Legislative Assembly

Thursday, the 22nd September, 1977

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

APPROPRIATION BILL (GENERAL LOAN FUND) (No. 2)

Second Reading

SIR CHARLES COURT (Nedlands)—Treasurer) [2.18 p.m.]: I move—

That the Bill be now read a second time.

The main purpose of this Bill is to appropriate sums from the General Loan Fund to finance certain items of capital expenditure, the details of which are given in the Loan Estimates.

Moneys paid into the General Loan Fund consist of new borrowings approved by the Australian Loan Council, repayments to the fund of various advances made in previous years, and grants from the Commonwealth for general capital purposes.

It has become customary on the occasion of presenting the Loan Estimates for the Government to review its total works programme and I do not intend to depart from that tradition. Of course, today, the work financed from the General Loan Fund is only a part of the total undertaken throughout the State in a year.

The other funds that are available include semi-governmental borrowings, certain Commonwealth specific purpose payments, the domestic funds of Government instrumentalities, and contributions from mining companies and property developers. These other sources, which now constitute the major proportion of the capital funds available to the State, are identified under each item of the Estimates in arriving at the proposed allocation from the General Loan Fund.

In addition, there are some funds of a capital nature received by the State which are paid directly to authorities such as the Main Roads Department and the various tertiary institutions. They are therefore not shown in the Estimates, although the works financed from these funds should also be seen as forming part of the State capital works programme.

When I introduced the Consolidated Revenue Fund Budget to this Assembly on Tuesday evening, I spoke of our borrowing allocations from the Australian Loan Council and the manner in which they had fallen behind those for the other States in *per capita* terms. I also referred to the fact that, at the July council meeting this year, the Commonwealth Government was not prepared to increase the general works allocation for 1977-78 beyond 5 per cent. I do not intend to cover that ground again this evening. Suffice it to say that the major receipts to the General Loan Fund this year are limited to a 5 per cent growth.

Hence the proceeds of Commonwealth loans and the Commonwealth general purpose capital grant this year will amount to $132.7 million compared with $126.4 million which was paid to the General Loan Fund from these sources last year.

There was an unexpended balance of $1.1 million in the fund at the 30th June, 1977, and it is estimated that loan repayments will amount to $14.2 million during the year.

To supplement the fund this year, the Government proposes to pay to the General Loan Fund an amount of $4.4 million of the earnings from the short-term investment of Treasury cash which was not required to be taken to Consolidated Revenue last year. I will comment further on the reasons for this move later in this speech.

Even with this supplementation, the total amount available from the General Loan Fund in 1977-78 will be $152.3 million, an increase of only $8.8 million or 6.1 per cent on the amount actually spent from the fund last year.

Fortunately a more substantial lift in semi-governmental borrowing is available to offset the small increase in the General Loan Fund.

Under the "gentlemen's agreement", the Australian Loan Council approved a total borrowing of $69.3 million in 1977-78 for larger Western Australian State and local government authorities. Part of this allocation is for the larger local government authorities but an amount of $61.9 million will be raised by State authorities to help finance their works programmes.

The allocation to State authorities this year is 57.5 per cent higher than the amount of $39.3 million raised in 1976-77. Of this sum, $16 million is to be raised as the first instalment of a special three year temporary addition of $24 million for the conversion of the power station at Kwinana to dual coal or oil firing.

Special additions of this kind to State borrowing programmes are occasionally approved by the Loan Council to meet a demonstrable special need. They are apart from a State's normal allocation and do not form part of the total for the purpose of calculating the State's percentage share of the total programme in subsequent years.

The Kwinana conversion project is a unique requirement arising from unusual circumstances. It is clearly a case for a special addition to our borrowing rights and I was grateful for the concurrence of Loan Council. However, it should not be thought that agreement to a special addition of this kind is easy to obtain. In our experience such cases are few and far between and, if we are to judge by past experience, this begrudgingly used mechanism is no real answer to the capital problems faced by many States and Western Australia in particular.

Borrowings by smaller State authorities are also subject to the terms and conditions applying under the "gentlemen's agreement". No limit is set for the total borrowings in this category but a limit is set on the amount which individual authorities may raise in a year. At the July meeting of the Loan Council, the annual amount each authority in this category could borrow was increased to $1 million following strong representation from the Premiers.

The works programme is assisted by loan raisings of State instrumentalities in this category which are expected to total $13.5 million in the current year.

As I mentioned during the Budget speech on Tuesday, we have been concerned at unilateral decisions by the Commonwealth to eliminate or reduce a number of specific purpose grants for capital programmes. In particular, the reduction from $12 million to $4.7 million in the hospitals development programme and the discontinuation of the national sewerage programme from which we received $9 million in 1976-77 have placed a severe strain on our capital Budget this year.

The amount which will be received this year by way of Commonwealth specific purpose payments of a capital nature will be $64.5 million compared with a total of $77.8 million in 1976-77.

Works Programme

With the funds available from the sources I have described, a total works programme of $423.4 million will be carried out this year. Details of how the programme will be financed are shown in the loan Estimates, but in summary it will be—

	$ million
Proceeds of Commonwealth loans	88.4
Commonwealth general purpose capital grant	44.2
Receipts from loan repayments	14.2
Balance in General Loan Fund at 30th June, 1977	1.1
Borrowings by State authorities	75.3
Commonwealth specific purpose payments	64.5
Internal funds of Government authorities	108.8
Amount transferred from short-term investment earnings	4.4
Other funds	22.5

Last year a programme of $358.9 million was undertaken with finance from similar sources and so planned expenditure in 1977-78 is $64.5 million or 18 per cent above the outlay in 1976-77.

As I stated when presenting the Consolidated Revenue Fund Budget on Tuesday, the Government gave top priority to the shaping of a satisfactory capital works programme and the resulting substantial increase in real terms should help to provide a much needed stimulus to the private sector.

It is a most satisfactory programme in all the circumstances and has been made possible by the careful husbandry of our resources in recent years and by the support it has been possible to give the General Loan Fund from other sources.

In this respect members should bear in mind the greatly increased expenditure on minor works and maintenance of buildings and on railway renewal and maintenance for which provision has been made in the Consolidated Revenue Fund.

There is one other proposed move taken into account in framing the capital works programme which warrants further explanation. I have mentioned already that the Government was able to avoid the need to take to revenue last year the earnings on the investment of Treasury cash during 1975-76. As a result, those funds are now available to provide for additional capital works.

It is most important that we exercise common sense in the use of these funds and not create commitments by way of works in progress next year for which a corresponding source of funds may not be available.

We have therefore decided to earmark these funds for a specific major project for which room may not otherwise have been found in the capital works programme. The project selected is the estimated $20 million District Court building in Irwin Street.

This year, expenditure on the court building is expected to be $4.35 million rising to $8 million in 1978-79. Accordingly it is proposed to transfer $4.35 million from investment earnings to the General Loan Fund to meet expenditure on the

law courts this year and it is hoped that it will be possible to meet the greater part of future expenditure on the building from the same source.

Members will recall that we have budgeted to take $8.7 million of last year's earnings to Consolidated Revenue. In one sense this can be regarded as a balancing item; a greater or lesser amount than this may be required to maintain the Budget in balance as the year progresses.

The most desirable result would be if we can so manage our affairs that we again will not need to have recourse to these funds for revenue purposes and thereby be able to further augment the capital works programme next year in the interest of creating jobs.

That will most certainly be my aim as Treasurer if the trend of events this year allows.

Expenditure from General Loan Fund

Of the total finance required for the planned works programme, an amount of $152.3 million is to be supplied from the General Loan Fund for the purposes listed in the Estimates.

Full details of the programme are set out in the Estimates together with the source of funds employed. The amount to be provided from the General Loan Fund and which is subject to appropriation in this Bill is clearly identified.

As in most cases specific works to be undertaken are set out in the Estimates; it is unnecessary for me to comment on all items and I shall therefore confine my remarks to some broader aspects of the programme.

State Energy Commission

The greatly increased capital requirements of the State Energy Commission in this and following years have created a major problem for the Government. Planned expenditure on capital works in 1977-78 is $91 million, an increase of 40 per cent on expenditure in the previous year. Moreover the commission's capital requirements will increase markedly over the next three years as a result of construction of Muja generating units and the associated high voltage transmission lines, and the continuing conversion of oil burning units at Kwinana to enable them to burn coal.

The total cost of these projects in the period from 1977-78 to 1981-82 is in the order of $240 million out of a total estimated capital expenditure requirement of $630 million for the commission over this period.

For reasons I explained when introducing the Consolidated Revenue Fund Budget, Western Australia's Loan Council borrowing allocations are completely inadequate to enable special needs of this magnitude to be met. An additional source of borrowing must be found if we are not to cut back to an unacceptable degree on all other capital works for the next four years.

When introducing the Loan Fund Estimates last year I informed members that a fully documented case had been submitted to the Commonwealth Government requesting a substantial loan over six years, specifically for the three major works mentioned.

Earlier this year, the Prime Minister indicated that, while the Commonwealth Government could not see its way clear to provide the loan requested, it would support an application to Loan Council for a special temporary addition to our semi-governmental borrowing programme for the remainder of the cost of the Kwinana conversion.

At the meeting of Loan Council in July this year a special temporary addition of $24 million to our semi-governmental borrowing allocation was approved for this project. This amount will cover the remaining cost of the Kwinana conversion and $16 million of the total will be raised in 1977-78. It is expected that the first 200 megawatt unit will be converted in April, 1978, with conversion of the other units following about a year later.

The Commonwealth's offer of support for the Kwinana conversion did not overcome the problem of how to fund Muja units 5 and 6—each a coal burning unit of 200 megawatt capacity—and the associated high voltage transmission lines to the metropolitan area. The total cost of these facilities is estimated as $218 million, of which $21 million had already been spent at the end of June, 1977.

It is imperative that work at Muja proceeds, both to achieve operating economies and to lessen our dependence on imported fuel oil. Accordingly in March this year, approval was given for a feasibility study of the setting up of a private power corporation to establish and own the Muja Power Station extension and associated works. It was proposed that the commission would have exclusive rights to purchase electricity from the private power corporation and would also be responsible for the operation and maintenance of the station under a contractual arrangement with the company.

The consultants have completed their study and a detailed proposal currently is before the Government.

Current indications are that the private power corporation proposal is a feasible means of financing the Muja extensions. In fulfilment of

an undertaking given when the proposal was first discussed with the Commonwealth Government, the Prime Minister has been given details of the proposal and the opportunity to comment on any aspect of it which may be of particular interest to the Commonwealth Government.

Let me make it clear that we are not asking the Commonwealth to approve the arrangement. That is a matter for this Government to determine, not the Commonwealth. However, the proposal would break new ground in Australia and is naturally of considerable interest to the Commonwealth and indeed all other States. We would therefore consider carefully any comments the Commonwealth may wish to make along with our own study of the proposal.

At this stage, work on the extensions will continue to be financed by the commission, with the possibility of transfer of the partly constructed works to a private power corporation later in 1977-78 remaining open. Should the Government decide to proceed, documentation of the arrangement and the setting up of the company will take time and it is unlikely that a formal transfer could take place before 1978. In that event, however, the commission's capital requirements in 1977-78 could be less than the amount allocated in the General Loan Fund Estimates and some reallocation to other deferred projects could be made. This is a decision which will have to be made at the time and Parliament will of course be advised of any such reallocation should it eventuate.

In 1977-78 the commission is to spend an amount of $3.6 million on expanding the gas reticulation system.

Additional generating plant is to be installed and distribution systems upgraded in the case of country electricity supply undertakings which are not part of the interconnected system. The major provision is $1.7 million for expenditure on two 12 megawatt diesel generating units for the commission's Redbank power station at Port Hedland. When installed these units will bring the capacity of the Redbank station to 46 megawatts.

Education

The Government is firmly committed to the provision of an education system which is relevant to current and future needs.

We recognise that one of our major responsibilities is to ensure that students of all ages are prepared for the increasing variety of career opportunities that are becoming available to them these days.

At the same time, however, we are aware that the public is questioning more closely the effectiveness and the cost of the system. Therefore, while the Government is fully committed to ensuring that there are adequate educational opportunities for all, we are also taking positive steps to ensure that the community is receiving value for their money.

This year we have budgeted for expenditure of $41.6 million on schools. The programme includes a number of projects to be completed from Schools Commission funds which were not drawn in 1976-77 and are available to us this year.

Fourteen new schools will be opened in 1978 to cope with the demand caused by an increasing school population and fast growing residential areas.

Enrolments in the north-western corridor are causing heavy demands for accommodation and new primary schools will open at Carine, Mullaloo, and Padbury.

South of Fremantle, new primary schools at Cooloongup and Wattleup will cater for a growing school population. In addition $1 million has been allocated in 1977-78 for the first stage of a secondary school at Safety Bay. The school, which has an initial enrolment of 169, is scheduled for completion in time for the 1978 school year. It will relieve pressure on the nearby Rockingham Senior High School, drawing pupils from the Safety Bay, Warnbro, and Bungaree Primary Schools.

To ease the strain on existing education facilities in the south-eastern corridor, a secondary school at Maddington and primary schools at Forrestdale and Gwynne Park, Armadale, will open in 1978.

The $1.6 million first stage of the high school at Maddington is expected to cater for 171 pupils, many of whom would have previously attended Thornlie Senior High School.

Substantial increases in enrolments have also been occurring in a number of country centres. To provide for these children in the coming academic year, primary schools will be completed at Flinders Park in Albany and at Mt. Tarcoola at Geraldton. Funds have also been provided for a new primary school at Pegs Creek, Karratha.

More than $20 million has been allocated for additions and improvements to existing primary and secondary schools during the year. This is a very substantial sum and members will note from the Loan Estimates that the expenditure will be spread over a very wide area of the

State. For example, work will be undertaken in Albany, Broome, Port Hedland, Merredin, Lake Grace, Mukinbudin, Harvey, Kalgoorlie and many other country areas as well as in the metropolitan area.

It is proposed to spend $6.2 million this year on related capital works in the increasingly important field of technical education.

Planning is proceeding with the construction of a new complex for the Perth Technical College and work is planned to commence in 1978 on the Carine Technical College and on new buildings for the Technical Extension Service.

An amount of $1.1 million has been allocated for pre-primary centres and $1.7 million has been set aside for land acquisition.

The needs of children requiring special education have also been recognised and a new special school will open at Willetton in 1978. The Government has adopted the policy that the education of disadvantaged children should be integrated as much as possible with the education of other children. The new special school, therefore, has been planned so that it shares a combined site with Burrendah Primary School and Willetton High School.

As I mentioned earlier determined efforts have been made to contain costs and it is pleasing to be able to say that, despite inflation, costs have not greatly increased in the past year. At present about $1.6 million is required for the construction of stage 1 of an average secondary school, while the estimated cost of a 250 pupil primary school in the metropolitan area is $400 000.

We are continuing our efforts to reduce the costs of Government buildings so as to get more work done from the funds available.

Hospital and Health Services

We will continue to give high priority to upgrading and expanding health care facilities despite a $7.3 million cut in Commonwealth funds under the 1977-78 hospitals development programme.

In the current financial year it is planned to spend $29 million on hospitals, $5.4 million less than last year. A special effort has been made to minimise the cut in Commonwealth funds and the proposed allocation of General Loan Funds of $19.8 million is 26.8 per cent higher than last year's allocation. Members will appreciate the magnitude of this effort if they recall that the total increase in the General Loan Fund this year was only 6.1 per cent.

Time does not permit me to comment on all the projects included in the hospital programme, but I do want to highlight some of the more important items.

As part of an ongoing plan to improve and rationalise hospital services in the metropolitan area, $23.6 million will be spent on the four major teaching hospitals: the Sir Charles Gairdner Hospital at the Queen Elizabeth II Medical Centre, the King Edward Memorial Hospital, the Fremantle Hospital, and the Royal Perth Hospital.

Last year I had much pleasure in announcing the consent of Her Majesty the Queen to the renaming of the Perth Medical Centre to the Queen Elizabeth II Medical Centre. Members will no doubt recall that the consent of Her Majesty to the renaming of the centre was announced on the occasion of the official opening of the new diagnostic unit during Her visit to Western Australia during Her silver jubilee year.

This year $10 million has been provided for the construction of the podium and ward block of the Sir Charles Gairdner Hospital at the centre. The block is designed to accommodate 425 patients and includes 12 operating theatres, a nuclear medicine unit, casualty, and X-ray departments.

Provision of $6 million has been made for additions to the King Edward Memorial Hospital for Women. The additions will improve facilities for obstetric and gynecology patients and will meet the increased teaching requirements of the University School of Medicine in these fields.

As well as providing 120 beds, the building, when completed, will house a neo-natal unit of 88 intensive care cots, delivery and theatre suites, and associated service departments.

In addition, $5 million will be spent this year on a programme of further extensions and improvements to Fremantle Hospital. This project includes 186 beds, of which 120 will replace beds in existing wards and provide urgently needed outpatient clinics, laboratories, and operating theatres.

Work will be continued on the north block structure at Royal Perth Hospital and $1.7 million has been allocated for this purpose in 1977-78.

Other significant outlays this year will be $1.5 million for improved diagnostic facilities at the Bentley Hospital and an allocation of $500 000 for work associated with the new Wanneroo Hospital.

Preliminary work has already commenced at Wanneroo and tenders will be called by the end of October, 1977, for footings and site works. While this work is proceeding it is expected that

detailed planning will be finalised and tenders called for the completion of the building. This will allow a start to be made on the building immediately the site works and footings are finished, which should be in July, 1978, on present indications.

While the specific expenditures I have referred to so far acknowledge the need for more and better hospital services in the metropolitan area, we are also conscious of the need to provide adequate services in the country.

New hospitals at Bridgetown and Busselton are scheduled for completion this year at a total cost of $6.5 million. Almost $1 million will be spent on the final stages of constructing these two hospitals in 1977-78.

Extensions and improvements to the Harvey and Pingelly Hospitals are expected to cost $571 000 and $803 000 respectively this year.

The nursing post at West Kambalda was completed in August at a total cost of $318 000. Funds will be provided to complete the children's ward at Mullewa in 1977-78 and other significant expenditures will be incurred in completing projects at Esperance and Port Hedland.

Although the increase in capital funds available to the Government does not permit a start being made on any major new hospital projects this year, provision has been made for an enhanced programme of minor works and maintenance in hospitals throughout the State which will help considerably to improve facilities and relieve pressures in many hospitals.

In addition, a substantial part of the $4 million special allocation for employment stimulation which I announced on Tuesday will be allocated to hospital works in country towns which will further augment the programme.

In the field of public health, changes in the funding arrangements with the Commonwealth Government mean that the State must meet an additional proportion of costs this financial year. Despite these new arrangements, our community health programme this year will permit a reasonable expansion in activity while enabling existing services to be maintained.

New community health centres were opened at Lake Varley and Karratha in 1976-77 and centres at Geraldton and South Hedland will be completed this year. In addition $300 000 has been allocated for construction of health centres at Kwinana and Lockridge.

Other significant allocations include $514 000 for the commencement of a major teaching health centre in Claremont; $1.6 million for dental clinics at primary schools; and $150 000 to assist the Alcohol and Drug Authority to provide accommodation for persons who require long-term care.

During the year it is planned to spend $1.4 million on mental health facilities including $212 000 on the Irrabeena complex in West Perth; $300 000 for a new administrative headquarters at the Graylands Hospital; and $367 000 to complete the Sussex Hostel at Innaloo.

Water Supplies, Sewerage, and Drainage

The Metropolitan Water Supply, Sewerage and Drainage Board will undertake a programme involving expenditure of $57.8 million in 1977-78. This represents an 8 per cent increase on expenditure last year even though the Commonwealth has discontinued assistance for backlog sewerage which last year amounted to $8.8 million for the metropolitan area.

Work will continue on the Wungong Dam project located on the Wungong Brook about seven kilometres south-east of Armadale. The estimated total cost of the dam is $13.2 million and $5.3 million has been allocated for the work to be done this year. When completed, the dam will have a capacity of 60 million cubic metres bringing the total hills storage capacity serving the metropolitan area to 553.4 million cubic metres. The dam is expected to be ready in time to receive run-off from the 1978 winter rains.

To supplement existing water supplies, an amount of $3.5 million has been allocated to complete work on the Wanneroo groundwater scheme for the coming summer. This scheme will provide 16.9 million cubic metres of water a year to supplement the existing metropolitan water supplies and will augment supplies to suburbs in the north-western corridor.

Approximately $25.5 million has been allocated for sewerage works, only marginally less than actual expenditure last year despite the cut-back in Commonwealth funds under the national sewerage programme.

Provision of $4.7 million has been made to enable work to be completed on the Beenyup and Westfield treatment plants in 1978. Further progress will also be made in the reduction of backlog sewerage areas and a sum of $5.9 million has been allocated for reticulation sewers.

A programme of $23.5 million is proposed for country water supplies, sewerage, irrigation and drainage to provide or upgrade services to towns, farmland, mine and holiday resorts. This allocation is 26.8 per cent more than was spent on

these services last year which represents a substantial increase in the physical volume of work which will be undertaken.

Details of the many works proposed are set out in the Estimates and I will therefore make specific reference to only a few of particular interest.

An amount of $5.5 million has been provided for a start on construction of the De Grey River scheme which will provide a new source of water for the rapidly expanding needs of the Port Hedland area. The scheme will draw water from a borefield to be constructed on the banks of the De Grey River. It is expected to cost $22 million and to be commissioned in 1979.

Until water is available from the De Grey River, Port Hedland's requirements will continue to be met from the Yule River scheme. An amount of $771 000 has been provided in 1977-78 to complete the upgrading of the supply main from that source this year.

A total of $1.4 million will be spent on the Albany regional water supply. Of this sum $818 000 will be spent on extending the south coast borefield and $560 000 on the construction of the water main from Albany to Mt. Barker.

Work on major improvements to the Allanooka headworks to meet the growing demand at Geraldton will continue and $922 000 has been provided for this work.

An amount of $550 000 has been allocated to continue construction of the link main between Mandurah and the South Dandalup Dam and $245 000 has been provided for the continuation of the Dunsborough-Quindalup water supply scheme.

In addition major improvements will be undertaken on a number of existing water supply schemes, including those at Dongara, Halls Creek, Denmark, Northam, and Derby.

An amount of $635 000 has been provided for the continuation of the expansion of the Gascoyne groundwater supply scheme. This scheme will improve the water supply to both the town of Carnarvon and adjacent irrigated plantations.

The existing open irrigation channels in the Harvey central irrigation area are in need of rehabilitation and $300 000 has been provided to enable a start to be made on this work.

Expenditure of $5.2 million is programmed for country sewerage schemes. Of the total expenditure $2.1 million will be financed by local authority borrowings.

A start will be made on sewerage schemes at Derby, Esperance, Geraldton, and Busselton.

At Bunbury and Eaton, $1.1 million will be spent on works associated with the progressive installation of sewerage facilities. A further $415 000 will be spent on extending sewerage reticulation in Mandurah and $300 000 has been provided for work at Manjimup.

In July, the Government established the Water Resources Council of Western Australia whose principal role will be to co-ordinate knowledge about the assessment, development and conservation of water resources throughout the State. It will provide independent advice to the Government on all forms of water usage and investigation. In conformity with this forward looking policy of the Government, the Public Works and Mines Departments and the Metropolitan Water Board will spend $5.2 million on water resource assessment and investigation. Funds for this programme are provided in both the Loan and Revenue Budgets.

Port and Marine Works

The value and volume of exports from Western Australia continue to grow and provide a level of export income that is tremendously important to the Australian economy. To support these vital export industries, the Government has allocated $15.1 million to continue improvements to port and fishing facilities throughout the State.

The Fremantle Port Authority will spend $4 million. Its major items of expenditure will be $1.6 million to complete the new bulk cargo jetty in the outer harbour and $1.2 million for work on the North Quay.

The programme on the North Quay will include work to complete the roll-on roll-off ramp at No. 12 berth which was commenced last year. In addition, the authority will start a redevelopment scheme for No. 4 and No. 5 berths which is estimated to cost $4.3 million.

A sum of $793 000 will be spent on the beginning of the scheme this year which is designed to provide additional heavy duty cargo facilities and permit greater flexibility in the berthing of vessels carrying containers and other heavy duty loads.

Provision has also been made for expenditure of $50 000 for a permanent floating oil barrier at the eastern end of the harbour to further safeguard the lower reaches of the river from harbour pollution, and $304 000 for additional mechanical plant.

The Bunbury Port Authority is to spend $1.7 million in 1977-78. Work will continue on the No. 2 berth in the new harbour at a cost of $1.1 million. An amount of $60 000 has been provided for investigations of the harbour for possible future extensions.

The Geraldton Port Authority has budgeted for expenditure of $1.9 million in the current financial year of which $1.5 million is earmarked to complete work on the No. 5 berth.

At Albany, the port authority will spend the greater part of its funds of $1.8 million this year on harbour dredging. This is a continuation of a programme which is estimated to cost $4 million in total which will enable deeper draught vessels to use the port.

The co-ordinated programme to upgrade facilities for the fishing industry will be continued throughout the State and $1.8 million has been provided for this purpose.

Further dredging and groyne construction will be undertaken on the new Port Denison fishing boat harbour; the slipway at Carnarvon will be nearly completed and additional improvements made to the Fremantle and Geraldton fishing boat harbours. Lead lights will be installed at Greenhead and Ledge Point and investigations for marine facilities will be carried out at Shark Bay, Point Samson, and Esperance.

A sum of $624 000 has been provided for coastal erosion investigations and remedial works are planned at Busselton, Mandurah, Esperance, and Ledge Point.

An allocation of $417 000 will enable the completion of the reconstruction of the Mends Street and Barrack Street ferry terminals. A further $304 000 has been provided for extension of the ferry berth and the upgrading of the existing marine facilities at Rottnest Island.

A new ocean boat launching facility will be commenced north of Mullaloo to serve the growing number of amateur boating enthusiasts. A sum of $325 000 has been provided to start this work during the year.

An allocation of $675 000 has been provided for work on the Wyndham jetty. This will include a southward extension of the jetty and the installation of a bulk loading facility.

Railways

The Railways Commission will undertake a programme of work involving expenditure of $17.8 million in 1977-78.

An amount of $3.5 million has been provided to commence the rehabilitation of the standard gauge line between Kwinana and Koolyanobbing which forms part of our vital rail link with the Eastern States. Deterioration of the line has resulted in the imposition of speed and axle load restrictions.

The programme will involve re-railing with heavier gauge rails and the use of concrete sleepers. The project is estimated to cost in excess of $80 million and construction will extend over at least five years.

Because of the magnitude of this commitment and the precedent of previous Commonwealth financial assistance for this nationally important rail link, a fully documented submission has been made for Commonwealth support for the work. The request has been favourably received by the Federal Minister for Transport and although no funds were provided this year because of the Commonwealth's own budgetary difficulties, I have reason to be hopeful that the Commonwealth will make a contribution in future years.

Provision has also been made to complete the upgrading of the track in the Brunswick Junction to Collie section of the railway. These improvements are necessary to handle the increased coal haulage that will be required by the State Energy Commission when the Kwinana power station is converted to coal burning.

Expenditure is also programmed for track improvements to the recently converted standard gauge railway between Kalgoorlie and Leonora for haulage of a greater volume of nickel ore following development of nickel mining at Agnew.

In line with our policy of upgrading metropolitan passenger rail services, provision has been made for preliminary design work and development of plans for six passenger railcars.

The rolling stock construction programme also provides funds for 20 narrow gauge and 21 standard gauge grain wagons. It is anticipated that the grain wagons will be available for haulage of the 1977-78 harvest.

An amount of $1.6 million has also been provided to meet payments on 11 new narrow gauge locomotives. The first locomotive is shortly to undergo acceptance trials and it is anticipated that the final locomotive will be brought into service early in 1978.

Other Items

I do not propose to go into the detail of other votes. The Loan Estimates contain a considerable amount of information about specific votes and members can also obtain further information from the responsible Minister when the Estimates

are being dealt with in Committee. However, there are a few other items of general interest on which I would like to comment.

The Metropolitan (Perth) Passenger Transport Trust will undertake a capital programme costing $4.2 million in 1977-78. An amount of $3.1 million is provided for new buses which will allow the completion of 38 buses and the purchase of an additional 26 bus chassis and 22 bodies. The expenditure is in line with the Government's policy of replacing those buses which have been in the fleet for a period exceeding 20 years. A sum of $600 000 has been allocated to equip 100 buses with two-way radios. The improved communication system should lead to a more effective use of buses and mean a better service for bus patrons.

Tenders have recently closed for the construction of a 15-storey District Court building to be erected on a site bounded by St. George's Terrace, Irwin, and Hay Streets. The project is scheduled for completion in 1980 and $4.4 million has been allocated for the work expected to be done this year.

The lower levels of the building will house 17 courtrooms for District and Supreme Court jurisdictions and 12 petty sessions courtrooms together with ancillary accommodation, practitioners' reference libraries and lounge, jury assembly room and accused holding areas. The upper floors will comprise judges and magistrates chambers with associated offices, conference rooms and a small library.

The complex will also accommodate the RSL State Headquarters in a partly detached building near the site of the old Anzac House.

In addition to this major expenditure on court buildings, the new courthouse at Kununurra will be finished and facilities at Derby, Northam, Midland, and the Supreme Court will be upgraded. The Roebourne courthouse will be restored to its original condition as requested by the National Trust.

Expenditure of $862 000 will be incurred on the Fremantle police complex, the estimated total cost of which is $1.9 million. The complex will be situated on the site of the existing police accommodation and the old courthouse, prison warders' quarters and cell-block, all of which have National Trust classification, will be retained. Along with the two police barracks these historic buildings are to be an integral working part of the complex and the new buildings which comprise police offices, lockup and quarters, have been designed to blend with the existing architecture.

The police station at Donnybrook will be finished and a start made on the Cunderdin, Warwick, and Fitzroy complexes. Police quarters will be constructed at Wiluna and Mundaring and extensive additions will be undertaken at Kununurra and Kalgoorlie.

An amount of $854 000 has been allocated in the Estimates to provide additional Road Traffic Authority facilities. The Merredin regional centre and examination and licensing centres at East Fremantle and Collie will be completed and construction will begin on new regional centres at Northam and Warwick and an examination and licensing centre at Narrogin.

The Western Australian Fire Brigades Board plans to spend $5.9 million, principally on the construction of new headquarters to replace the Murray Street fire station which was originally commissioned around the turn of the century and designed for horse-drawn fire engines. The new building is expected to be completed early in 1979.

Provision of $3.7 million has been made in the Estimates for the continuing construction of the new Art Gallery. The project is estimated to cost $8.3 million and planned to be opened in 1979 during the sesquicentenary anniversay celebrations of the State.

A regional office of the Forests Department will be commenced in Bunbury. It is planned to spend $550 000 on the building this year. The office will cater for the administration, fire control and research services associated with the department's activities in the south-west of the State. In addition, planning will begin on the department's new headquarters in Como.

The State Housing Commission will spend $74.5 million, 15 per cent more than in the previous year. This will enable the commission to maintain the same level of housing construction in physical terms as in 1976-77, despite a reduction in real terms in the availability of Commonwealth funds for housing. The commission expects to complete 1 221 houses in 1977-78 compared with 864 last year.

The Country High School Hostels Authority will undertake additions and alterations to existing hostels at a cost of $613 000. The Northam girls hostel will be expanded and accommodation is to be improved at a number of hostels, including Geraldton and Merredin.

The Government Employees' Housing Authority's works programme comprises expenditure of $10.1 million of which $3.5 million will be

derived from General Loan Fund. The allocation is a substantial increase on the previous year's and will permit 180 extra homes to be made available this year and construction to commence on an additional 158.

The Western Australian Marine Research Laboratories at Waterman are to be extended to meet the requirements of expanding fisheries and marine environmental research. A sum of $417 000 will be spent on the project in 1977-78.

The upgrading of the Department of Tourism's Melbourne Travel Centre is to be completed during this year and for that purpose an allocation of $116 000 has been provided. The completion of these works will conclude the upgrading of the Western Australian Government Tourist Centres in Sydney, Melbourne, and Adelaide.

Conclusion

That concludes my survey of the State capital works programme for 1977-78 and I now turn to the main purpose of the Bill which is to appropriate from General Loan Fund sums required to carry out works and services detailed in the Loan Estimates.

Supply of $65 million has already been granted under the Supply Act, 1977, and the Bill now under consideration seeks further supply of $87.306 million. The total of these two sums, namely $152.306 million is to be appropriated for the purposes and services expressed in schedule B to the Bill.

As well as authorising the provision of funds for the current year, the measure seeks ratification of amounts spent during 1976-77 in excess of the Estimates for that year. Details of these excesses are given in schedule C to the Bill.

I commend the Bill to members and in so doing request leave to table the General Loan Fund Estimates of Expenditure for the year ending the 30th June, 1978, and a copy of the Loan Estimates speech.

In conclusion, I think members will find in spite of the small increases from the Commonwealth Government we have still managed to produce a very healthy and comprehensive loan fund programme.

The Estimates of Expenditure for the year ending June, 1978, were tabled (see paper No. 267).

The Treasurer's speech was tabled (see paper No. 268).

Debate adjourned, on motion by Mr Jamieson (Leader of the Opposition).

APPROPRIATION BILL (GENERAL LOAN FUND)

Order Discharged

SIR CHARLES COURT (Nedlands—Premier) [3.10 p.m.]: I move—

That Order of the Day No. 2 be discharged from the notice paper.

Question put and passed.

Order discharged.

PAY-ROLL TAX ASSESSMENT ACT AMENDMENT BILL

Second Reading

SIR CHARLES COURT (Nedlands—Treasurer) [3.11 p.m.]: I move—

That the Bill be now read a second time.

Members will appreciate that this Bill arises out of the Budget. When introducing the Budget to Parliament, I referred to a reduction in the level of taxation on pay-rolls.

This is the proposed Bill to put into effect that particular decrease in taxation.

The Bill now before members is to make three significant changes in the pay-roll tax legislation, which are—

to increase the level of the basic deduction, which will result in exempting more small businesses from pay-roll tax;

to change the range of the tapered deduction, which will reduce the tax payable by those businesses which receive this form of deduction; and

to increase the minimum deduction applicable to all businesses.

In addition, the provision included in the legislation last year to prevent the proposed changes in the law from imposing increased taxes on any business during the transitional period will be continued, to ensure that the same provision will apply to these proposed changes.

The proposed reduction in tax levels will mean that, under a full year's operation of the proposals contained in this Bill, all businesses will either pay less pay-roll tax or be exempt from this form of tax.

I shall explain and comment on each of the changes in turn.

Currently all taxpayers with a pay-roll of $48 000 or less pay no tax. This level of basic deduction was enacted only last year and increased the previous level by approximately 15 per cent.

The current proposal is to now raise the existing level from $48 000 to $60 000, representing an increase of 25 per cent. The effect of this provision will be to relieve a further 980 small businesses from the imposition of pay-roll tax.

The existing taper scale results in a decrease in the present deduction of $48 000 by $2 for every $3 by which annual pay-rolls exceed that sum.

This means that currently, taxpayers receive a diminishing deduction until the annual pay-roll reaches $84 000. For pay-rolls of $84 000 and above there is a flat deduction of $24 000.

The same system will be employed to taper out the new and higher deduction, which means that pay-rolls between $60 000 and $109 500 will be in the taper range.

Thus, because there is a higher base, pay-roll taxpayers within the existing taper range and who remain in the new range, will receive a higher deduction and, therefore, pay less tax.

For example, a taxpayer with an annual pay-roll of $90 000 under existing legislation pays on taxable wages of $66 000.

Under the proposals in this Bill, on the same annual pay-roll, when the changes operate for a full year, the taxpayer will pay on only $50 000. This will reduce the amount of annual tax payable by $800.

The current minimum deduction of $24 000 will be increased to $27 000 under the proposals contained in this Bill. This is an increase of 12½ per cent.

The increases in the basic level of exemption, together with the minimum deduction and the extension of the taper range, will provide relief to all businesses and for a large number of small businesses it will mean total exemption from this form of taxation.

Thus, under the proposed arrangements in this Bill, all taxpayers with annual pay-rolls above $109 500 per annum will receive a flat deduction of $27 000.

A special provision inserted in the amendments made to the legislation last year has been continued in this Bill. This will ensure that no taxpayer is required to pay more pay-roll tax than he would have been liable to pay had the law not been amended by the proposals now before members.

This situation could arise in certain cases, generally in respect of businesses which operate seasonally.

It will occur only in a transitional year; that is, the current financial year, where different limits and concessions apply in each portion of the 12 months' period.

The situation can arise because of the changes to be made in the law and, therefore, a taxpayer's assessment must be divided into two separate periods, causing the deductions to be apportioned.

The main type of taxpayer who would be disadvantaged is the seasonal employer, where the bulk of the taxable wages is paid in the period from the 1st July, 1977, to the 30th November, 1977, and a much lesser amount of wages is paid in the remaining period of the financial year ending the 30th June, 1978:

If the law is not amended, he would be entitled to the deduction applicable to his taxable wage level for the full 12 months. However, because of the changes to be made in the law, his assessment must be divided into two separate periods and, therefore, the deductions are apportioned.

In his case this means, for the five months' period ending the 30th November, 1977, he would receive only a 5/12ths proportion of the prescribed allowable deduction, and for the remaining period of seven months, from the 1st December, 1977, to the 30th June, 1978, because of the lower level of taxable wages paid in this period, he would not obtain the maximum benefit from the 7/12ths proportion of the increase in the prescribed allowable deduction.

Therefore, he would either not be liable for tax or pay only a small amount of tax for this latter period, which would be grossly disproportionate to the annual tax situation.

This is not a result which is consistent with providing reduced pay-roll tax and, therefore, the continuance of this provision in the Bill will ensure equitable treatment of these taxpayers and enable the commissioner to rebate the tax or refund any overpayment and thus overcome this anomaly.

I emphasise the fact that this situation can arise only in a transitional year and it is estimated that the maximum amount of revenue involved would not exceed $20 000.

The provision limits the refund or rebates to sums in excess of $10, as the time involved in the preparation and processing of an application for a smaller sum would result in greater cost to both the taxpayer and the department than the refund would be worth.

In summary, as a result of the proposals contained in this Bill, 980 taxpayers will no longer be liable for pay-roll tax and all other taxpayers

will receive relief by amounts ranging up to $1 000 per annum.

The Bill contains a saving clause to enable the commissioner to raise an assessment of tax in the event of cases coming before him for past periods.

A number of the other provisions in the Bill deal with changes in the amounts which regulate the submission of returns and prescribe the deductions to be made from taxable wages. These reflect the decisions to provide further relief from pay-roll tax.

In order to calculate the annual deductions applicable to the various situations in which pay-roll tax is levied, a formula has been employed. It has been designed along the same lines as that adopted for the previous year.

For the transitional year, the legislation before the House has been structured to divide 1977-78 into two parts, with one adjustment at the end of the financial year.

The first part covers the period from the 1st July, 1977, to the 30th November, 1977, and the second part from the 1st December, 1977 to the 30th June, 1978.

The reason for this division is that different limits and concessions apply in each period.

An annual adjustment of tax payable is necessary under the existing law and will continue to be necessary in future.

This arises from the tapered nature of the deductions which, when taken in conjunction with the fluctuations in monthly pay-rolls, makes it impossible to determine the precise amount of deduction entitlement until the end of the year.

Similar provisions containing the formulae calculations are contained in the Bill for the purpose of amending the grouping provisions, as groups are to receive the same concessions as other taxpayers.

Provision is made to apply the amendments to the pay-roll tax legislation on and from the 1st December, 1977.

The cost to revenue of the proposals contained in this Bill is estimated to be $1 million in the current financial year, during which they will apply for part of that year only, and $2 million in a full year of operation.

In summary, the Bill contains proposals to reduce pay-roll tax in accordance with the announcements made when introducing the Budget.

I commend the Bill to members.

Debate adjourned, on motion by Mr Jamieson (Leader of the Opposition).

CONSTITUTION ACTS AMENDMENT BILL

Second Reading

SIR CHARLES COURT (Nedlands—Premier) [3.22 p.m.]: I move—

That the Bill be now read a second time.

The Bill is designed to make better provision in respect of matters arising out of interpretations of section 46 of the Constitution Acts Amendment Act, 1899-1975.

A study of the rulings of different Presiding Officers shows that there has not been a constant thread of consistency in the interpretations of the section. That is not a reflection on you, Mr Speaker.

Over a period of a number of years, Crown Law officers have been concerned that notwithstanding that Presiding Officers have given rulings in relation to section 46, which rulings would have been accepted by Parliament, the resulting legislation may be open to challenge in the courts for possible failure to comply strictly with the section.

Further, successive Governments have often been advised to take the prudent course and provide a Message pursuant to subsection (8) even when on a strict interpretation it may not be necessary—taking such a course being intended to eliminate the possibility of the Bill in question being ruled out of order.

It has been considered necessary to follow such advice because there is a body of opinion to the effect that there is a real risk that legislation is examinable in the courts and that it may be declared invalid.

It is the Government's policy that the Presiding Officers of Parliament should be given every assistance in their difficult task of giving rulings on technical matters raised in Parliament. So, in presenting this Bill for consideration I also mention that the Government intends, as a complementary measure, to seek amendments to the Standing Orders of both Houses of Parliament to clarify, for example, the matters which cannot proceed without a Message, and to detail the procedure to be followed when a ruling adverse to a particular Bill is given.

It is possible that difficulties of interpretation have from time to time given rise to technical infringements of section 46 and this could well occur again in the future. Our policy is that once an Act is passed it should not be possible, perhaps years later, to challenge its validity on the ground of a technical infringement. In our view the provisions of section 46 are designed to

regulate the internal affairs of Parliament and the respective rights and privileges of the two Houses and these are not matters that ought to affect the validity of an Act. Therefore, the Bill proposes to ensure that once a Bill is enacted by Parliament, the Act cannot be called in question by any court by reason of noncompliance with section 46 of the Constitution Acts Amendment Act.

I think I can explain in a more simple way that the measure will facilitate the business of both Houses of Parliament and remove some of the present inhibitions. It is hoped it will allow for a better balance of business between the two Houses. In recent times we have seen the imbalance in respect of the work load that can be generated between the two Houses. With the passage of this Bill it should be much easier sensibly to plan the work between the two Houses.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

TOURIST ACT AMENDMENT BILL

Second Reading

MR P. V. JONES (Narrogin—Minister for Education) [3.26 p.m.]: I move—

That the Bill be now read a second time.

The Tourist Act, 1973, currently provides for one member of the Tourist Advisory Council to be a representative of the body known as the Northern Travel Council. However, this body has now been disbanded and there does not appear to be any possibility of the organisation being reformed.

The situation, therefore, is that the tourist industry in the area of the State north of the 26th parallel is not represented on the Tourist Advisory Council and it is the object of this Bill to correct the position.

It is considered desirable to maintain representation on the Tourist Advisory Council by tourist interests from northern areas, and this could be achieved by calling for nominations from approved tourist bureau committees north of the 26th parallel. Such committees are established in Carnarvon, Exmouth, Roebourne, Port Hedland, Broome, and Kununurra.

Because the number of these committees is small by comparison with the number existing in the remainder of the State, it is considered that the field from which a nomination for appointment may be made should be extended to embrace the industry as a whole.

In extending the range of nominations beyond the established tourist bureaus, the Government is taking steps to ensure that it will be in a position to appoint a member with the appropriate degree of knowledge and expertise, should such a nominee not be available from within the tourist bureaus organisation.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bateman.

MINE WORKERS' RELIEF ACT AMENDMENT BILL

Second Reading

Debate resumed from the 11th August.

MR GRILL (Yilgarn-Dundas) [3.29 p.m.]: The Mine Workers' Relief Act is a Statute that is vital to any person working in the mining industry, with the exception of those persons working in the coalmining industry. I would indicate to the House that the Opposition does not oppose this Bill. However, we have serious reservations about the operation of the Act, as it works in conjunction with the Mines Regulation Act. We are worried about the efficacy of the present Act, and we oppose one section of the proposed amendments to it; that is, we oppose one of the amendments to section 8.

By way of clarification, I would indicate that it is proposed to remove from section 8 the word "symptoms", and substitute the word "evidence". The Opposition opposes that amendment, but indicates that it agrees to all the other amendments put forward by the Minister.

This Act has two purposes. The first is to provide for examinations of persons employed in the mining industry so that tuberculosis sufferers may be screened out altogether, and also to give early warning to persons in the industry who may be developing either silicosis or asbestosis. Both those diseases come under the heading of "pneumoconiosis" which is defined in the *Short Encyclopedia of Medicine for Lawyers* in this way—

> Pneumoconiosis is a fibrous degeneration of the lung caused by long-continued exposure to the inhalation of dust. Some dusts are relatively harmless, while others may cause severe lung damage if inhaled over a long period. The term includes a number of diseases due to individual forms of dust of which the most important are: Silicosis caused by the inhalation of sandstone, flint or quartz particles occurring in many crude ores or of metal or pottery dust.

It also mentions asbestosis which is caused by the inhalation of asbestos fibres. Section 7A of the Act indicates that where the Act mentions

silicosis one should also read asbestosis; so asbestosis and silicosis are treated in exactly the same way under the provisions of the Act.

The second purpose of the Act is to establish a fund called the Mine Workers' Relief Fund. The fund is managed by a board and the purpose of the fund is to give certain benefits to those mineworkers in the industry who have been diagnosed as suffering from silicosis, asbestosis, or tuberculosis. Those payments are made not when the diagnosis is made but after the worker has cut out any rights he may have to workers' compensation payments. Of course, in respect of tuberculosis no workers' compensation payments are payable and a person suffering from tuberculosis would immediately receive payment from the fund.

A person suffering from tuberculosis is immediately screened out of the industry and is not allowed to proceed any further in the industry, because anyone suffering from tuberculosis and working in a mine is bound to pass on the disease to the men underground; and the men underground are very susceptible to tuberculosis under those conditions. So if we are to judge this Act we must judge it in terms of how well it carries out those two aims of the Act which I have mentioned. Does it properly screen out tuberculosis sufferers? Does it properly give a warning to asbestosis and silicosis sufferers? Does it give reasonable benefits to those persons, and the families of those persons, who are suffering from those diseases?

I think it is fair to say—and I do not think the Minister will disagree with me—that there are certain problems with this Act, and I hope to deal with those very shortly.

I turn now to the second reading speech of the Minister in which he said—

> The Act provides for all mineworkers who are diagnosed to be suffering from silicosis or asbestosis to be notified of the diagnosis so made, but the mineworker is not thereby prevented from continuing his employment in the industry if he wishes to do so.
>
> A mineworker who is diagnosed to be suffering from tuberculosis, either with or without silicosis or asbestosis, is prohibited from further work in the industry, unless and until the diagnosis is set aside on appeal or he is subsequently issued with a certificate of freedom from the disease.
>
> In general, a mineworker who has been diagnosed to be suffering from early silicosis or early asbestosis and who leaves the industry, may register under section 50 of the Act. By so doing he maintains his entitlement to continue contributing to the fund and so protect his rights under the Act in the event of a general deterioration of his health in later years.

I have indicated that the Opposition objects to one proposed amendment to the Act. I shall read the section of the Act which is proposed to be amended. It is section 8 (1), which states—

> 8. (1) It shall be the duty of every mine worker to submit himself from time to time to a medical officer or medical practitioner so appointed, or to the Laboratory, for examination for symptoms of silicosis or tuberculosis, whenever required so to do by the Minister or any such medical officer or medical practitioner.

That section is being amended to indicate that a person can apply to certain other medical officers, but I do not think that is important. The situation with which we are dealing today is the proposed amendment to take out the word "symptoms" and substitute for it the word "evidence". In my submission, and in the opinion of the Opposition, such a change is unwarranted. I shall read from the *Concise Oxford Dictionary*—

The DEPUTY SPEAKER: If the member intends to develop this matter at some length would it not be more appropriate to do so at the Committee stage?

Mr GRILL: I should like to indicate something to the Minister first of all because I am going to ask him to agree not to change the word, and then I can also raise the matter at the Committee stage. Perhaps I could just say at this time that the Opposition feels that to take out the word "symptoms", which is a medical term, and to substitute for it the word "evidence", which in many respects is a legal term, is wrong in principle because we would be requesting a medical officer or a person trained in medicine to diagnose something. It would seem to me that in so diagnosing he would be looking for symptoms rather than evidence. In principle we feel that the change of the word is wrong but we also feel that the use of the word "evidence" probably sets the standard too high.

A medical person examining a miner may feel that the miner has symptoms of the disease but may not feel at the same time that there is necessarily evidence to substantiate a finding that the person has the disease. In our submission that is

setting the standard a shade too high, and in such cases we feel it is better, if a person is going to err, that he errs on the side of caution. Therefore, I request the Government to give consideration to not proceeding with that proposed amendment. Other than that, the Opposition does not oppose the Bill.

However, I have indicated that we have some reservations about the parent Act and I should like to mention those now because we feel it probably needs to be looked at by a Select Committee, or at least by some sort of committee, because certain aspects of its operation are rather unsatisfactory. I appreciate that the Minister or his staff, when framing this Bill, consulted with the Australian Workers' Union. That union put certain points to the Minister and I understand that the Minister has acted along the lines indicated by the union.

I refer to the Minister's second reading speech in which he said—

> However the provisions relating to the periodical medical examination of mineworkers and the resultant notifications and prohibitions have now been incorporated in the Mines Regulation Act, including the regulations. The main object of this Bill therefore is to remove those provisions from the Mine Workers' Relief Act and to relate fund benefit entitlements to diagnoses made under the Mines Regulation Act.

Those things have been carried out, and today we cannot do anything about them. The Minister went on to say—

> A new concept was introduced by the new regulations under the Mines Regulation Act inasmuch that provision was made for mines to be classified according to their potential health hazard, and this change must be reflected in the Mine Workers' Relief Act.
>
> There are three classes of mines, as follows—
>
> Class "A"—all underground workings and any mine for asbestos, manganese, lead, vanadium, talc, mica or radioactive substances;
>
> class "B"—all quarries or other surface mining operations not included in class "A" or class "C" mines; and
>
> class "C"—all surface mining operations or quarries worked for clay, gypsum, limestone, salt, natural sand or gravel, and any sinter plant, pellet plant, smelter, refinery, blast furnace, privately owned railway built to transport the mine ore or material and wet sluicing and dredging operations.

So, there is a strata of categories; class "A" is regarded as dangerous, class "B" as not so dangerous, and class "C" as not dangerous at all, in relation to lung health.

These amendments have already been made to the Mines Regulation Act. The Act and the regulations made under it, to a large extent, work in conjunction with the Mines Regulation Act and the regulations under it. The changes that have been made to the Act mean that whereas previously all mineworkers had to undergo pre-employment and biennial medical examinations, under the present scheme these requirements are applicable only in respect of class "A" mines. Previously a person entering the mining industry had to undergo an initial test, and a further test every two years thereafter; but now he will be required to do that only in respect of class "A" mines.

In respect of class "B" mines the initial test is taken, and thereafter a further test is taken every five years. In respect of class "C" mines no medical examination is necessary.

The reason given by the Minister is that he has received medical advice to the effect that class "C" mines do not present health hazards, and that the health hazards of class "B" mines are not as great as the hazards of class "A" mines.

With due respect to that medical advice, I would point out there are strong indications that certain categories of mines in class "C" are, in fact, categories of operations where a great deal of dust is produced—dust which is quite deleterious and harmful to the health of the miners.

Certain objections to the classification of class "C" mines have already been conveyed to the Minister in a letter from the Australian Workers' Union. I hope the Minister will be able to comment on the letters he has received, when he replies to the debate. In particular, the AWU is concerned about the smelter plants, the refineries, and the pellet plants.

I would now like to quote some excerpts from a letter written to the Minister by the Secretary of the Western Australian branch of the AWU dated the 8th September, 1977. He was referring to the Mines Regulation Act, 1946-1974, part IX, relating to occupational diseases.

Sitting suspended from 3.45 to 4.02 p.m.

Mr GRILL: I now wish to refer to a letter dated the 8th September, addressed to the Minister for Mines by the Secretary of the AWU, in which he says—

> Currently "Pellet Plants" operated by Hamersley Iron Pty. Ltd., at Dampier and Cliffs Robe River Iron Associates at Cape Lambert are classified under sub regulation 9 1 (1) of the Mines Regulation Act, 1946-1974, as being a "Class C Mine", whilst all other parts of operations at port sites are classified as "Class B Mine".
>
> Our Union members employed at these work sites have expressed the opinion that it is just as hazardous for workers to work in Pellet Plants, as far as the effect on them that industrial disease may have, as it is to work in any other area of the port site, and have requested that the Union make application to you to have Pellet Plants come under the "Class B Mine" classification.

He attached a letter which I will also read. It is addressed to the AWU by Mr Ross Linton, on behalf of the Australian Workers' Union at Cape Lambert, and is dated the 24th July, 1977.

He says—

> C.R.R.I.A. mine a Limonite ore which has a free silica (SiO_2) content of approximately 4.5%. There are times however when this percentage does rise to 6.0%. When the ore is crushed and processed there is quite a lot of dust generated about the place.

He says further—

> Another area where discomfort is suffered is in the prewetting section. Hardly a day goes by where the dust levels are below 15 mg/m³ which is the limit set by the Mines Department. At times the level of dust does exceed 60 mg/m³.

That is four times the allowable limit. He continues—

> The problem can be compounded at night when there is no breeze and the dust is suspended in the atmosphere. There is also a problem when there is too much wind as the dust, (which is of talcum powder consistency) blows all over the place. The operators in this area have to breathe all this dust and over a prolonged period it is, in my opinion, damaging to ones health.

Further on he says—

> At the discharge end of the furnaces, fine pellet dust is emitted and this dust is very abrasive to your lungs. It is extremely discomforting if a person is working in the area and the dust suppression systems are not functioning as they should.

He says these dust suppression systems quite often do not operate properly. Further on in his letter he says—

> In summarising, it is evident that in pellet and ore processing plants there are a definite number of conditions which if not controlled would lead to deterioration of your health.
>
> It is important to realise that the levels of dust can be quite high (in many instances over the acceptable level of 15 mg/m³) and combined with the fact that this dust does contain free silica, as well as being very abrasive, it goes without saying that prolonged exposure to these conditions is damaging to your health.
>
> Despite the fact that C.R.R.I.A. has an array of dust suppression and collection equipment, this equipment is not always working satisfactorily and even if it did there is still a potential hazard.
>
> In comparison with the port facilities pellet plants and ore processing plants are a 'graveyard'.
>
> In the pellet plant a person is not only subjected to dust but in one area noxious fumes are also evident.

So it appears that pellet plants certainly should not be classified under classification "C" as being areas where there is no hazard whatsoever.

I fear the same will apply to smelter plants. My experience of the nickel smelter plant south of Boulder indicates there is a tremendous amount of dust in certain areas and a large amount of it contains silica. I cannot give the House the readings on it, but silica is present in that dust. So in my opinion the smelter plants should also come out of that classification. I suspect refineries should come out, too, and possibly even sinter plants.

Another misgiving we have about the operation of this Act with the Mines Regulation Act is that when a person moves into a class "C" mining region from a class "A" region there is no provision now for that person to be X-rayed every two years, every five years, or at all. I think once a person has worked in a class "A" area for a long period he should thereafter be monitored, come what may.

I appreciate that under section 50 of the Act he may register himself as such a person, if he so desires, and undergo the tests voluntarily; but my experience of workers—and I am sure it is the experience of many other members—is that

they tend to shrug off these matters, disregard the warnings, and carry on, these checks notwithstanding.

Therefore, in my view, once a person has worked in a class "A" area he should be subjected to X-ray examinations on a regular basis in any event; and certainly, if he goes from a class "A" area into a class "C" area he should continue to have the checks. We often find a person works underground as a machine miner and earns good money, but as he grows older and becomes less productive he goes off the machine mining and into another area which does not demand so much of him. Miners often go from what could be called a class "A" area—namely, underground in a mine—to a class "C" area, being a refinery, a pellet plant, or a smelter. I think it is essential that these people be monitored from time to time.

Experience has shown that we need to be more diligent, not less diligent, in respect of the examination of workers. Some people who worked in the asbestos mines at Wittenoom have told me they were informed when they first started working there that a small amount of asbestos dust in their lungs would not harm them at all and in fact would be good for them. If we are going to err at all we should err on the side of conservatism and, in view of the evidence we have before us, be more diligent, not less diligent, in respect of X-rays of people.

In his second reading speech, on page 407 of *Hansard*, the Minister said—

> Accordingly then monitoring is not necessary in class "C" mines and monitoring in class "B" mines need not be as frequent as in class "A" mines.
>
> It follows then that fund benefits may not accrue to mineworkers who are not subject to the pre-employment and periodical medical examination requirements, and therefore as it would be illogical to expect them to contribute to the fund, the Bill proposes to exclude such mineworkers; that is, those employed on class "C" mines, from the provisions of the Act.

I agree with the Minister that if persons who are working in class "C" areas are not to be subject to X-ray examinations and will therefore not receive any benefits, they should not be asked to contribute. The Opposition has no argument about that particular clause.

However, I question whether the Act is in fact doing just that because, on my reading of the amendments, section 19 is not being amended at all. I may have misread it but it seems to me that without amending section 19 a person in a class "C" area remains liable to make a contribution to the fund. Section 19 says—

> Every mine worker shall be liable to contribute to the fund at the rate prescribed on the occasion of each and every periodical payment of wages to him by his employer.

It becomes an offence for the employer not to deduct such money, and if he does not deduct it he becomes personally liable for it.

Mr Mensaros: Subsection (9) of section 19 is being deleted, and I think that brings out the intention of the Bill. Clause 12 (b) states, "by repealing subsection (9)". That being repealed, it means the contribution does not apply to those people.

Mr GRILL: I was aware subsection (9) was to be repealed, but I was not aware that by taking out subsection (9), it exempted these people.

Mr Mensaros: That is the specific class to which you are referring.

Mr GRILL: Yes, class "C". Section 19 (9) of the Act states—

> (9) Where any person is employed as a mine worker under and subject to a special certificate granted to him under the regulations made under the Mines Regulation Act, 1946,[1] and the employment of such person must be determined upon the cancellation of such special certificate by the Minister, then, notwithstanding anything to the contrary contained in this section, such person shall not be liable to contribute or be capable of contributing to the fund as a mine worker.

It seems to me that that subsection deals only with persons who have a special certificate.

I now return to the definition of "mine worker" which I do not think is to be amended. If the definition of "mine worker" had been amended, I cannot see any problem, but the Bill does not seek to amend this definition, which is stated in the Act as follows—

> "Mine worker" means a person employed under a contract of service on, in, or about a mine to perform manual or other labour, either on the surface or underground, in and as part of the general mining operations carried on in the course of working a mine.

It would seem to me that this Act is a most complicated one. There is a set of regulations under it, and the Act does not work on its own, but operates in conjunction with the Mines Regulation Act and in conjunction with the regulations made under that Act and also in conjunction

with the Workers' Compensation Act. Therefore it is quite possible I may have missed something, but I would certainly like the Minister to look into that aspect of the matter because on my reading of the Bill and the Act, it does not appear class "C" persons are to be exempt from making contributions.

As I mentioned, the Opposition has no objection to most of the provisions of this Bill. It agrees that it is no longer necessary for tuberculosis sufferers to be prescribed treatment under this Act, because they are prescribed treatment under several other Acts. I think it is a good thing to remove this section. The other provisions exempting certain people like clerical and office workers from the provisions of the Act is good legislation, and the provisions including people such as ventilation officers and such like is a sensible and proper amendment to the Act.

However, the relevancy of this Act really is what is under attack at present. The scale of payments under the Act is quite paltry. A single man receiving payments under this Act would receive $4 a week; a widow would receive $4 a week. Those payments in this day and age appear to me to be quite paltry and I doubt whether under the present circumstances it is worth while administering this Act as far as the fund is concerned while the benefits are so small.

That leaves the Government with the option either of scrapping the fund under the Act, or beefing it up. The board which actually controls and administers this Act has indicated to the Government that it considers the fund should be scrapped. I do not know whether the Minister is aware of this, but I have a copy of the last report of the board. For the information of members, I quote from page 4 of the Mine Workers' Relief Fund annual report for the last financial year—

> During the year the Board agreed that the Fund be wound-up as since its inauguration in 1932 it has lost its relevance to the industry today through the:
>
> (a) Establishment of Social Security payments in 1946 by the Commonwealth Government, and
>
> (b) Ever increasing benefits under Workers' Compensation and in particular since December 1973, and
>
> (c) Virtual non-existence of the disease tuberculosis in the Mining Industry of the State, and
>
> (d) Considered non-acceptance of increases in contributions by both mine workers and Employers to allow increases in benefits paid which presently stand at $4.00 per week per person plus an additional $4.00 per week for a dependant spouse and $1.00 per week per dependant child under 16 years of age . . .

Those are the feelings of the board; it feels the very thing it is administering should be scrapped, I do not entirely go along with the board. I think it is in the hands of this Government to amend the Act to make it relevant. It would be necessary to increase the payments by the employees and the employers; that is not going to be a popular move. However, there would not be general agreement to increases because a lot of the employees are very short-sighted, and would not see the ultimate benefits at the time they make the contribution. They will receive them later on, when they move out of the industry perhaps suffering from silicosis or asbestosis to such a degree that they cannot remain in the industry.

However, while I admit many would be very short-sighted in this respect I think it is up to the Government to enforce a reasonable degree of benefits under this Act and to grasp the nettle and pass legislation to give this Act some relevance. I think it is a sad thing that the board which administers the Act is saying it is not relevant, because it can have real relevance to miners who have had to leave the industry, who have eaten up all their workers' compensation payments and who are relying only on social security payments to bring up their families. As the Minister would appreciate, some of these men are quite young. I believe the Act can have relevance, and it is up to the Government to amend it. It is for that and other reasons that a standing committee to examine this Act should be appointed.

The other reservation the Opposition has about the Act is that it treats silicosis and abestosis in exactly the same way. I admit that when the Act was framed there was no reason not to treat them in exactly the same way, but medical evidence today is such that there is every reason in the world to make a clear distinction between silicosis and asbestosis.

The main reason is this: I am not a medical person, but asbestosis is a disease which leads directly to cancer of the outer lining of the lung. I understand the medical name for that cancer is mesothelioma, which is a disease which can be contracted after only a few weeks in the industry. It is a disease whose onset is not noticed and whose effects probably would not become apparent for something like 50 years.

It may be less than 50 years, but it may take up to 55 years before its effects become apparent. I read in the *Daily News* of Wednesday, the 14th September, of a Perth woman and two teenage children who were sitting waiting for their husband and father to die. The man was a non-smoker, but he had cancer of the lungs. He worked for only two years at the Wittenoom asbestos mine. Twenty-seven former miners, all employees of that mine, have also died as a result of cancer. The report states—

> The analysis of the cause of death is expected to become more detailed in future if more former Wittenoom workers are discovered with the disease.
>
> Doctors fear that a peak is coming with the disease showing itself in most workers up to 30 years after their exposure to asbestosis.
>
> This latest man is dying quickly. He has pleural mesothelioma—cancer in the outer covering of his lungs.
>
> Professor P. C. Elmes, professor of Therapeutics and Pharmacology at Queens University in Belfast, described the disease last year to a London conference.
>
> He said: "This is not necessarily a painful or uncomfortable way to die, but the inevitable progression coupled with the inability of the doctors to provide real help is very distressing."
>
> Mesothelioma is the latest and swiftest disease connected with asbestos.

Professor Elmes was also reported as stating—

> "The material mined in Western Australia is particularly dangerous because it disintegrates readily into finer fibres than that mined elsewhere and is most likely to be retained by the lungs.

The report continues—

> On mesothelioma, Professor Elmes says, the process may take anything from 15 to 55 years and in some instances fibres may have been inhaled at only a relatively low concentration for a few weeks to produce a cancer 40 years later.

So, I believe today there are really strong and cogent reasons to distinguish between silicosis and asbestosis.

Mr O'Neil: I am sure a distinction is made. I recall as Minister for Labour and Industry introducing into the Workers' Compensation Act a definition of "mesothelioma".

Mr GRILL: That is true, but there is no distinction between the two diseases in this Act. In fact, the Minister's comment actually underlines the necessity to amend this Act. The Workers' Compensation Act has been amended, and in my view this Act also should be amended.

I also feel the warnings given under this Act are insufficient. The following warning is given to persons diagnosed as having early silicosis or asbestosis—

> Take notice: You are recognised as having developed silicosis in the early stage and that further employment underground at a mine may be detrimental to your future health.

I think the medical evidence today is such that we can say it would almost certainly be detrimental to his health.

I quote now from form J, which is the notice sent to persons who have an advanced stage of either asbestosis or silicosis. It states—

> Take notice: You are recognised as having silicosis in the advanced stage and that further employment underground at a mine may be detrimental to your future health.

So, in fact, the warnings given in both cases are exactly the same. All they say is, "it may be detrimental to your health"; no definition is drawn between asbestosis and silicosis.

For those reasons, I believe the Minister and the Government should move to inquire into this Act as soon as possible. The entire Act, together with its operation in conjunction with the Mines Regulation Act and the Workers' Compensation Act should be reviewed. I believe the warnings given in the Act are inadequate, and the relevancy of the Act should be taken notice of. A thorough Government inquiry and updating of this Act should be carried out as soon as possible.

The Opposition mainly objects to one small section of the Act, but we do have grave reservations about the operation of the Act in general.

MR MENSAROS (Floreat—Minister for Mines) [4.30 p.m.]: I thank the honourable member for generally supporting the Bill and for giving me photocopies of the documents to which he referred, thus making it much easier for me to follow his comments.

I regret that members of the board who, as members are aware represent both employers and employees, did not draw the attention of the Opposition as well as the Government or department to some of the observations the member made.

The drafting of the Bill—which is largely machinery, as the honourable member recognised—was discussed with them and after considering it they said they had no observations or objections to make. This is fair enough. I am not criticising the honourable member for having raised this matter, but I do say that had members of the board drawn attention to the observations earlier they could have been considered and I would be in a position to give a ready answer.

Mr Grill: That is correct, and I have had the same problem.

Mr MENSAROS: Regarding the classification of the mines, which the honourable member readily appreciates is not a subject of the Bill before us, but of another Act, it is based on medical experience and experimentation which is an ongoing thing. Therefore as time goes by, and the medical profession gathers more knowledge and experience as to what in its opinion creates more, less, or no hazard whatever, it is able to classify the mines, based on this experience.

I am aware of the approach of the AWU. Its letter is at present being considered by the Mines Department, and, I have no doubt, also by the medical people.

The Government places a great deal of importance on safety, but unfortunately there is no direct cause and effect connection between dust inhalation and illness. If there were, we would know what cancer was, but the medical profession does not know what it is. Consequently we can base our findings only on statistical evidence. Being a smoker, and ignoring the statistical evidence in connection with lung cancer, I often say cynically—and I am entitled to such cynicism when the concern is myself—that there is no evidence to say that people who predominantly wear a red tie more often contract lung cancer than do those who wear a blue tie. If we had such evidence, it would point to some result, yet there is no cause and effect connection between statistical evidence and the end result.

I am not saying there is no connection between the inhalation of dust or the smoking of cigarettes and cancer. I am saying that the difficulty of the medical profession lies in the fact that there is no cause and effect connection with cancer. There is purely statistical evidence which takes a considerable time to gather. Based on statistical evidence, the rules are being changed. It is rather unfortunate that the statistical evidence can be gained only after people have contracted the illness. Therefore the legislation and its provisions are remedial in that they merely give compensation to those who unfortunately contract the illness, instead of providing the means by which the illness can be prevented.

In any event the submission by the AWU will be considered and I will be advised concerning any changes which might be considered necessary in the classification of the mines which to my mind is a much more important question than is compensation based on the Mine Workers' Relief Act, which is fairly small.

The honourable member referred to the board's view regarding the provisions and the further administration of the contributions as well as the compensation payments. This is old legislation. One cannot argue with the board on this matter, but the situation becomes almost farcical when one considers that the final payment is only about $3 to $4 a week.

As the honourable member quite rightly said, there are two possibilities—we either scrap the fund or update it. It is an actuarial question because obviously the contributions would have to be fairly high particularly in view of the fact that we must accept that inflation is with us, even if it is not at the high level it reached in the last few years. It is also a fact that there are social benefit payments and quite considerably increased compensation payments, insurance premiums for which are not paid by the employee. They are paid by the employer and consequently this is an added cost to mining and thus to the price of the product.

I wonder whether, from the point of view of the employees, this is not a better solution because they are not affected by the contribution at all, but still have the compensation benefit which is very much higher than even the benefit originally envisaged in this Act.

The point is well taken by the honourable member and I will undertake to have it examined again; but I can assure him that as in all these instances, we can achieve something worth while only if both sides have a consensus. No-one will consider radically amending or scrapping the Act unless both sides agree. If a consensus is not reached then the matter is usually left in its present inefficient position. I would be the first to admit that it is inefficient and indeed costly. Unless a consensus is reached a great deal of time and money will be wasted by the Government, the board, and undoubtedly some unions and employers. So I undertake to examine this and try to achieve some sort of consensus one way or another, but there is no consensus at the moment.

The honourable member said that in his opinion the Act should be updated, yet he indicated that in the board's opinion it should be scrapped, so there is a difference of opinion at the outset.

The point about silicosis and asbestosis is well taken. The Deputy Premier mentioned that it is expressed in the compensation rules. The obvious reason it is not expressed in the Act is that the benefits are so small that probably there would not be much difference under the present circumstances because the amounts would be $4 or $3.50 depending on which disease the person had unfortunately contracted.

The last comment of the honourable member dealt with the foreshadowed amendments which, according to Standing Orders, we should deal with in Committee.

Regarding the working notices, my judgment would be that not only would these warnings have to be reasonably short and understandable, but they also bear some legal consequences. Because of what I said before—that there is no cause and effect connection—it would be difficult to warn a person that he would contract the disease, because it is not known that he would.

That might have a repercussion, and rebound, because the subject of the warning could, perhaps, make some claims which would not be quite acceptable.

Mr Grill: Will class "C" miners still be liable to pay money under the provisions of the Act?

Mr MENSAROS: A person who leaves a class "A" or class "B" mine to go to a class "C" mine is not subject to further examination. Neither is the same person subject to further examination if he leaves the mining industry altogether and goes into another industry, commerce, or any other occupation. If we were to provide that those who left "A" and "B" class mines to work in a class "C" mine should be further examined, whereas those who left to work outside the industry should not be examined, there would be a discrimination.

It is also expressed in this measure that the examination does not necessarily have to be carried out at the mine. So, it does not make that much difference, and that is probably the reason the miners who got to a "C" class mine will not be examined. This question is connected with the foreshadowed amendment which we will discuss during the Committee stage.

Mr Grill: Will the Minister cover the point with regard to contributions by class "C" miners?

Mr MENSAROS: I did not discuss that point, but I will have it examined. I think it will be covered in the Mines Regulation Act, but I will advise the member further. I commend the second reading.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Mr Mensaros (Minister for Mines) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6: Section 8 amended—

Mr GRILL: I intend to object to the amendment in clause 6(a)(ii). The purpose of the amendment is to change the word "symptoms" to the word "evidence", and there must be a reason behind the desire for the change.

Section 8 of the Act states that it shall be the duty of every mineworker to submit himself, from time to time, to a medical officer or a medical practitioner so appointed, or to a laboratory, for examination for symptoms of silicosis or tuberculosis if so required to do by the Minister, by a medical officer, or by a medical practitioner. It seems to me that "symptoms" is the correct word to be used.

Medical practitioners are aware of the meaning of "symptoms", and it is a word they would use frequently. On the other hand, the word "evidence" has connotations of law and of proof. I do not think it is the proper word to be used in this instance. To say that a person has to have evidence, as such, connotes legal proof in certain situations. If the word "evidence" is to place a higher standard on the examination, then I think the word "symptoms" should be used. If we are to err it should be on the side of conservatism. We should not be less diligent, but more diligent in the examination of these people.

Mr MENSAROS: I think the intention of the amendment is to achieve exactly what the member for Yilgarn-Dundas has mentioned. It was felt that "symptoms" was only an active condition. In other words, if an employee submits himself to examination and his condition is found to be "inactive", he has no symptoms. However, there still could be evidence of an illness.

The word "symptoms" relates to an active condition, whereas the word "evidence" relates to both active and inactive conditions. It is felt the change will give more protection to the person who undergoes an examination. That is the reason for the amendment. The difference as to

whether it was a legal or medical expression never occurred. The suggestion came from medical people.

If the member for Yilgarn-Dundas is disturbed, I can have the matter examined and undertake, perhaps, to amend the Bill further in another place. I would not like to amend the Bill at this stage because one should not be too hasty in interpreting these types of expressions.

Mr GRILL: I accept what the Minister has said. I am glad he has made the statement, and I am pleased that it is recorded in *Hansard*. The Minister has indicated that the word "evidence" would be a more encompassing term than the word "symptoms". My fear was that medical practitioners, looking at the Act as such, might well have misinterpreted the word and looked for a higher standard of proof than normal in diagnosing a disease.

Under those circumstances, I ask the Minister whether he would accept an amendment in the following terms: Instead of taking out the word "symptoms", merely add the words "or evidence" after the word "symptoms".

Mr MENSAROS: Mr Chairman, as I said before, I am rather reluctant to make an *ad hoc* amendment, or propose an amendment because it may have some legal repercussions. I would certainly undertake to examine the proposition and if it is found to be satisfactory, and if there is no particular reason why it should not be done, I am quite happy to ask my colleague in another place to have this amendment inserted into the Bill, in which case it will be returned to this House for concurrence.

Clause put and passed.

Clauses 7 to 19 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

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

QUESTIONS

Questions were taken at this stage.

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th August.

MR TONKIN (Morley) [5.18 p.m.]: Many of us in this House would like to see sober and responsible Government return to Western Australia—and I speak for the Opposition when I say that.

With regard to the Bill before the House I want to say right at the outset that we oppose part of the amending Bill, and the reason we oppose it is that it is not in conformity with the aims of the Act. I will read briefly the long title of the Act or rather, I will read in full the long title of the Act which is brief.

> An Act to amend and consolidate the law relating to the Prevention and Settlement of Industrial Disputes by Arbitration and Conciliation and for other relative purposes.

It is to prevent and settle industrial disputes. The intention of the Act was not to manage the economy. Now it is proposed to introduce a provision into the Act which the Minister tells us is to help manage the economy. What happens when those two aims are at variance? Let us consider the situation where one course of action is indicated to settle a dispute and another course is indicated for good management of the economy. I am not sure what the term "good management of the economy" means; perhaps it depends on the Government in power at the time. When those two aims are irreconcilable, which aim is to be followed?

It is quite clear that the intention of this Act was to settle industrial disputes, and obviously this amendment to the Act will subvert its true purpose. Industrial conciliation and arbitration in this State will be perverted. Instead of conciliation and arbitration being pursued as was the aim when the Act was initiated and when all subsequent amendments up to this date were passed, we have the situation where the Attorney-General, representing the public interest, can advocate a fixation of wages in line with what is considered to be the proper management of the economy. It is quite wrong to use the legislation in this way.

In the past this Act has been used to settle disputes, and it was conceived originally for such a purpose. The Government is a very big employer of labour, and listened to with respect, I suppose, by the commission. If the Attorney-General, on behalf of the Government says, "Do not worry too much about settling the dispute, do not worry too much about avoiding a dispute, but let us manage wages in such a way that the

economy will go in the direction we think is a proper one", that is a perversion of the aims of the Act. That is one ground for our objection to the proposed amendment which gives the Attorney-General power to appear at a hearing of the Industrial Commission pursuant to section 98A of the principal Act.

We find another broader aspect of this legislation very disquieting. To manage the economy, for example, to control inflation, the employee—the man or woman in receipt of wages or salary—is to bear a burden that is not being imposed on the employers and the investors in capital in our society. Let us consider the abortive and fraudulent so-called wages and prices freeze we had recently. No real attempt was made in regard to a prices freeze. This was left to the good offices of the employers concerned.

In fact, public money was wasted by the Minister for Labour and Industry who employed special officers in the Bureau of Consumer Affairs to monitor—what a lovely word—price rises. Consumers could telephone these officers with complaints such as, "Woolworths has increased its price for an article by so much", or "the price of soap powder has gone up". What could the officers do when they received such a complaint? They could do nothing, because they had no power to do anything. This was a complete waste of public money.

That situation might have been all right if the same course had been pursued in respect of wages and salaries, but it was not. This Government, and other Governments throughout Australia, appeared before the Industrial Commissions and applied for a freeze on wages. With prices rising and money wages frozen, the result was a reduction in real wages, and so this is what the Government called a freeze.

Members should bear in mind that State Governments have the power, although the Commonwealth Government does not, to control prices. The Government has the numbers in both Houses here, and in approximately 12 hours the Premier could introduce and have passed legislation to control prices.

Mr Shalders: Did Premier Dunstan do that?

Mr TONKIN: South Australia does have prices control, and certainly, the Dunstan Government did not apply to lower real wages. While the South Australian Government did not freeze all prices, it did freeze some. Also, it did not say, "We will allow prices to rise merrily while we try to have real wages lowered." That is what conservative Governments did.

Mr Shalders: All the Premiers made a call for a voluntary prices and wages freeze.

Mr TONKIN: That is right, and then an attempt was made to change this voluntary wages and prices freeze into a compulsory wages freeze in money terms.

Mr Laurance: Not too compulsory for you, but we accepted it.

Mr TONKIN: That was a compulsory freeze on wages and salaries in money terms and as prices kept going up, it resulted in an actual reduction in real terms.

Mr Laurance: The most irresponsible people in Australia—the Labor Party of Western Australia.

Mr TONKIN: I will not take any notice of those inane comments. We know the refusal to accept the rise by members of the Liberal Party was a publicity stunt. In fact, many Government members are not full-time workers in their jobs, and so do not deserve full-time incomes. In addition, they have other income. If one's wage as a member of Parliament is pin money in addition to another income, of course one can afford to say, "I will not take this few dollars a week rise." However, for members on this side of the House, their salary is their only income; they are full-time members. They do not spend their time flogging off other forms of merchandise as a job.

There are two classes of members of Parliament in this House; there are full-time members who work a full week for a full salary which is their only source of income, and there are the playboys who have other sources of income.

Mr Laurance: The workers are on this side.

Mr TONKIN: Are they?

Mr Laurance: Academics and boffins on that side.

Mr TONKIN: Mr Deputy Speaker, I can see by the glint in your eye that you are about to tell me to come back to the Bill.

The DEPUTY SPEAKER: You are very perceptive.

Mr TONKIN: So I will take the opportunity to speak to this Bill as it is and ignore the irrelevant comments made by the member for Gascoyne. I wish to come back to the prices and wages freeze. If any Government had wanted a genuine freeze, there was a proper way to go about it which would have been fair to everyone. The way to do this is to freeze prices and to allow full indexation to operate. If the prices freeze had been effective, there would have been no wage rises, and to the extent the freeze was unsatisfactory in respect of prices and prices did

rise, indexation would have operated and so there would have been no rise in real wages. The only rise in wages would have been a money rise to keep pace with the price rises. That course could have been followed, but it was not.

We reject this concept on the ground that there is no justice at all—perhaps it is expecting too much to expect justice from this Government—in saying that wage and salary earners will have their wages and salaries frozen and will bear the brunt of stopping inflation while people who sell commodities instead of their labour are able to charge whatever the market will bear.

So there are two grounds on which we reject this amendment. One is that it is perverting the purpose of the Act, which is to settle disputes, as is stated in the long title. Yet here we are having inserted a provision which may be used to manage the economy; in other words, to enable this machinery to be used not to settle disputes but perhaps to cause them by refusing to give people their due wages. For example, it could be used to cause a reduction in real wages, thereby leading to a dispute. Therefore, the actual purpose of the Act is being subverted. We reject the amendment on that ground.

Mr Sodeman: Will you clarify what you mean by a person who sells commodities instead of labour? Surely a person who sells commodities has an inbuilt labour component. Why do you differentiate between the two?

Mr TONKIN: Because society differentiates between the two.

Mr Sodeman: You seem to have a set against private enterprise.

Mr TONKIN: Does the member want an answer or not? He seems to be providing his own answer at the moment.

Mr Grayden: Any answer you give would not be of much significance.

The DEPUTY SPEAKER: Order!

Mr TONKIN: I know it would not be of significance to the Minister, because he could not understand it. In any case, I am not interested in such stupid comments.

Mr Sodeman: It was a genuine question.

Mr TONKIN: The question of the member for Pilbara might have been genuine but he heard the comment of the Minister, and he knows how genuine the Minister is in this place. There is no sense in just trying to score points across the Chamber; I am disgusted by the standard of debate in this House and by the standard of the comments made by the Minister for Labour and Industry. Every genuine parliamentarian in this place would be disgusted by the Minister's behaviour, as I know the Deputy Premier and the Premier are. I know the Minister is an embarrassment to the Goverment.

The DEPUTY SPEAKER: I would ask the member to return to the Bill.

Mr Sodeman: I don't think my question provoked those remarks, really.

Mr TONKIN: Thank you, Sir. The other provisions in the Bill propose to change the Act to allow various Government officers to be included in orders of the Industrial Commission. Those officers have not been able to be included up to date. We are prepared to accept these other amendments.

However, we are concerned that no existing group of workers who are organised, and no existing industrial unions, should be deleteriously affected by the amendments. I say that because as a result of the changed definition in the amending Bill the provision will cover employees not only of any Government department or instrumentality, but also those of any body established by a State Statute. All such employees will come within the aegis of this order and, therefore, within the aegis of the Civil Service Association.

We are concerned that these provisions could be used as a strike-breaking weapon, for example, against a union which the Government does not like. There could be an attempt to deregister a union or to take away workers from an industrial union if that union does not agree with the philosophy of the Government. We are concerned at the greater and greater concentration of power coming into the hands of the Government of Western Australia. In a situation such as that at present when the Government has control of both Houses of Parliament then, of course, its wish usually becomes law very quickly.

While we agree there are certain officers at the moment who are not covered and who should be covered, nevertheless we do not want the Act to be used in such a way that the rights of people in various established unions will be affected. We have seen that the Minister for Labour and Industry is a very political Minister. I have never yet heard him say anything good about employees. Whenever there is a dispute I have not heard him say, "Look, in this case the trade union is right and the employer is wrong." To him there are no bad employers; they all play the game and do the right thing.

Mr Grayden: My main interest is to look after the employees.

Mr TONKIN: The Minister says that; but, of course, words are cheap. We want to see his words reflected in his actions. We want to witness an occasion when employees are being given a hard time by their employer and the industrial magistrate fines the employer more than $2. So often employers who are worth millions of dollars are fined $2.

Mr Grayden: That is absolute nonsense. I can give you 1 000 instances in which we have helped employees. That is our main aim.

Mr TONKIN: I am not talking about that. Is the Minister saying it is absolute nonsense to say that when employers are brought before industrial magistrates they are often fined $2?

Mr Grayden: That is up to the industrial magistrates. Do you want us to influence them?

Mr TONKIN: All right, it is up to the industrial magistrate. However, I do not believe he is God. I believe if the Minister's Government finds that, for example, a judge has applied an improper penalty—and the Government has done this on several occasions—it would appeal against that penalty. Has the Government ever appealed against the decision of a court in the case of, for example, a person charged with drunk driving?

Mr Grayden: You are talking about influencing the decision of a judge.

Mr Shalders: Do you think the Government should appeal?

Mr TONKIN: Yes, in the case of a court giving a penalty which the Government considered to be too lenient. This Government has done that on a number of occasions. Do not suggest that is placing undue influence upon a magistrate. The Government has a duty to see that where a wrongdoer gets off almost scot-free, an appeal is made to ensure justice is done.

Mr Grayden: To whom do you appeal?

Mr TONKIN: In these cases there is always the right of appeal.

Mr Grayden: Is there?

Mr TONKIN: Of course there is. There is no question that the Government, if it felt employers were getting a hard time, would have something to say about it. Why does it not have something to say when the employers are getting off scot-free? Let me use as an example a magistrate who imprisoned for four months a person who claimed unemployment benefits to which he was not entitled. I will not argue about the merits of that sentence. However, the very same magistrate, when confronted with an employer worth millions of dollars would fine him only $2. What is the point of sending anyone to gaol? The whole purpose is that it is meant to be a deterrent.

Do you, Sir, believe that by fining—

Mr Grayden: That is completely false.

Mr TONKIN: It is not. The Minister can call me a liar if he likes; his words are worth nothing in this place because we know that he does not care about people. We know that when I rang the Department of Labour and Industry the other night and told the person on the other end who I was, the Minister said I was acting surreptitiously. He can say that what I am saying is false; but I know that the very same industrial magistrate has fined employers $2 for robbing many employees of hundreds of dollars.

Mr Grayden: Name the industrial magistrate.

Mr TONKIN: How many are there?

Mr Grayden: You have said that one does this repeatedly.

Mr TONKIN: The fact of the matter is that a fine is meant to be a deterrent. What kind of a deterrent is it to an employer who gets fined $2? If the Government were dinkum and wanted to see that employers were brought to justice, the same as employees, it would change the Act and provide for a minimum fine, just as we set a minimum sentence for drunken driving. We do not say that a $1 fine is sufficient for drunken driving, nor should we say that a $2 fine is sufficient for a situation where an employer has quite knowingly robbed employees of hundreds and hundreds of dollars.

In fact, this is one of the reasons unions are tempted to be militant. Some unions say, "What is the point of going to the court? We know the employers will be let off with a caution or a $2 fine. We may as well get the money for our workers by using militant methods."

Mr Grayden: That statement is completely untrue.

Mr TONKIN: There is the Minister again, mouthing "untrue".

Mr Grayden: Why do you think we received 24 000-odd telephone calls last year in the Department of Labour and Industry?

Mr TONKIN: Unions are tempted to take the law into their own hands because of this very injustice. I say that we as legislators should legislate in such a way to see that the law is not brought into disrepute, but is obeyed. Any law which encourages people to go outside the law

and to take militant action—I am not talking only about unions—should be examined very seriously by Parliament.

That is the situation at present. Trade unions know their members can be robbed of hundreds of dollars, and there is no point in going before the industrial magistrate because he will not impose a fine sufficiently large to act as a deterrent in the future.

Mr Sodeman: That is totally untrue; 80 per cent of the judgments by the Industrial Commission are in favour of unions.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Mr Grayden (Minister for Labour and Industry) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 11A amended—

Mr TONKIN: This clause seeks to add after the interpretation "Government officer" the following new interpretation—

> "public authority" means any Government department, State Trading Concern, State instrumentality or State agency or any public statutory body established by or under a law of the State; ;

We believe that to be a very wide definition indeed. We know the Act provides for exclusions. For example, a State school teacher is one exclusion and there are a couple of others. However, we wonder whether in fact there should not be a whole list of exclusions, if it is not intended to interfere with the right of existing industrial organisations.

We have not moved an amendment in respect of this matter, because the task is a huge one, and probably would be beyond the resources of the Opposition, which does not have a department to do this work for it. It would probably run into hundreds of exclusions. Perhaps the Government has not done so for the same reason. Perhaps it is too difficult to get an exhaustive list which does not omit anyone. Once we start making lists there is a strong implication—although it is not explicit—that anyone who is left out of the list will be fair game under this section.

The Opposition sympathises with the Government that it is not necessarily practicable to have an exhaustive list of exclusions. However, we do want an assurance from the Government that no malice is intended in this amendment—in other words, that there is no intention to deal with the rights of those employees who are already organised industrially. That is a very important consideration.

I remind members that this is an Act to prevent industrial disputes and if anything is done which impinges upon the rights and prerogatives of existing industrial organisations, that would lead possibly to the most futile of all disputes, the demarcation dispute. Certainly, we would not want the Act amended, and then used in such a way. The Opposition has serious reservations about this clause because of the very wide way in which the interpretation has been changed.

Mr SKIDMORE: I join with the member for Morley in expressing my dissatisfaction at the wide-ranging nature of this clause. In the past, difficulty has been experienced by the Industrial Commissioner as to whether or not the commission was able to grant coverage to certain workers because of the Act's inability to state in clear and concise terms those workers who should be included within its jurisdiction.

I am sympathetic with the amendment to the extent that it seeks to achieve something, but I am not sympathetic to any amendment which throws its net so far and wide. One does not have to be a great scholar of industrial law to realise that under the Federal Conciliation and Arbitration Act there is scope for instrumentalities or employers to be added to a schedule, which then makes those people subject to the terms of one of the awards of the Federal court.

The member for Morley envisaged difficulties which could arise in providing for specific exclusions, and I agree there is no easy solution. However, all we need to do is add to the list of names provided in the Act. The Government seems determined to impose a blanket coverage. If we remove Government departments, State trading concerns, State instrumentalities and State agencies and substitute the words "public authority" a most remarkable thing happens. When we consider the overriding subsection (6), we find that the very people and instrumentalities who are to be removed are now back in the Act.

The crunch is that the organisations and authorities referred to in the proposed new definition of "public authority" are the self-same organisations and authorities which are causing concern to the commission. They have been removed from earlier in the subclause and then put back in under the proposed definition of "public authority". I suggest to the Minister that he makes a further amendment to the proposed definition of "public authority" as soon as possible, because if he does not he may find himself embroiled in a

jurisdiction action before the commission. I put that forward as a problem which the Minister may face.

Assuming that my remarks on this subject are not pertinent, which I believe they are, certain words are to be added to subsection (7). Those words are—

> so as to include within, or exclude from, the operation of that order persons employed in any public authority.

Those words will bring about a contradiction with another Act because if we refer back to the proposed definition of "public authority" we will see that the words previously removed have been put back in. Quite frankly, I feel that the problem has not been solved and I am not satisfied that this is what the Minister really wanted. I suggest that he gets his officers to consider section 11A, subsection (6) of the Act and remove, if he wishes to be consistent, the following words—

> Government department, State Trading Concern, State instrumentality or State agency . . .

If he does that the Act will conform with everything else.

Mr Grayden: Quite unnecessary.

Mr SKIDMORE: We will find out. When we consider the wide-ranging powers concerning the right of workers to become and remain members of a union, I am of the opinion that the Act would not prevail because members of a union may be able to come out of that union cover and be covered by the Public Service Board.

This worries me a little because I do not believe the purpose of the Act is to cause demarcation disputes between the Public Service Board, the Civil Service Association, and unions which already have industrial cover, as this is an Act concerned with conciliation in the first instance. I have sympathy with the intention of the Bill but because it is not proposed to alter subsection (6) of the Act the Minister will have some problems. Time alone will tell whether I am right. I am not suggesting we should oppose the Bill for those reasons, but I think more attention should be paid to this matter.

I hope the Minister can assure me that there will be no effort by other organisations to take away the existing rights of unions which have award cover. I am concerned that the new definition of "public authority" to be inserted in the Act may override the protection which the Act presently gives. If the Minister can assure me on those points I shall be happy.

Mr TONKIN: I take it that the Minister is not going to bother to reply to the requests made by the member for Swan and myself. If this is the case he is turning this Parliament into a mockery. We have raised questions which are concerning many people. The Minister for Labour and Industry is just not bothering to get off his behind. I presume he is capable of it.

Mr Blaikie: That is an insult.

Mr TONKIN: All right, it is an insult.

Mr Grayden: It is not an insult coming from the member for Morley.

Mr TONKIN: What do members opposite believe a refusal to reply to the Opposition is if it is not an insult?

The CHAIRMAN: Order! I ask the member to address the Chair.

Mr Grayden: Put up something of consequence and you will get a reply.

The CHAIRMAN: Order!

Mr TONKIN: This Minister is so incompetent that he cannot see what is of consequence and what is not. We have said that we can see a situation which will lead to increased industrial disputation. It will not surprise us if that happens because we know what this Government is on about. We know it believes there is political advantage to be gained if there is increased disputation.

Mr Grayden: Quite untrue, of course.

Mr TONKIN: The member for Swan and I were prepared to give this Government the benefit of the doubt. We have raised the problem and have asked whether assurances could be given. But the Minister has no intention of giving assurances. In other words, it is quite obvious that this amendment is intended mischievously. It is quite clear, the Minister having gone through a cycle of talking to the Trades and Labor Council, that the Premier or the Minister or both of them have decided that the time for talking reasonably to the Trades and Labor Council has passed and that now we will have a period of confrontation during which the existing trade unions will be poached upon by reason of this amendment.

Mr Grayden: Are you trying to provoke the situation?

Mr TONKIN: I am trying to get assurances from the Minister and the Minister has said, "If there is anything of consequence I shall answer it". How arrogant could one be? The Opposition has asked for certain assurances. I do not think the Minister understands this Bill.

Mr Grayden: I would like to have the nice letter you put out in your electorate a couple of months ago and be able to read it to the House! I shall take the opportunity to do so at some time because it is an unbelievable document.

Mr TONKIN: I have no doubt the Minister will take the opportunity.

Mr Grayden: Every statement was untrue. Have you got it there?

Mr TONKIN: Is this related to the Bill?

The CHAIRMAN: I think the member would help us if he would direct his remarks specifically to clause 2.

Mr TONKIN: But I am, Mr Chairman. I am saying that this definition is so wide that it is quite possible that various unions will be encroached upon, and this will not lead to the settlement of disputes.

Mr Grayden: You can keep the debate going until 6.15 p.m. and I will read out the statement you handed out to your constituents which bears on this subject, and we will have the opportunity to do it in a few days' time. So keep going until 6.15.

Mr TONKIN: The Minister seems to be quite frivolous about this debate. I do not want to keep the debate going. I should have thought that if the Minister had risen from his seat for one minute and given the assurances for which two members of the Opposition had asked we could have finished the debate. We are not trying to keep the debate going, but we want the assurances.

Mr Grayden: I am going to read to the House the statement that you put out to your constituents.

The CHAIRMAN: Order!

Mr TONKIN: Mr Chairman, you can see that I am trembling at the thought that the Minister might do this dastardly deed.

Mr Grayden: You would be trembling if you thought the Press would publish it because what you were advocating was more strikes.

The CHAIRMAN: Order! I call the member for Morley.

Mr TONKIN: This Minister has gone beyond a joke. If he wishes to move a motion about what I published in my electorate he can go ahead and move it. I shall be very happy with that. Is the Minister capable of thinking about clause 2? Is he capable of sticking to the point? Is he or is he not going to give assurances that this Bill is not intended to attack existing trade unions? I appeal to the Premier. His Minister seems to be incapable of answering the questions which have been asked by the Opposition as to whether this amendment will do damage to existing trade unions. Has the period of discussion and sweet reasonableness, which we saw a month ago, gone?

Sir Charles Court: There are still talks going on with the trade union movement in a much more rational way than you are acting tonight.

Mr TONKIN: Can the Premier tell me why the Minister for Labour and Industry will not give the assurances for which the Opposition has asked that there will be no encroachment upon the prerogatives and rights of existing trade unions?

Mr Grayden: We are not going to reply to idiotic requests in that category.

Mr B. T. Burke: What is the matter with you? Really, what is the matter?

Mr TONKIN: I do not know whether the Premier has studied the Bill closely. I know he cannot be familiar with all Bills. However, clause 2 gives the definition of "public authority". It means that everything within the State is included. We are concerned because if an attempt is made to encroach upon the prerogatives of those bodies which are already industrially organised increased disputation will occur, and that is one thing the Opposition does not want.

Mr Grayden: What has this to do with the clause?

Mr TONKIN: I do not think the Minister understands his Bill, or he is being mischievous. The Bill will create problems, quite deliberately we suspect. We want to know the intention of the Government because the clause is all-embracing. Is it intended to draft everyone under this definition into the Civil Service Association? That is what we want to know from the Government.

Mr GRAYDEN: I imagine the member for Morley would have read my initial speech.

Mr Tonkin: Several times.

Mr GRAYDEN: In respect of the clause I said—

> In the interests of uniformity and consistency in setting salaries and conditions of service for officers who occupy positions in such bodies which are comparable in status to positions in the Public Service, it is desirable that such bodies should come within

the jurisdiction of the Public Service Arbitration Act. At present these officers are not covered by registered industrial documents and this is an unsatisfactory situation.

This Bill and the complementary legislation contained in the Public Service Arbitration Act Amendment Bill (No. 2), will remedy this situation by . . .

The situation is clear-cut and I am at a loss to understand what the member for Morley is complaining about.

Mr SKIDMORE: The Minister has by no means satisfied me. The Minister referred to what he said when he introduced the Bill, and it is that to which we are objecting. The clause widens the interpretation in regard to eligibility. We want to know how far the net will be cast. This is what is concerning at least two organisations which at the present time consider their membership could be reduced as a result of the amendment. They want the assurance that registered organisations with award coverage will not be affected.

It is a serious issue and the Minister is doing nothing to help conciliation. If this amendment goes through many demarcation disputes will arise. The problem should be solved now in the manner I have suggested.

A definition of "public authority" has been included and I believe it is quite good. However, there is no other overriding provision to make that definition apply everywhere because subsection (6) uses the very terms which have just been deleted. I hope this does not cause any disputation, and that the Minister will give us some assurance on the matter, particularly in view of the provisions of section 23.

Before an award covering a union can be argued, the commission has to look at the question of the eligibility and the constitution of the union concerned. The unions have a right to go before a commissioner and argue that their members should be covered under a certain Act. However, the provision now under discussion provides nothing, and the door will be left wide open. That is asking for disputation.

We want a simple assurance from the Minister that unions which already have coverage will not be interfered with. Such an assurance would solve many of our problems.

Progress

Progress reported and leave given to sit again, on motion by Mr Grayden (Minister for Labour and Industry).

BILLS (2): MESSAGES

Appropriations

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

1. Appropriation Bill (General Loan Fund) (No. 2).
2. Pay-roll Tax Assessment Act Amendment Bill.

BILLS (6): RETURNED

1. Child Welfare Act Amendment Bill.
2. Fertilizers Bill.
3. Public Service Arbitration Act Amendment Bill.
4. Public Service Act Amendment Bill.
5. Public Service Appeal Board Act Repeal Bill.
6. Government Employees (Promotions Appeal Board) Act Amendment Bill.

Bills returned from the Council without amendment.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR CHARLES COURT (Nedlands—Premier) [6.11 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 4th October.

Question put and passed.

QUESTIONS ON NOTICE

Closing Time

THE SPEAKER (Mr Thompson): I advise members that questions for Tuesday, the 4th October, will be accepted until 12 noon on Friday, the 30th September.

House adjourned at 6.12 p.m.

QUESTIONS ON NOTICE

CONSUMER PROTECTION

Prices in North-west

769. Mr CARR, to the Minister for Consumer Affairs:

With reference to an ABC television news interview last week, in which he stated that the Consumer Affairs Bureau had conducted several enquiries into costs of living in the north of the State, and that these had shown that prices

were not higher in the north-west than in Perth and in some cases were actually lower:—

(1) Will he please indicate to the House the evidence on which he bases the claim that prices are not higher in the north-west?

(2) In particular, how does he relate this claim to:—

(a) the table on page 11 of the Interim Report of the Rural Affairs Enquiry, headed "Results of Price Survey carried out between March and August, 1976" which clearly indicates that the Consumer Affairs Bureau found prices to be very considerably higher in country areas generally and the north-west in particular?

(b) The 1976 "index of retail prices of food in certain localities" as prepared by the Bureau of Statistics and tabled on 10th November, 1976, which also illustrates higher country prices?

Mr O'Connor (for Mr GRAYDEN) replied:

(1) and (2) It appears that the exact words used during the 'on the spot' television interview could have been capable of misinterpretation.

The point that was being made was that prices in the north, excluding the freight element, were not higher than in Perth and there was no evidence of extra mark-ups as claimed by the drivers.

The Consumer Affairs Bureau's surveys showed a strong correlation between distance from Perth and the final price.

My comments as to some items being cheaper in the north were based on a survey carried out as at the 12th and 13th August, 1974 at Tom Price in the Pilbara and Morley, a suburb of Perth. These items were:

1 lb Slice Ham—
1.86 at Tom Price;
1.88 and 1.95 at Morley.

1 lb Silverside—
1.45 at Tom Price;
1.56 and 1.65 at Morley.

1 lb Cocktail Frankfurts—
.62 at Tom Price;
.62 and .69 at Morley.

½ lb Daffodil Margarine—
.23 at Tom Price;
.27 at Morley.

½ lb Coon Cheese—
.43 at Tom Price;
.44 and .43 at Morley.

500 gm Frozen Peas—
.42 at Tom Price;
.44 and .46 at Morley.

2 lb Bread (Sandwich) Local—
.28 at Tom Price;
.32 and .29 at Morley.

4 lb Self Raising Flour—
.46 at Tom Price;
.51 at Morley.

266 gm Kelloggs Corn Flakes—
.29 at Tom Price;
.29 and .31 at Morley.

MILK QUOTAS

Supply

789. Mr SHALDERS, to the Minister for Agriculture:

What penalty, if any, would be suffered by a dairy farmer with a market milk quota who for the first 29 days of this month (September) supplied less milk than his daily quota requires, but on the last day of the month supplies sufficient milk of the required quality above his daily quota requirement to make up for the total shortfall during the previous 29 days?

Mr P. V. Jones (for Mr OLD) replied:

No penalty.

WATER RATES

Pensioner Concessions

790. Mr TONKIN, to the Minister for Water Supplies:

(1) Is he aware that pensioners have to wait more than six months before they can receive the rebate on water rates?

(2) In particular, is he aware that Mrs. I. J. Warren of Railway Parade, Bassendean—

(a) paid her account of $100.66 in full at Midland on 22nd July, 1977; and

(b) was told several weeks later that she would have to wait six months before being reimbursed?

(3) Will he investigate the matter to see that Mrs Warren gets her rebate much, much earlier?

(4) Will he investigate the general problem so that rebates can be arranged much more expeditiously?

Mr O'CONNOR replied:

(1) Pensioners who apply at the board's offices, or by post, and pay the 75 per cent of the water rates, are granted the 25 per cent rebate immediately.

(2) (a) Yes.

(b) No, but if such was the case Mrs Warren was misinformed.

(3) Arrangements are in hand to refund Mrs Warren the 25 per cent subsidy overpayment.

(4) Since the 1st July the board has processed over 13 000 applications for pensioners' rebates, of which over 900 were paid in full by the ratepayer prior to making application for the rebate. The applications from eligible pensioners must be checked at the Land Titles Office for verification of ownership before final eligibility is established. There is necessarily some delay, but every endeavour is being made to process these as quickly as possible and make refunds to pensioners who have paid the full amount of rates. The time factor will be considerably less than 6 months.

CONSUMER PROTECTION

Fabrics: Use of TRIS

791. Mr TONKIN, to the Minister for Consumer Affairs:

(1) What is the position at present with respect to the sale of fabrics treated with the chemical flame retardant known as TRIS?

(2) Is this fabric affected by the amendment to the Clothes and Fabrics (Labelling) Bill presently before the House?

(3) What action is contemplated by the Government?

Mr O'Connor (for Mr GRAYDEN) replied:

(1) Importation of fabrics treated with 'TRIS' has been banned under the Customs (Prohibitive Imports) Regulations by the Federal Government. In Western Australia the Public Health Department has conducted tests on chemically treated fabrics and all these negatived the presence of 'TRIS'. All available evidence indicates that 'TRIS' treated fabrics have not been imported into Western Australia.

(2) No.

(3) Answered by (1).

CONSUMER PROTECTION

Motor Vehicle Spare Parts

792. Mr TONKIN, to the Minister for Consumer Affairs:

Adverting to question 350 of 1977, will he table the report from the Prices Justification Tribunal with respect to the prices of motor vehicle spare parts?

Mr GRAYDEN replied:

The report has not yet been received by the Bureau of Consumer Affairs from the Prices Justification Tribunal.

EDUCATION DEPARTMENT

Schooner: Use

793. Mr TAYLOR, to the Minister for Education:

With respect to the 16 metre schooner "Vivienne of Struan" recently purchased by the Education Department—

(1) Was the vessel in use on the weekend 17th/18th September?

(2) If "Yes"—

(a) where did it sail;

(b) how many persons were on board;

(c) from what section or unit of the Education Department were those persons on board;

(d) were any persons on board not Education Department employees?

Mr P. V. JONES replied:

(1) and (2) To the knowledge of the Education Department the vessel was not used on 17th/18th September.

SCHOOL

Parmelia

794. Mr TAYLOR, to the Minister for Education—

With respect to the Parmelia school—

(1) How many students presently attend?

(2) What is the number of students per class?

(3) What is the estimated enrolment for February 1978?

(4) How many additional—

(a) permanent;

(b) temporary,

classrooms is it intended to provide for the 1978 school year?

Mr P. V. JONES replied:

(1) 629.

(2) Year—

1, 31;
1, 31;
1, 31;
1/2, 15/15;
2, 34;
2, 33;
2/3, 18/12;
3, 34;
3, 35;
3/4, 22/10;
4, 36;
4, 36;
5, 37;
5, 37;
5/6, 15/16;
6, 33;
6, 34;
7, 32;
7, 32.

(3) 650-670.

(4) (a) and (b) An additional temporary unit will be provided initially and the actual situation re-assessed when schools re-open in February, 1978.

SCHOOL

Orelia

795. Mr TAYLOR, to the Minister for Education:

With respect to the Orelia School—

(1) How many students presently attend?

(2) What is the number of students per class?

(3) What is the estimated enrolment for February 1978?

(4) How many additional—

(a) permanent;

(b) temporary,

classrooms is it intended to provide for the 1978 school year?

Mr P. V. JONES replied:

(1) 617.

(2) Year—

1, 34;
1, 26;
1, 34;
2, 34;
2, 36;
2/3, 23/12;
3, 34;
3, 36;
4, 38;
4, 36;
4/5, 13/20;
5, 36;
5/6, 16/18;
6, 36;
6, 34;
7, 36;
7, 35.

Deputy's class—30.

(3) 610.

(4) (a) and (b) Nil.

POLICE STATION

Manning-Karawara Area

796. Mr WILLIAMS, to the Minister for Police and Traffic:

In view of the fact that the Canning Bridge police station has been demolished to make way for the extensions to the Freeway—

(1) Will he give consideration to establishing a police station in the Manning-Karawara area?

(2) If not, why not?

Mr O'NEIL replied:

(1) Consideration was given to the re-establishment of a police station in the district. However, enquiries reveal that the area was being adequately policed by mobile patrols operating from the Victoria Park police station.

(2) With the availability of more sophisticated means of communication and transport, modern policing tends towards limiting the number of police stations in suburban areas and providing coverage from strategically situated centres by mobile patrols.

TRAFFIC

Mirrabooka Avenue-Beach Road Intersection

797. Mr WILSON, to the Minister representing the Minister for Transport:

(1) Is the Minister aware of the possibly dangerous situation existing at the intersection of Mirrabooka Avenue and Beach Road, Koondoola, where dual carriageways filter into single carriageways?

(2) Will the Minister have the situation investigated with a view to having appropriate road signs erected for the safe direction of traffic?

Mr O'CONNOR replied:

(1) and (2) This site has not come under notice as being hazardous. However, I will arrange to have the site inspected to see if any road signs are required.

PRE-PRIMARY EDUCATION

Advisory Committee on Early Childhood Services

798. Mr WILSON, to the Minister for Education:

Will the recently formed advisory committee on pre-school provision for children under five be calling for submissions from interested individuals and groups in the community?

Mr P. V. JONES replied:

The committee has been asked to explore the subject fully and their method of operation is in their own hands.

EDUCATION

Disadvantaged Schools Programme

799. Mr WILSON, to the Minister for Education:

(1) Is he aware of the difficulties being faced by schools setting up special programmes under the disadvantaged schools programme in employing extra social work staff essential in these programmes?

(2) Are these difficulties being caused by Public Service staff ceilings?

(3) If "No" to (2), what is the obstacle to the employment of extra social work staff?

(4) Is he able to take any action to ensure that such programmes will not suffer adversely because of this restriction?

Mr P. V. JONES replied:

(1) to (4) For the major reason of reduction in schools commission funding, as well as ceilings in Public Service appointments, the Education Department has deferred its programme to increase the number of social workers in its employ.

METROPOLITAN MARKET TRUST

Members

800. Mr H. D. EVANS, to the Minister for Agriculture:

What are the names of the members of the Metropolitan Market Trust and when does the term of each expire?

Mr P. V. Jones (for Mr OLD) replied:

The members are:—

Messrs J. H. Arbuckle, W. R. Stevens, R. D. Mercer, E. A. Silbert and A. E Brindal. The term of each member expires on the 26th August, 1978.

URANIUM PROCESSING

Tailings Dam: Tests

801. Mr BARNETT, to the Minister for Health: Further to my questions on Western Mining tailings dam and the tests conducted on surrounding bores:—

(1) Is it a fact that tests since 1969 have been done by this department at the following locations—

(a) Franc's bore;

(b) Thompson's bore;

(c) East shore of Lake Cooloongup;

(d) Western Mining Corporation House;

(e) Dawson Well;

(f) Davies Well;

(g) Malaxos Well?

(2) Which of these locations were not tested or shown to have been tested in the paper tabled in this House

showing results of water sample analysis for radium and headed Western Mining Corporation—Baldivis tailings dam?

(3) In each case of a location appearing in tests done since 1969 but not in the radium tests why has it been excluded?

Mr O'Neil (for Mr RIDGE) replied:

(1) (a) to (g) Yes.

(2) Tested—(a), (b), (c), (d) and (g). Not tested—(e), and (f).

(3) The wells sampled for radium analysis were those closest to the tailings area. Any omitted were either more distant from the dam or water was not available from them at the time of sampling.

FORESTS DEPARTMENT

Pilots

802. Mr BARNETT, to the Minister for Lands and Forests:

(1) Is it a fact that the Forests Department is advertising for pilots in the Eastern States for the position/s of forest spotting?

(2) If so, why?

(3) In the event of there being sufficient applications from qualified pilots in Western Australia, will they be given preference over Eastern States pilots?

Mr O'Connor (for Mrs CRAIG) replied:

(1) The Forests Department advertisement for pilots appeared only in *The West Australian* but copies were sent to commercial pilot training organisations throughout Australia.

(2) To ensure that the maximum number of experienced pilots were obtained. This was considered to be necessary because in previous years the availability of pilots in W.A. was insufficient to meet requirements.

(3) Yes, subject to qualifications and experience.

WHALES

Mercury Levels

803. Mr BARNETT, to the Minister for Health:

(1) Further to my question 688 of 1977, is it a fact that waste material in the form of blood and bone etc. from the Cheynes Beach whaling station is being sold to a poultry processing firm in Albany and throughout the State as animal fodder?

(2) (a) Has his department ever tested the poultry in question to determine mercury levels;

(b) if so, when and with what results?

(3) (a) Has his department ever tested the whales caught off Albany and processed at Cheynes Beach station for mercury content;

(b) on what dates were tests made over the last 24 months;

(c) on how many whales and what was the result in each case;

(d) how do the results compare with World Health Organisation acceptable levels;

(e) what is the accepted mercury level adopted by the World Health Organisation for whales and/or fish?

Mr O'Neil (for Mr RIDGE) replied:

(1) I do not know whether waste material is being sold to a poultry processing firm in Albany or not and I have previously told the member that if he provides specific information in regard to his claim, an investigation will be carried out.

(2) The department routinely tests poultry for mercury content and the results have always been within acceptable limits. If the member suspects that something illegal is occurring at Albany, he has a duty to advise the Government.

(3) (a) Yes, in association with Cheynes Beach whaling station;

(b) and (c) The results for 1976 and to present date for 1977 are tabled herewith;

(d) and (e) The World Health Organisation does not set acceptable levels, but recommends provisional tolerable intakes only. The member has already been advised that sperm whales are regarded as inedible in Western Australia and unfit for human consumption.

The paper was tabled (see paper No. 269).

NOISE POLLUTION

Kwinana Freeway Southern Extension

804. Mr BARNETT, to the Minister Representing the Minister for Transport:

(1) Has a study on noise pollution been completed on the southern extension to the Kwinana Freeway?

(2) Which department did the study and when was it completed?

(3) Will he either table a copy of the result or provide me with a copy of it?

Mr O'CONNOR replied:

(1) to (3) No. The Main Roads Department is progressively investigating noise levels as part of its design procedure for the Kwinana Freeway southern extension.

EDUCATION DEPARTMENT EMPLOYEES AT VAPECH HOUSE

Health

805. Mr BARNETT, to the Minister for Education:

(1) (a) Was a kindergarten or pre-school centre in the Armadale area closed down at the suggestion of the Health Department because of the presence of asbestos such as that in Vapech House;

(b) which school and when?

(2) (a) Were the law buildings at W.A. University ever the subject of complaints about, and were tests done there for the presence of asbestos;

(b) when and with what result?

(3) Is it a fact that staff at Vapech House are forbidden to open windows in the Education Department section by the superintendent?

(4) (a) Does this superintendent make his own rules; or

(b) does the department make the rules?

(5) Can he give the staff an unequivocal assurance concerning compensation to staff whose health may be affected by working in Vapech House?

Mr P. V. JONES replied:

(1) (a) and (b) In 1974 an unauthorised play group at Gwynne Park was advised by the Health Department that ceilings should be sprayed or removed because of the presence of asbestos. The group closed voluntarily.

(2) (a) and (b) In 1976 tests were carried out on three sections of the Law Building by Health Department laboratories but no harmful materials were evident. The areas under consideration were stripped and painted.

(3) Yes. This was done at the request of the owners and air-conditioning engineers to ensure effective operation of the building's air-conditioning.

(4) The superintendent is responsible for the operation of his branch.

(5) The Division of Occupational Health has indicated that there is no threat to health from asbestos fibres in the ceilings of Vapech House.

VAPECH HOUSE

Ownership, Rental, Ceiling, and Advertising Sign

806. Mr BARNETT, to the Minister for Works:

(1) Who owns Vapech House?

(2) What rental is paid for it?

(3) (a) Is it a fact that the owners have laid down certain conditions about the ceiling;

(b) if so, what are they?

(4) Why were partitions torn out thus possibly disturbing the asbestos ceilings?

(5) Has the State Government ever paid the electricity bill for a large advertising sign previously on top of Vapech House?

Mr O'CONNOR replied:

(1) Snowden and Willson Pty. Ltd.

(2) $8 029.10 per calendar month.

(3) (a) Yes.

(b) On termination of the lease the landlord reserves the right to have the ceiling restored to the materials as indicated on the plans submitted to the City of Perth for the building permit.

(4) Accommodation requirements necessitated alterations to partition layout.

(5) No.

SCHOOL

East Victoria Park

807. Mr Davies, to the Minister for Education:

(1) What is the cost to date of re-establishing the East Victoria Park primary school?

(2) What costs have yet to be met?

Mr P. V. JONES replied:

(1) $696 862.

(2) $43 138.

PEDESTRIAN OVERWAY

Shepperton Road-Mint Street Intersection

808. Mr DAVIES, to the Minister representing the Minister for Transport:

What action is proposed in regard to the provision of a pedestrian overpass near the intersection of Shepperton Road and Mint Street, East Victoria Park?

Mr O'CONNOR replied:

The provision of pedestrian facilities is primarily the responsibility of the local authority concerned. However, the Main Roads Department does provide some financial assistance where significant numbers of school children are required to cross busy arterial roads.

In the case of Mint Street-Shepperton Road, alternative types of overways and funding arrangements have been under examination and a proposal will be submitted to Perth City Council shortly for its consideration.

TRAFFIC ACCIDENTS AND HAZARD

Russell Road

809. Mr TAYLOR, to the Minister for Police and Traffic:

With respect to that section of Russell Road from its junction with Stock Road, east to the railway crossing—

(1) How many traffic accidents have been reported during the past three years?

(2) How many of these involved one vehicle only?

(3) Are traffic police aware of any form of traffic hazard or traffic conflict along this section of road?

Mr O'NEIL replied:

(1) Eight accidents have been reported, including one injury accident.

(2) Five.

(3) It is not noted by the traffic patrol as an area of particular hazard or traffic conflict.

REDCLIFFE ROAD

Partial Closure

810. Mr TONKIN, to the Minister for Local Government:

(1) When did he receive a request from the Belmont Shire for the closure of Redcliffe Road at its junction with Coolgardie Avenue?

(2) (a) For what purposes was the request made;

(b) for how long was it intended to close the road; and

(c) what was the nature of the tests made?

(3) Has he now received an application for permanent closure of the road?

(4) If so—

(a) what was the date of the application;

(b) what has been his response?

(5) If there is no response to date, when does he expect to make a decision?

(6) Pursuant to which section of which statute will he be acting?

Mr RUSHTON replied:

(1) The 22nd October, 1976 (Letter from council dated the 18th October, 1976.)

(2) (a) To study traffic movements and to determine the allocation of funds for permanent closure if deemed necessary.

(b) Approximately 12 months.

(c) This information is not known to my department.

(3) to (5) No.

(6) This will be dependent on the nature of the request.

BAYSWATER AND BASSENDEAN SHIRE RATES

Pensioner Concession

811. Mr A. R. TONKIN, to the Minister for Local Government:

(1) Is it a fact that the Shire of Bayswater does not give a 25 per cent rebate to pensioners on the sanitary and rubbish disposal components of the annual rates?

(2) Is it also a fact that the Town of Bassendean gives a rebate of 25 per cent on the total rates including that of sanitary and rubbish disposal?

(3) Which is the correct procedure?

(4) Will he make inquiries so that any possible confusion may be removed?

Mr RUSHTON replied:

(1) No such component is contained in the general rate. A separate charge is made.

(2) Yes. Cost of rubbish removal is met from general rate revenue.

(3) Both. Provision for the alternative methods is contained in the Health Act.

(4) I am not aware of any confusion.

SOLAR ENERGY

Research Institute

812. Mr CARR, to the Premier:

With reference to the establishment of a solar energy research institute as indicated in the Budget speech, will this institute be located in Geraldton as was promised by him during the Greenough by-election in November 1975?

Sir CHARLES COURT replied:

The member in his question has not quoted my November 1975 statement with complete accuracy.

I said on the 26th October, 1975 that State Cabinet would consider a proposal for "the establishment in Western Australia of a Solar Energy Research Centre."

I further stated "that the Geraldton region was one of the locations favoured at that stage for such a centre."

The Solar Energy Research Institute is intended to be primarily a financing vehicle and, as such, will not have any laboratory premises, at least for the time being.

The Government wishes to ensure that all funds available to support solar research are devoted to actual research work and are not eroded by administration, rent, and other overhead expenses.

Initially, it is hoped that the research work will be done with existing facilities and laboratories by the universities, Institute of Technology and industrial companies. The State Energy Commission will be supplying the administrative and backup support for the institute during its early years of operation.

If, at some later time, it proves desirable for the institute to have its own laboratories, the Government will bear in mind the advantages of a possible site at Geraldton.

HIGH SCHOOL

Geraldton

813. Mr CARR, to the Minister for Education:

(1) Has a decision yet been made as to whether the block of new classrooms proposed for Geraldton Senior High School will be proceeded with for the 1978 school year?

(2) If "Yes" what is the result of such decision?

Mr P. V. JONES replied:

(1) and (2) The replacement buildings are to be proceeded with and will be completed during the 1978 school year.

MEDICAL SPECIALISTS

Regional Centres

814. Mr CARR, to the Minister for Health:

With reference to his answer to question 11 of the 25th November, 1976 in which he indicated that the Government would consider paying the travel and accommodation expenses of specialists who travel to regional centres in an attempt to encourage more specialists to visit regional centres—

(1) Has the Government taken any action to make such expenses available to specialists?

(2) If "Yes"—

(a) to what centres are such expenses paid;

(b) how many such visits have been subsidised in this manner?

(3) If "No" to (1)—will the Government give the matter further consideration and make a clear policy statement of its intentions?

Mr O'Neil (for Mr RIDGE) replied:

(1) Yes.

(2) (a) Centres in the Gascoyne, Pilbara, Murchison and Kimberley regions;

(b) in the 1976-77 year, 49 visits were subsidised.

(3) Answered by (2).

PENSIONERS

Transport Concession to Dependent Children

815. Mr CARR, to the Treasurer:

With reference to his answer to question 36 of the 10th November, 1976 in which he promised to examine the matter of providing a free trip on Government transport to dependent children of a pensioner who is entitled to such transport—

(1) Has further consideration been given to this matter?

(2) Will he advise if any changes have been made or are intended?

Sir CHARLES COURT replied:

(1) Yes.

(2) Not at this stage.

Note: In answering this question it has been assumed that the member is referring to question 34, *Hansard* page 3829 of 1976, and not question 36.

HISTORIC WRECKS

List

816. Mr CARR, to the Minister for Cultural Affairs:

Will he please provide a list of shipwrecks off the Western Australian coast which are the subject of recent Federal action to protect the wrecks or their relics?

Mr P. V. JONES replied:

In the 2nd Schedule of the Commonwealth Historic Shipwrecks Act (15th December, 1976) four Dutch shipwrecks were listed, viz:

Batavia.
Vergulde Draeck or *Gilt Dragon.*
Zuytdorp.
Zeewyck.

A public notice listing these Dutch shipwrecks was published in *The West Australian* on the 5th January, 1977.

A list of non-Dutch historic shipwrecks off the WA coast was published in the Commonwealth Gazette on the 8th September, 1977. By public notices published in *The West Australian* this morning, the 22nd September, 1977, the Federal Minister declared all articles associated with these wrecks to be historic relics.

HISTORIC WRECKS

Rumours about Discovery

817. Mr CARR, to the Minister for Cultural Affairs:

(1) Is he aware of any rumours to the effect that shipwrecks have been discovered off the Western Australian coast but not reported on the grounds that the discoverer would only be entitled to a small sample of the artifacts?

(2) Have any inquiries been undertaken to either substantiate or reject such rumours?

(3) If "Yes" to (2), will he please advise of the details?

Mr P. V. JONES replied:

(1) to (3) Officers of the WA Museum enjoy excellent co-operative relationships with amateur diving groups in this State and receive a great deal of helpful information and practical assistance from these people and other members of the public.

Reports of unidentified wrecks are frequently freely given to the Museum. One Museum officer has the specific responsibility of investigating all such reports.

Under section 17 of the recently proclaimed Commonwealth Historic Shipwrecks Act, a person who finds a shipwreck off the coast of Australia must, as soon as possible, notify the Federal Minister of it and its location. Failure to do this is an offence.

I am aware that a statement was recently made to the press that shipwrecks have been discovered off the Western Australian coast but not reported on the grounds suggested. I have no information whether the Federal Minister has made any inquiries to substantiate or reject this statement, or about what action he might take if the statement is substantiated.

EDUCATION

Swimming Classes

818. Mr CARR, to the Minister for Education:

(1) Is it a fact that during 1977, swimming was taught to school children during school time by persons who were not trained teachers?

(2) Is it a fact that trained teachers holding swimming qualifications were unemployed at the same time as the swimming classes above?

(3) In view of the possibility of trained teachers not being employed at the beginning of the 1978 school year will he give an assurance that persons who are not trained teachers will not be given jobs as swimming instructors where there are trained teachers available with appropriate swimming qualifications?

Mr P. V. JONES replied:

(1) to (3) Those instructors who are not trained teachers hold a bronze medallion or higher qualification of the Royal Life Saving Society and are experienced and proven instructors of swimming. It is anticipated that these people will obtain an "authority to teach" once the registration board is established.

HOSPITAL

Geraldton

819. Mr CARR, to the Minister for Health:

(1) Is it a fact, as reported in the *Geraldton Guardian* Late News, of the 16th September that the Geraldton medical group had officially written to the Minister for Health some time ago stating that if he were to allow the use of resident doctors the group would support him?

(2) If "Yes" does this development remove the main impediment—as indicated in part (2) of his answer to question 431 of 1977—which has so far prevented the introduction of resident doctors to the Geraldton regional hospital?

(3) If "Yes" will the Government now make whatever housing and other arrangements are necessary and proceed to introduce resident doctors?

Mr O'Neil (for Mr RIDGE) replied:

(1) No.

(2) and (3) Not applicable.

NICKEL MINING

Retrenchments

820. Mr GRILL, to the Minister for Mines:

(1) In view of the state of the nickel mining industry in Western Australia, has the Government initiated or made any inquiries or surveys into the employment position in the industry and particularly into the question of any further retrenchments in the industry in the near future?

(2) If not, why not?

(3) If "Yes" what were the results indicated by such inquiries and/or survey?

Mr MENSAROS replied:

(1) to (3) The world nickel situation is in oversupply and still in some confusion following INCO's decision to not disclose sale prices. No conclusion on employment prospects in the nickel industry could be accurately made at this stage, as it will depend on the directions the market takes.

I would add the Government is in constant liaison with the companies concerned and is ready to act if such action is necessary.

PENSIONER CONCESSIONS

War Widows

821. Mr H. D. EVANS, to the Minister for Community Welfare:

(1) Are war widows who are in receipt of a pension eligible to receive State Housing Commission pensioner concessions?

(2) For what State concessions are war widows eligible?

Mr O'Neil (for Mr RIDGE) replied:

(1) State Housing Commission advised that war widows in receipt of a pension are eligible to receive State Housing Commission pensioner concessions.

(2) State concessions for war widows are—

one free annual trip to any point serviced by Westrail and half fare concessions for all other Westrail travel in the country;

subsidised travel on Government transport in the metropolitan area;

special travel concession for pensioners attending as a regular out-patient at a hospital in the metropolitan area;

pensioners living above the 26th parallel more than two years continuously are entitled to one free return trip as far as Perth in a calendar year;

leisure courses held by Technical Education Division of Education Department allow exemption of fees;

book subsidies available for courses in technical education.

JOB CREATION

Budget Measures

822. Mr JAMIESON, to the Minister for Works?

Is it intended that the special Budget programme of minor works and maintenance will concentrate on works in areas of high unemployment such as Kwinana and Geraldton?

Mr O'CONNOR replied:

As mentioned in the Budget speech, funds will be allocated direct to departments and instrumentalities for approved works on condition that the work will be put out to local contractors providing they have the capacity to undertake the jobs and are competitive in price. When departmental programmes are received, due regard will be had for the unemployment situation generally.

I would add that already the Treasurer and the department have met to get this programme under way.

QUESTIONS WITHOUT NOTICE

TRANSPORT WORKERS' UNION

Dispute with Owner-drivers and Subcontractors

1. Mr LAURANCE, to the Minister for Labour and Industry:

(1) Is the Minister aware that towns in the north of the State are running short of vital commodities as a result of the transport strike by owner-drivers?

(2) Can the Minister advise the current position in relation to the strike and any initiatives which are being taken in order to overcome it and get commodities moving to the north again?

Mr GRAYDEN replied:

(1) Yes.

(2) Last week the Department of Labour and Industry organised meetings between the Transport Workers' Union and the Road Transport Association. I thought the results of the meetings were fruitful in the extreme but unfortunately they were not acceptable to the owner-drivers and a 48-hour strike was called in the metropolitan area. That strike was called off today, but the strike in respect of those operating between Perth and the north-west and other remote areas continues. In view of the fact that the offer made by the Road Transport Association is really substantial, I cannot help but feel the owner-drivers will accept what has been offered and will not allow themselves to be used as a political toy by the Transport Workers' Union.

MINISTER FOR LABOUR AND INDUSTRY

Disciplinary Action

2. Mr TONKIN, to the Premier:

(1) Was a special emergency meeting of the Liberal Party held this morning to discipline the Minister for Labour and Industry for his reprehensible behaviour yesterday evening which led to the offer to resign by the Speaker of the House?

(2) What was the outcome of the meeting?

Sir CHARLES COURT replied:

(1) I can assure the honourable member no emergency, special, or any other form of meeting was held by the Liberal Party this morning. It must be a figment of the member's imagination.

(2) In view of the fact that no meeting was held there is no outcome to report.

Mr Grayden: The member for Morley must be mentally sick.

FOOTBALL MATCH

Televising

3. Mr COWAN, to the Ministerial for Recreation:

My question relates to the refusal of the WANFL to permit a live telecast to the country of the WANFL grand final.

(1) How often has the WANFL grand final been telecast live to the country?

(2) How was it proved to the WANFL that a live grand final telecast caused a drop in attendance at the match?

Mr P. V. JONES replied:

(1) and (2) I was in touch with the ABC this morning in connection with a question asked in another place about the technical aspects of telecasting events in Perth, and I gather the grand final has never been telecast, although I understand the last quarter of the match was telecast in 1973. The ABC was unable to provide any information.

In view of the questions which were asked yesterday and the comments which have been made in the Press since, the WANFL has indicated that its policy regarding the televising of football finals in Perth relates to two matters. Firstly, the WANFL is not opposed to the telecasting of matches to the country areas provided the telecast can be confined to those areas. The tenor of an answer I provided in another place today was that the ABC had indicated to me this morning, through the general manager of the commission in Western Australia, that technically it was not possible to beam a telecast only to the country areas because it was picked up in the outer metropolitan areas.

Secondly, the WANFL would agree to a telecast of the grand final even within the present technical facilities if the match were a sell-out, such as we are informed the VFL grand final is on Saturday.

In answer to the member's specific question, my understanding is the grand final has never been telecast, but the ABC has informed me the last quarter was telecast in 1973.

HOUSING

General Loan Funds

4. Mr B. T. BURKE, to the Treasurer:

(1) Will he confirm or deny that a request from the State Housing Commission for an allocation of General Loan Funds was rejected?

(2) Is it true that the Loan Estimates revealed by the Treasurer today with respect to the State Housing Commission include an amount of more than $2 million which the State Government does not have?

Sir CHARLES COURT replied:

(1) and (2) If the honourable member wants the matter pursued in a responsible way, I ask him to put his question on the notice paper. If he reflects, he will see under these circumstances neither question was a reasonable one to ask of a Treasurer without some notice. I am rather intrigued as to why he raises the matter, as he has raised one or two other matters in connection with the Budget; and I hope he reads the Budget speech I delivered today.

MINISTER FOR LABOUR AND INDUSTRY

Disciplinary Action

5. Mr TONKIN, to the Premier:

(1) What disciplinary action has been taken against the Minister for Labour and Industry because of his recent behaviour in this House?

(2) If no disciplinary action has been taken so far, what action is it intended to take in the interests of responsible and sober Cabinet Government?

Mr Grayden interjected.

Sir CHARLES COURT replied:

(1) and (2) I am surprised the Speaker allowed the question to be asked.

Mr Tonkin: Why?

Sir CHARLES COURT: Because the member for Morley is reflecting on the Speaker—

Mr Tonkin: No I am not.

Sir CHARLES COURT: —and he is reflecting on the Parliament.

Mr Tonkin: I am reflecting on you for doing nothing about this situation.

Sir CHARLES COURT: No disciplinary action is being taken because there is nothing to discipline.

Mr Jamieson: That is what has happened to you—you have lost control.

Several members interjected.

The SPEAKER: Order!

Sir Charles Court: The way you people conducted yourselves you should be ashamed of yourselves.

Mr Jamieson: You have lost control.

The SPEAKER: Order!

Several members interjected.

Sir Charles Court: If you let the member for Balcatta go on with his muckraking you will get more trouble.

Mr Davies: You cannot take it. You hate it, don't you?

The SPEAKER: Order!

Mr Jamieson: You have always got to win.

Sir Charles Court: The member for Victoria Park should be the last one to talk. He has no capacity to take anything.

The SPEAKER: Order!

Mr Grayden interjected.