirm.

The Hon. R. T. Leeson: Don't forget to tell us about the dam on the Gascoyne River.

The Hon. P. H. LOCKYER: I have been instructed by my predecessor, the Hon. G. W. Berry, that the matter of a dam on the Gascoyne River received sufficient airing in his 12 years in this Chamber, and I shall serve my apprenticeship prior to mentioning it.

I now come to my final point, and no doubt members of the Opposition will be pleased to hear that statement. I must express concern on behalf of pastoralists in remote areas in respect of the possibility of a change of Government occurring on Saturday. Last Friday I attended a pastoral conference in Meekatharra, and I was overwhelmed by the concern of pastoralists who referred to such things as the possibility of bankruptcy should we be faced with the election of a socialist Government on Saturday. Some of the evidence they presented to me reminded me of

a past Government under the Hon. Gough Whitlam, who removed the fuel equalisation subsidy and did such things to the farmers as abolishing the superphosphate bounty.

Several members interjected.

The Hon. P. H. LOCKYER: It is interesting to hear members behind me come to life in respect of this matter, because nobody suffered more than the pastoralists under the previous socialist Government in Canberra.

The Hon. R. T. Leeson: Come off it!

The Hon. P. H. LOCKYER: The pastoralists are most concerned that after an extended period of drought the possibility of their recovery is on the horizon if we have a strong free-enterprise Government, but yet should we believe the polls—and personally I do not—there is a vague possibility that a socialist Government will be returned.

The Hon. J. M. Berinson: With a 23-seat majority!

The Hon. P. H. LOCKYER: The Hon. Joe Berinson talks of majorities, and he should know about them; when we removed the majority of a socialist Government on the last occasion, one of the places where the axe fell was neatly across his neck. He was replaced by probably one of the best members the Federal electorate of Perth has ever seen in Ross McLean. However, that is past history. The Hon. Joe Berinson sought endorsement a dozen times, and finally stumbled into this Chamber. Still, there has to be an ending place for all.

The Hon. D. K. Dans: I don't like that statement; I think we all walked in. How did you get in here?

The Hon. P. H. LOCKYER: It is all a matter of judgment; and I got in here by a majority vote of my electors.

Let me get back to the matter of Federal members of Parliament taking advantage of their parliamentary privilege. I would like to say a word in support of my very good friend, Wilson Tuckey, who has had to suffer the barbed tongue of Senator Walsh. I notice the Hon. Howard Olney flying back to his seat to come to the defence of Senator Walsh. I think the attack Senator Walsh made on Mr Tuckey was one of the more disgraceful events in the history of the Federal Parliament.

The Hon. D. K. Dans: I think it is even more disgraceful that the Esperance branch of the Liberal Party would not have him as a member.

The Hon. P. H. LOCKYER: Here we have a person of very high ability who had to suffer the

degradation of an attack by a senator who purports to be the next Minister for Primary Industry if the Federal Labor Party should fall across the line on Saturday. Senator Walsh used the privilege of Federal Parliament to make a cowardly attack on a person who did not have the opportunity to defend himself. I put it to you, Mr President, that Senator Walsh has not the guts to make his attack in an public forum.

Wilson Tuckey said he was happy to debate with Senator Walsh in public without there being any possibility of Senator Walsh being dragged into a court. In this Chamber we constantly hear talk that if we say anything outside this place we will be marched into court. Wilson Tuckey was happy to debate the matter openly, but in true cowardly fashion, Senator Walsh declined. Whether Senator Walsh or his offsidiers in the

ALP like it or not, after next Saturday Wilson Tuckey will be the Federal member for O'Connor. I put it to you, Mr President, that he will be a very good member, too.

Debate adjourned, on motion by the Hon. P. G. Penda].

**ADJOURNMENT OF THE HOUSE:  
SPECIAL**

**THE HON. I. G. MEDCALF** (Metropolitan—  
Leader of the House) [9.57 p.m.]: I move—

That the House at its rising adjourn until  
Tuesday, 21 October.

Question put and passed.

*House adjourned at 9.58 p.m.*

## QUESTIONS ON NOTICE

## EDUCATION

*Nursing Profession*

282. The Hon. P. G. PENDAL, to the Minister representing the Minister for Education:

- (1) What is the State Government's attitude towards the call for nursing education to be confined exclusively to tertiary institutions?
- (2) Is it a fact that constitutional authority for all forms of education rests with the State Government, but that financial responsibility for nursing education rests with the Commonwealth?
- (3) Would the State Government be prepared to discuss with the nursing profession ways and means of achieving a full professional status and training for nurses based on both on-the-job training and tertiary-level studies?

The Hon. D. J. WORDSWORTH replied:

- (1) The State Government supported the proposal of the Sax committee report to gradually increase the intake into the WAIT nurse training programme to 105 students, while continuing to support the State's hospital nursing schools. The Commonwealth Tertiary Education Commission is conducting evaluation studies of tertiary institution courses; and the Government believes that any further change in the balance between hospital-based and tertiary institution-based courses should await the results of the evaluation studies.
- (2) Yes. The constitutional authority for education rests with the State. However, the State is responsible for funding the hospital schools of nursing where the bulk of the students train. The Commonwealth Government funds the course at WAIT, but again the State has a financial commitment for the practical nursing experience of WAIT students in hospitals.
- (3) State Government officers have held regular discussions with the nursing profession and the Government supports the continuation of such discussions.

## COURTS

*Transcripts*

283. The Hon. J. M. BERINSON, to the Attorney General:

- (1) What is the charge per page to applicants of copies of transcripts in the—
  - (a) Supreme Court;
  - (b) District Court;
  - (c) Local Courts;
  - (d) Courts of Petty Sessions;
  - (e) Industrial Arbitration Commission;
  - (f) Industrial Appeal Court;
  - (g) Workers' Compensation Board; and
  - (h) State School Teachers' Tribunal?
- (2) What is the actual or estimated cost in each of the above cases?

The Hon. I. G. MEDCALF replied:

- (1) (a) to (d) \$1.50 per page except for indictable offences when a free copy is made available.  
 (e) and (f) 8c per folio—rate varying with the number of copies. The parties are provided with a free copy.  
 (g) \$1.50 per page.  
 (h) Nil.
- (2) \$3.65 per page—estimated.

## EDUCATION: SCHOOL

*White Gum Valley Special*

284. The Hon. H. W. OLNEY, to the Minister representing the Minister for Education:

- (1) What further action if any has been taken with respect to the establishment of a playing field at the White Gum Valley Special School since the Minister supplied answers to questions 17 and 59 on 6 August 1980 and 13 August 1980 respectively?
- (2) Has the Minister yet visited the school to discuss the particular problems experienced by the staff and students?
- (3) If not, is he prepared to do so in the near future?

The Hon. D. J. WORDSWORTH replied:

- (1) A scheme has been prepared and is awaiting funding in the near future through the regional minor works programme.
- (2) and (3) No, but the Minister will do so when time allows.

#### EDUCATION: HIGH SCHOOL

*Kelmscott*

285. The Hon. P. G. PENDAL, to the Minister representing the Minister for Education:

- (1) What is the current status of negotiations between his department and the Commonwealth for the acquisition of a 20-acre site on the corner of Cochran and Ciro Roads, Kelmscott, for incorporation into the school farm conducted by the school?
- (2) Will the Minister undertake to bring about a speedy solution in view of the unique nature of the school farm programme?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) The Commonwealth has been asked to consider a leasing arrangement or land exchange and a reply is awaited.

#### FUEL AND ENERGY: ELECTRICITY

*Power Station: Muja*

286. The Hon. J. M. BERINSON, to the Minister representing the Minister for Fuel and Energy:

- (1) Does the State Energy Commission intend to fit precipitators to the proposed extension to Muja Power Station?
- (2) If so—

- (a) what is their anticipated cost; and
- (b) when is it anticipated that relevant tenders will be advertised?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) (a) Approximately \$12 million.
- (b) Tenders have already been called and are currently being evaluated.

#### TRANSPORT: BUSES

*South Terrace*

287. The Hon. H. W. OLNEY, to the Minister representing the Minister for Transport:

- (1) Following notice of question 266 having been given in the Legislative Council on 1 October 1980 did the MTT take any special action to ascertain whether, and if so to what extent, MTT drivers are using South Terrace, Fremantle, contrary to instructions when running off service?
- (2) If "Yes" to (1)—
  - (a) what steps were taken;
  - (b) what information has been ascertained;
  - (c) has any breach of MTT instructions been detected;
  - (d) have any further instructions been issued to drivers; and
  - (e) has any action been taken against drivers acting in breach of instructions?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
- (2) (a) Special instructions were issued to reaffirm the previous instructions plus increased inspectorial surveillance.
- (b) It was found that some drivers were not following the laid down route.
- (c) Yes—as for (b) above.
- (d) As for (a) above.
- (e) Yes, each driver who was found to be not following the laid down route was spoken to by the depot master.

#### TRAFFIC

*Albany Highway*

288. The Hon. P. G. PENDAL, to the Minister representing the Minister for Transport:

In view of the traffic congestion along Albany Highway, Cannington, especially at peak hours; the apparent success of the new "reverse flow" traffic lane on the Narrows Bridge; and the difficulty and cost of providing two extra lanes of traffic at Albany Highway, Cannington; has the Minister



or his department considered the possibility of providing a fifth traffic lane on Albany Highway between Nicholson and Manning Roads for north-bound use in the mornings, and south-bound use in the evenings?

The Hon. D. J. WORDSWORTH replied:

Not in any detail. It is apparent, however, that there would be major problems at traffic signals and where right turn storage lanes have been provided. To widen by one lane throughout this section would be very costly as it would involve resumption of property and relocation of other services in the road reserve.

### TRAFFIC NOISE

#### *South Terrace*

289. The Hon. H. W. OLNEY, to the Minister representing the Minister for Health:

- (1) Has any survey ever been made of the level of traffic noise in South Terrace, Fremantle?
- (2) If so—
  - (a) when was such survey made;
  - (b) what did it reveal; and
  - (c) has any action been taken as a result?
- (3) If "No" to (1), will the Minister make whatever arrangements may be necessary for traffic noise levels in South Terrace, Fremantle, to be measured and the results made public?

The Hon. D. J. WORDSWORTH replied:

- (1) Not to the Minister's knowledge.
- (2) (a) to (c) Not applicable.
- (3) The member has given no indication whatever as to why such a survey should be done. If he does so, the matter will be considered.

### STATE FORESTS

#### *Pine: Collier Plantation*

290. The Hon. P. G. PENDAL, to the Minister for Forests:

- (1) Is it intended to retain some of the pines in the Collier pine plantation?

- (2) Is he aware that the aesthetics of the plantation are an important ingredient to the academic, technical, pensioner and residential requirements of the locality?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes. Retention of pines in the subdivided areas is encouraged.
- (2) Yes. While the trees were planted for financial betterment I agree in the advantages gained by retaining a certain number for the purposes mentioned in the question.

291. *This question was postponed.*

### ELECTORAL

#### *Wilsmore Case: Appeal to Privy Council*

292. The Hon. PETER DOWDING, to the Attorney General:

- (1) Does the State of Western Australia intend to appeal against the decision of the Full Court in the Wilsmore case?
- (2) Will the appeal be to the Privy Council or the High Court?
- (3) If to the Privy Council—
  - (a) will the Government underwrite or pay the legal and travel expenses for Wilsmore's lawyers; and
  - (b) if not, why not?
- (4) What is the anticipated costs and expenses associated with the appeal?
- (5) Will the State send its legal counsel to the Privy Council?
- (6) Why will the appeal be to the Privy Council and not the High Court?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) Subject to the necessary leave being given, the appeal will be to the Privy Council.
- (3) (a) No.  
(b) The Legal Aid Commission exists for this purpose.
- (4) These have not been reckoned, but they should not be a great deal more than those that would be involved in an appeal to the High Court.
- (5) That is the present proposal.
- (6) Mainly for practical reasons, including the likelihood of an earlier decision.

# POLICE

## *Massage Parlours and Prostitution*

293. The Hon. H. W. OLNEY, to the Minister representing the Minister for Police and Traffic:

- (1) Is the Minister aware that many visiting US Naval personnel and marines appear to patronise those establishments euphemistically called massage parlours?
- (2) Has the Minister received any reports that visiting servicemen have had to queue up outside an establishment in South Terrace, Fremantle, to obtain the services offered by the proprietress and her staff?
- (3) Does this not indicate that on occasions such as when the US Fleet is in port, the demand for that type of service appears to exceed the supply?
- (4) In the interest of preserving harmonious relationships with a friendly foreign power, would it not be a good idea to legalise prostitution and bring it under official, rather than *de facto*, police supervision as is now the case?

The Hon. G. E. MASTERS replied:

- (1) No.
- (2) No.
- (3) Answered by (2).
- (4) Existing legislation is considered adequate.

# POLICE

## *Public Assembly: Stirling Electorate*

294. The Hon. Peter DOWDING, to the Minister representing the Minister for Police and Traffic:

- (1) Is the Minister aware that on Thursday 2 October 1980 on Terry Willesee's programme on television, a scene was photographed with the Honourable Robert Pike on the back of a truck with Phillip Lynch addressing a gathering outside a shopping centre in the Perth metropolitan area?
- (2) Will the Minister advise—
  - (a) was an application received as required by Section 54B for the activity in which the Honourable Robert Pike was involved;

(b) was approval granted as required by that section; and

(c) will the Minister table the application and the response?

- (3) If no application was received, will the Minister say whether the question of a breach under Section 54B will be investigated?

The Hon. G. E. MASTERS replied:

- (1) Yes.
- (2) (a) Yes.  
(b) Permission was granted on 22 September 1980, under section 54B of the Police Act to hold these meetings.  
(c) No.
- (3) Answered by (2) (a).

# PRISONS

## *Prisoner: Amanda Wilbraham*

295. The Hon. H. W. OLNEY, to the Minister representing the Chief Secretary:

Further to the Minister's answer to part 2(d) (ii) of question 258 on 2 October 1980, what was the reason for the prison superintendent giving instructions for Amanda Wilbraham to be returned to the observation cell on the evening of 18 February 1980?

The Hon. G. E. MASTERS replied:

I am advised by the Chief Secretary that the instruction was not given by the superintendent. It was given by the director in the interests of the prisoner's health and welfare.

# NOONKANBAH STATION

## *Television News Item*

296. The Hon. PETER DOWDING, to the Minister representing the Minister for Police and Traffic:

Further to the reply to question 271 of 7 October 1980 regarding Noonkanbah Station television news item, can the Minister advise whether the matters referred to have yet been finalised?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises that investigations have now been completed, and evidence to support a charge of sedition or related offence has not been found.

## TRAFFIC ACCIDENTS

### *South Terrace*

297. The Hon. H. W. OLNEY, to the Minister representing the Minister for Police and Traffic:

- (1) Does the Police Department or the RTA have any records of the incidence of motor vehicle accidents occurring in that section of South Terrace, Fremantle, between the Fremantle Hospital and South Street?
- (2) If so—
  - (a) what are the statistics; and
  - (b) what conclusions, if any, have the responsible authorities drawn from the same?

The Hon. G. E. MASTERS replied:

- (1) Yes, the Road Traffic Authority.
- (2) (a) Reported road traffic accidents, South Terrace, Fremantle, Alma Street to South Street (inclusive).

	Injury	Property damage over \$100
1976.....	1	12
1977.....	7	21
1978.....	5	17
1979.....	9	17
1980 (to September 30)	0	5

(over \$300).

- (b) No conclusions have been drawn.

## INDUSTRIAL ACCIDENTS

### *Safety Officers*

298. The Hon. H. W. OLNEY, to the Minister representing the Minister for Labour and Industry:

The Minister is referred to his answer to question 156 on 3 September 1980—

- (1) Will he identify, by reference to their item numbers in the 1979 Public Service List, the 83 officers of his department said to be employed full time on industrial safety duties?
- (2) Is the Minister aware that in the 1979 Public Service List, only four officers are shown under the heading of "Industrial Safety" in the Inspection and Technical Services Branch of his department, of whom one is designated as a clerk?
- (3) Has there been a rapid increase in the staffing of this particular branch to take the number of safety officers from three to 83 since the 1979 Public Service List was published?

The Hon. G. E. MASTERS replied:

- (1) In the Public Service list 1980 the item numbers are—

Inspection and Technical Services

19 0540 19 0545 19 0555

Industrial Safety

19 0561 19 0563 19 0565

Machinery

19 0580 19 0590 19 0600 19 0601 19 0602 19 0612  
 19 0613 19 0614 19 0615 19 0616 19 0617 19 0618  
 19 0619 19 0620 19 0621 19 0622 19 0623 19 0624  
 19 0625 19 0626 19 0627 19 0628 19 0629 19 0630  
 19 0631 19 0632 19 0633 19 0634 19 0635 19 0636  
 19 0637 19 0638 19 0639 19 0640 19 0641 19 0642  
 19 0643 19 0644

Construction Safety

19 0660 19 0670 19 0680 19 0690 19 0691 19 0692  
 19 0693 19 0694 19 0695 19 0696 19 0697 19 0705  
 19 0706 19 0707 19 0708

Factories and Shops

19 0727 19 0737 19 0747 19 0748 19 0749 19 0750  
 19 0751 19 0752 19 0753 19 0754 19 0755 19 0756  
 19 0757 19 0758 19 0759 19 0768 19 0769 19 0778  
 19 0779 19 0780 19 0781 19 0782 19 0783 19 0784

- (2) All the abovementioned officers are involved in occupational safety on a daily basis.
- (3) No.

## QUESTIONS WITHOUT NOTICE

### ELECTORAL

*Wilsmore Case: Appeal to Privy Council*

86. The Hon. PETER DOWDING, to the Attorney General:

My question is supplementary to the Attorney General's answer to question 292 and is as follows—

What are the practical reasons, excluding the likelihood of an early decision, which made the Attorney General decide to take the appeal referred to, to the Privy Council?

The Hon. I. G. MEDCALF replied:

The first reason is the one which has been given, that is, that it is very likely that an early decision would be given by the Privy Council.

The next reason is that, in the normal course, one would expect one judgment from the Privy Council. Of course, it is possible to have dissenting judgments, but one would normally expect one judgment, which would be an advantage in a matter such as this. On the other hand, if the High Court were to give a 3/4 decision, there may still be some doubts and it would seem better to obtain a clear-cut decision. The additional cost is not sufficiently great to warrant making any decision in favour of the High Court. As I mentioned the other day in an answer to the Hon. J. M. Berinson, the Privy Council would be asked to form a decision on a matter relating to a United Kingdom Act, which is the Constitution Act, and already it has made decisions in relation to similar kinds of Acts for other countries, and no questions affecting the Federal compact or *inter se* questions are involved.

## FUEL AND ENERGY: ELECTRICITY

### *Power Station: Muja*

87. The Hon. J. M. BERINSON, to the Leader of the House representing the Minister for Fuel and Energy:

My question is supplementary to his answer to question 286 in regard to the proposed precipitators to the extension to Muja power station.

I point out to the Leader of the House that my question related to the advertising of tenders, whereas the answer dealt only with the calling of tenders and we were advised tenders had in fact been called.

As my information from an interested firm is that tenders have not in fact been advertised, is the House to understand that tenders for this very substantial contract of \$12 million estimated value have been called on other than an ordinary public basis?

The Hon. I. G. MEDCALF replied:

I will have to ask for the question to be placed on notice.

## FUEL AND ENERGY: ELECTRICITY

### *Power Station: Muja*

88. The Hon. J. M. BERINSON, to the Leader of the House:

I ask a further question of the Leader of the House which is supplementary to his last reply.

The answer to the question really is quite simple, and while it is understandable that the Leader of the House does not have the information at his fingertips, there is no need for the sort of delay involved in having the question placed on notice.

I ask: will he undertake to advise me over the next few days.

The Hon. I. G. MEDCALF replied:

Most certainly.

## AUSTRALIAN TAXATION OFFICE

### *Zone Allowances*

89. The Hon. PETER DOWDING, to the Minister for Federal Affairs:

- (1) Was he present at the Premiers' Conference in June 1980 when the subject of zone tax allowances was raised?
- (2) Did the Prime Minister indicate that his advice was that zone allowances were unconstitutional?

- (3) Has he done anything since June 1980 in order to ensure an increase in the zone tax allowance for people in the north of Western Australia?

The Hon. I. G. MEDCALF replied:

- (1) to (3) I was present at the Premiers' Conference in June 1980, but I was not there for the full conference so I cannot specifically recollect that matter being raised whilst I was there. If it was raised and I was present I probably would recollect it. I do not have any specific responsibility, as Minister for Federal Affairs, in relation to zone tax allowances. That is a matter for the Treasurer and any question in connection with it would have to be directed to the Treasurer.

## INFLATION

### *Federal Policy*

90. The Hon. PETER DOWDING, to the Minister for Federal Affairs:

- (1) Is he aware that since December 1975 prices in Western Australia have increased by 58.6 per cent—as shown by the Consumer Price Index—more than 3 per cent higher than the national average or the movement in Australia as a whole, which is 54.3 per cent?
- (2) Has he drawn to the attention of the Prime Minister the desperate state of the economy in Western Australia which is the result of Federal policy?

The Hon. I. G. MEDCALF replied:

- (1) and (2) The question does not come within my portfolio, and should be directed to the appropriate Minister.

