Mr Withers. I thought he was referring to the North-East Metropolitan Province, and was asking whether I had received any inquiries from my constituents. I hope the Minister has full regard for that.

The Minister accused me, as President of the Trades and Labor Council, of not having the interests of employees at heart. He said the Bill will create employment, although he did not say that in his second reading speech. He did say he recognised that no doubt arrangements would be made in respect of the impact this proposal would have on staff.

The DEPUTY CHAIRMAN (the Hon. R. J. L. Williams): I remind the honourable member that I have already allowed him considerable latitude in making a personal explanation, and he must now speak to the clause under discussion.

The Hon. D. W. COOLEY: I am sorry if I have digressed. However, some of the comments made in respect of my position were quite inaccurate. Early in my speech I indicated the proposal is contrary to the policy of the trade unions and to the policy of the Australian Labor Party.

With regard to proposed new section 92A(12), I would like to know whether the Government has had regard for the fact that the shop assistants' award provides only for hours of work between 8.30 a.m. and 5.30 p.m. Has it had regard for the overtime shop assistants must work under this provision and the hardships they will suffer as a result of working long hours? The Minister could declare that the shopping hours will be from 6.00 a.m. to 12.00 midnight, and those hours could apply continuously for 15 weeks.

The other point that concerns us greatly is whether consideration has been given to protection of young female staff who may be required to knock off at 11.00 p.m. and walk a long way home over dark country roads. We read almost daily of criminal violence not only in the city but also in country areas, and I think protection should be afforded to such people who may be affected by a decision of the Minister in respect of extended hours.

Those are the points which worry me. I appreciate probably the Bill will be carried, having regard for the vote on the second reading.

The Hon. G. C. MacKINNON: I am not sure whether Mr Cooley genuinely wants me to reply. I am aware that he knows from his vast experience in industrial matters that while under this Bill we can order the hours of shopping to be extended, we cannot make an order that a shop assistant who commences work at 8.00 a.m. shall remain on duty until midnight. I know of no award which allows that. This is an industrial matter which would be determined by a commission not the subject of this Bill. As President of the TLC, Mr Cooley must be aware of that.

He would also be aware that while it would be extremely unlikely for a shop to remain open until midnight or some other dark hour when rapists are prowling the countryside with a dastardly gleam in their eyes, this matter may also be the subject of an industrial agreement. Indeed, such an agreement applies in this Parliament in respect of female members of the staff who are provided with taxis if they are required to work after a certain hour. Such matters are not the subject of this Bill. It seems to me we have dealt with the Bill *ad nauseam*, to the point where we are now discussing industrial matters which have nothing at all to do with the measure.

Clause, as amended, put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

Third Reading

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Minister for Education), and returned to the Assembly with amendments.

ROAD TRAFFIC BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. N. E. Baxter (Minister for Health), read a first time.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. N. McNEILL (Lower West—Minister for Justice) [4.56 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 19th November.

Question put and passed.

House adjourned at 4.57 p.m.

Legislative Assembly

Wednesday, the 13th November, 1974

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

QUESTIONS (39): ON NOTICE

1. MUTTON

Prices and Marketing

Mr McIVER, to the Minister for Agriculture:

(1) In view of the present low level of mutton prices, could he advise of any action contemplated by the Government to rectify the situation?

(2) Would he consider the appointment of a committee to investigate ways and means of improving the present marketing situation with special reference to the development of markets in the Middle East?

(3) Could such a committee, if appointed, investigate—

(a) the marketing of live sheep overseas;

(b) the feasibility and viability of Rural Traders Co-operative with a view to Government assistance;

(c) the possibility of the WA Lamb Marketing Board forming a subsidiary to take over the present Rural Traders Co-operative should the necessity arise;

(d) any other matters of meat marketing and distribution that may be considered necessary?

Mr McPHARLIN replied:

(1) to (3) I am conscious of the low mutton price situation and am prepared to have an examination made of the feasibility and value to the industry of the suggested course of action.

2. RECREATION

Equipment Grants

Mr T. D. EVANS, to the Minister representing the Minister for Recreation:

(1) How many applications were received last year for equipment grants and what percentage of the global number were successful in obtaining some financial assistance?

(2) How many similar applications have been received this year?

(3) (a) Have the number of grants successful this year been determined;

(b) if so, how many?

(4) If not, when is an announcement to be expected?

Mr STEPHENS replied:

(1) 700 applications were received last year and approximately 50% of this number were successful in obtaining some financial assistance.

(2) 804 applications have been received this year.

(3) (a) and (b) No, however, investigation is well advanced.

(4) January, 1975.

3. RECREATION OFFICERS

Diploma Course

Mr T. D. EVANS, to the Minister representing the Minister for Recreation:

(1) What arrangements, if any, exist to enable recreation officers stationed in country areas and hence unable to partake of facilities available to their counterparts in the metropolitan areas to study for a diploma?

(2) Will the Minister endeavour to have instituted a correspondence course to assist officers stationed in country areas?

(3) Is there a reference library available for use (mail deliveries where applicable) to enable recreation officers to keep abreast with the latest trends in community assistance in the most profitable use of leisure time?

(4) If not, are there any plans for same being considered?

Mr STEPHENS replied:

(1) The Associate Diploma in Recreation and the Diploma in Applied Science (Recreation) are study courses under the jurisdiction of the Secondary Teachers' College, Nedlands.

It is possible for recreation officers stationed in country areas to gain some accreditation of subjects through technical education division courses. However, recreation officers posted to country areas have been given an undertaking that those wishing to pursue the associate diploma course will be employed in the metropolitan area within a reasonable period of time.

(2) The matter will be discussed with those involved in the conduct of the present courses in recreation.

(3) Yes.

(4) Answered by (3).

4. PATCH THEATRE GUILD

Letter to Premier

Mr T. D. EVANS, to the Premier:

(1) Has he received a letter dated on or about 21st October, 1974 from the director of Patch Theatre Guild?

(2) If "Yes" has he replied thereto?

(3) Does he intend to take any action within the competence of the Government so to do, to further the adoption of the proposal referred to in the said letter?

(4) If (3) is "Yes" would he please elaborate?

Sir CHARLES COURT replied:

(1) Yes.

(2) No.

(3) and (4) The matters raised by the Director of Patch Theatre Guild are still under consideration by the Government.

5. PRE-SCHOOL CENTRES

Capacity, Subsidies, and Number

Mr T. D. EVANS, to the Minister representing the Minister for Education:

(1) What will happen if demand for student places at pre-primary centres exceeds the suggested maximum of 25 per session per unit?

(2) Will the APA standards of 25 maximum be exceeded?

(3) What effect will provision of pre-primary centres have on freedom of choice of parents either to have their children attend such centres or orthodox pre-school centres, taking into account cost to parents and travel arrangements?

(4) To what extent, if any, will independent school systems be subsidised to develop a parallel system of pre-primary education?

(5) What arrangements will be followed for objectively evaluating the effectiveness of pre-primary centres?

(6) How many pre-primary centres does the Government plan to establish during 1974-76?

Mr MENSAROS replied:

(1) A method of selection will be determined by the Education Department in consultation with the school concerned.

(2) No.

(3) Existing right of choice will be unaffected.

(4) The Government is not responsible for extensions to independent schools.

(5) An expert panel will be constituted.

(6) Not determined.

6. EDUCATION

Achievement Certificate: Evaluation

Mr T. D. EVANS, to the Minister representing the Minister for Education:

(1) What objective evaluation has taken place in respect of the operation of the Achievement Certificate at third year post-primary level?

(2) Would he supply details please?

(3) (a) Has the W.A. Tertiary Education Commission reported on the operation of the scheme;

(b) if so, when, and would he please supply me with a copy of the commission's statement or report?

Mr MENSAROS replied:

(1) A questionnaire was applied to 45 secondary schools, including Government and non-Government schools selected at random. The purpose was to evaluate the attitudes of teachers, administrators and clerical staff. A detailed statistical analysis was made of the responses to the prepared questionnaire.

(2) Responses were received from 90% of the schools with significant enrolments. The detailed statistical analysis appears to indicate that schools—

(i) have more freedom to pursue the broad aims of secondary education;

(ii) consider regional meetings useful;

(iii) consider board moderator visits helpful;

(iv) consider comparability tests useful;

(v) consider that there is sufficient moderation to ensure comparability of assessment; and

(vi) have increased their expenditure of resources on school records.

The first proof of the findings has been completed as a confidential document but the final report will be published at an early date when checking has been completed.

(3) (a) and (b) The Achievement Certificate is concerned with the first three years of secondary education and as such is not within the province of the WA Tertiary Education Commission which is responsible for higher post-secondary education.

7. ELECTRICITY SUPPLIES

Charges: Collection Vans at Kwinana

Mr TAYLOR, to the Minister for Electricity:

(1) At what sites are SEC consumer collection vans located when servicing the Kwinana shire?

(2) How many vans are involved?

(3) For what range of hours per day and for how many days is/are such van(s) so located during any quarterly service/account period?

(4) What is the average proportion (approximately), expressed as a percentage, of SEC customers in the shire, who avail themselves of this method of paying quarterly accounts?

Mr MENSAROS replied:

(1) (a) Harley Way, Medina, outside the Police Station.
(b) Kwinana Road, Corner of Kwinana Beach Road, Kwinana.
(c) Macedonia Road, Corner of Old Rockingham Road, Naval Base.

(2) (a) Two.
(b) and (c) One.

(3) (a) 9.30 a.m. to 1.00 p.m. One day each quarter.
(b) 1.30 p.m. to 3.00 p.m. One day each quarter.
(c) 1.30 p.m. to 2.30 p.m. One day each quarter.

(4) 14%.

8. POLICE

Swan Electorate: Crime Rate

Mr SKIDMORE, to the Minister for Police:

(1) In regard to the crime rate in the Lockridge, Eden Hill, Caversham areas, would he indicate as follows—

(a) the number of crimes committed during the last 12 months and if possible the types thereof;

(b) the ages of people committing the crimes who were below the age of 18;

(c) the percentage of the crimes committed in these areas as compared with the rest of the State?

(2) Is there any evidence to show whether the crime rate in these areas is increasing or decreasing?

Mr O'Neil (for Mr O'CONNOR) replied:

(1) and (2) The information that the Member requires is not readily available but will be forwarded as soon as it somes to hand.

9. EASTERN HILLS HIGH SCHOOL

Enrolments, and Salary of Principal

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

(1) What is the present enrolment in first, second and third year classes at Eastern Hills high school?

(2) What are the enrolments in seventh grade at the following primary schools—

Mt. Helena, Chidlow, Wooroloo, Sawyers Valley, Parkerville, Mundaring, Glen Forrest, Darlington?

(3) What is the anticipated enrolment for the Eastern Hills high school for 1975?

(4) Does the answer to (3) allow for possible inclusion of fourth year students studying maths 2 and 3, chemistry and science for 1975?

(5) (a) In view of the fact that there is every likelihood of Eastern Hills high school having more than 600 students in 1975 and definitely will be more than 600 in 1976, will the Minister arrange for the present salary classification of the principal at that school to remain for 1975;

(b) if not, why not?

Mr MENSAROS replied:

(1) First Year, 175; Second Year, 170; Third Year, 128.

(2)

Mt Helena	41
Chidlow	11
Wooroloo	9
Sawyers Valley	9
Parkerville	12
Mundaring	44
Glen Forrest	21
Darlington	58

(3) It is not possible to accurately forecast the enrolments in 1975, until such time as the wishes of the parents in regard to fourth year studies are known. Present indications are that the number will be approximately 580.

(4) Yes.

(5) (a) and (b) The answer to question 3 indicates that the enrolment in 1975 will be less than 600. Moreover, the salaries of principals and deputies are not classified as over 600 until the school has attained such an enrolment for a period of twelve months.

10. ESPERANCE HIGH SCHOOL.

Enrolments, and Salary of Principal

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

(1) What is the present enrolment at Esperance Senior High School?

(2) Will the principal at Esperance Senior High School in 1975 receive a salary in accordance with that received by principals of high schools of more than 600 students?

Mr MENSAROS replied:

(1) 560.

(2) No.

11. PETER PAN CENTRE

Construction

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

(1) When was the Peter Pan Centre, currently under construction at Manjimup commenced?

(2) For what reason has construction work been delayed?

(3) When is it expected that the building will be completed?

(4) Who is the contractor responsible for the building, and what is the name of the architect?

(5) Is the Public Works Department satisfied with the standard of workmanship in the construction, and if not, what aspects are considered deficient and what action will be taken in regard to these?

Mr O'NEIL replied:

(1) The contract commencement date was 2nd November, 1973.

(2) Initial filling of site was delayed due to problems of extraction of filling sand. Construction work did not commence until February, 1974 and delays have been caused by shortage of labour and lack of material supplies.

(3) It is estimated that the building will be completed by the third week of December, 1974.

(4) The contractor is Associated Constructions Pty. Ltd. and the work is being supervised by the Architectural Division, Public Works Department.

(5) Generally, the standard of workmanship is acceptable although not outstanding, and there are some items requiring attention.

12. BEEF

Orderly Marketing

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

(1) In the event of the proposed "floor price" scheme for the sale of beef as propounded by the Farmers' Union not being practicable does the Government propose to implement any alternative system of orderly marketing of meat in Western Australia by legislation?

(2) If so, will he give details of the Government's intentions and whether legislation towards this end will be introduced in the present session?

Mr McPHARLIN replied:

(1) and (2) I am hopeful that the proposed voluntary minimum price scheme for domestic beef will be able to be implemented in the near future.

At this stage clarification of the scheme in relation to the provisions of the Trade Practices Act is being sought.

13. DINGOES

Group Eradication Scheme

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

(1) How does he reconcile his answer of 17th September, 1974 in which he gave a categorical indication that a group dogger scheme was in operation at Meekatharra with his reply of 30th October, 1974 in which he stated that no dogger has operated since 30th May, 1974, except for a period of a fortnight in August during which a man was apparently employed?

(2) Would he explain how a group dogger scheme can operate without a dogger?

Mr McPHARLIN replied:

(1) As stated in the reply of the 17th September a group dogging scheme is in operation at Meekatharra, by agreement between the Agriculture Protection Board and the Meekatharra Vermin Board.

The group dogger for the scheme was injured on 30th May and has since been on workers' compensation.

A temporary dogger was employed during August but resigned a fortnight later. Efforts are still being made to fill this position.

(2) The scheme is extant but the dogger position itself is temporarily vacant.

14. LAMB MARKETING

Report

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

When will the lamb marketing report be available for distribution as indicated in the answer to the question without notice he answered on 15th October, 1974?

Mr McPHARLIN replied:

I am advised that the report is with the Government Printer and should be available next week.

15. CARINE HIGH SCHOOL

Additions

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

(1) Has a tender been selected for the stage 3 additions to the Carine high school?

(2) If so, who is the successful tenderer and what starting and finishing dates are applicable?

(3) Can any priority be given to expediting this building programme so as to minimise the period next year in which the inconvenience of temporary accommodation will be suffered by students?

Mr MENSAROS replied:

(1) Yes.

(2) Provisional acceptance of Flinders nominees was given on 6th November. Work is expected to start early in December and be completed during second term next year.

(3) Everything possible will be done to ensure that inconvenience to the school is kept to a minimum in 1975.

16. SWAN AND CANNING RIVERS

Dredging

Mr JAMIESON, to the Minister for Works:

(1) What programme exists for the next two years for dredging of the Swan and Canning Rivers upstream from the Stirling Bridge?

(2) For what purpose is each of these projects designed?

Mr O'NEIL replied:

(1) With the exception of the possible dredging and reclamation of the Canning River for planned Kwinana Freeway extensions, there is no programme for dredging of the Swan and Canning Rivers upstream from the Stirling Bridge.

(2) Answered by (1).

17. RAILWAYS

Advertising Contract

Mr BARNETT, to the Minister for Transport:

(1) Has there been any increase in the advertising space used by the company allotted the contract to advertise on WAGR property?

(2) Will he table a copy of the contract between the company concerned and WAGR?

Mr O'Neil (for Mr O'CONNOR) replied:

(1) No. The company has reduced the number of sites from 1 500 to 340 but under the contract is entitled to use 400 sites.

(2) No. Business documents are confidential and it would be inappropriate for me to do so.

For information it is advised that the WA Manager of Australian Posters Pty. Ltd. (the WAGR contractor) believes that a competitor (WALL Space) who lives in the Member's electorate is endeavouring to obtain information regarding the contract. The competitor first approached the Railways Department and was advised the agreement was confidential.

18. WARNBRO SCHOOL

Sports Ground: Reticulation

Mr BARNETT, to the Minister for Works:

(1) Has a contract been let for the provision of a bore and reticulation to the Warnbro primary school oval?

(2) If "Yes" to (1)—

(a) what is the name of the firm awarded the contract;

(b) what is the tendered price;

(c) when is the work to begin;

(d) when is the work to finish?

(3) If "No" to (1)—

(a) have tenders been called;

(b) when is it expected that work will begin?

Mr O'NEIL replied:

(1) Yes.

(2) (a) Western Irrigation Pty. Ltd.

(b) $3 442.

(c) Contract provides for commencement of work by 21st November, 1974.

(d) Contract provides for completion of work by 18th December, 1974.

(3) Answered by (1).

19. EXMOUTH DISTRICT HOSPITAL.

Replacement of Doctor

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

When does the Minister anticipate that a second doctor will be appointed to the Exmouth District Hospital to replace the doctor who left the town some weeks ago?

Mr RIDGE replied:

Next week, it is anticipated a replacement doctor will be proceeding to Exmouth.

20. TOWN PLANNING

MRPA: Open Hearing

Mr BARNETT, to the Minister for Urban Development and Town Planning:

(1) Did the Metropolitan Region Planning Authority by a report published in 1973 recommend greater public participation in town planning?

(2) Would not open hearings assist in public participation?

(3) Is he prepared to recommend to the Metropolitan Region Planning Authority that the hearings be made public?

(4) If not—

(a) is he prepared to recommend to the Metropolitan Region Planning Authority that all future objections to the Metropolitan Region Planning Scheme be heard in public if that is the request of the objector;

(b) can he explain how public participation in town planning is being encouraged when the public is not aware of objections formally made to an amendment to the Metropolitan Region Planning Scheme?

(5) (a) Is he aware that the Metropolitan Region Planning Authority is recording the proceedings;

(b) If "Yes" is he prepared to recommend to the Metropolitan Region Planning Authority that such recordings be made available to the objectors if requested;

(c) if "No" why not?

Mr RUSHTON replied:

(1) Yes.

(2) It is the policy of the Metropolitan Region Planning Authority to involve the public by having public meetings on major issues. The current hearings are being held in accordance with the legislation.

(3) Generally, yes. This week I hope to hear from the chairman how the first week's hearings have gone and what has been the reaction of objectors generally to the way they have been conducted. This will give me an opportunity to consider whether any modifications to procedures are required for similar occasions.

(4) Answered by (3) above.

(5) (a) Yes.

(b) The amendment and the objections together with the Metropolitan Region Planning Authority Report on the objections and the transcript of the hearings will be submitted to me for presentation to the Governor. If the Governor approves the amendment these documents will then lay before both Houses at which time they will be public.

(c) Answered by (b) above.

21. WATER SUPPLIES

Geraldton

Mr CARR, to the Minister for Water Supplies:

(1) Does the Geraldton water supply come completely from Allanooka, or is a mix of Allanooka and Wicherina water used?

(2) If a mix is used will he indicate the details as to the proportions of the mix, times of year a mix is used and whether the mixed water is used for the whole of the Geraldton water supply system or which parts of the supply?

(3) How do the qualities of the two sources compare?

Mr O'NEIL replied:

(1) and (2) Geraldton is supplied from both Allanooka and Wicherina sources.

Wicherina water is at present used only in summer and its use is confined to the eastern areas of the town in proximity to the Wicherina main. There is very little mixing of the supplies and such mixing as does occur would be confined to services near the boundary between the areas being served from the two sources.

(3) Water qualities are very comparable and of a satisfactory standard.

22. MIGRANT HOSTELS

Accommodation for Country People

Mr CARR, to the Premier:

(1) In view of the shortage of cheap accommodation for country people visiting Perth for specialist medical or remedial education purposes, or accompanying children in Perth for these purposes, and in view of the reduced migrant intake, has consideration been given to making accommodation available in Noalimba or Graylands migrant hostels for such purposes?

(2) If "Yes" will he indicate his attitude to the suggestion?

(3) If "No" to (1), will he consider the suggestion?

Sir CHARLES COURT replied:

(1) to (3) The Commonwealth Government provided 50% of the capital cost in the construction of the Noalimba Reception Centre on certain conditions, one of which was to the effect that the centre would be used only for the accommodation of migrants.

Consideration is given to all requests received for the use of accommodation facilties at Noalimba and, in fact, as a result of recent representations from the

Murdoch University to the State Department of Labour and Immigration, Commonwealth approval was obtained to the leasing of 2 accommodation blocks to the University Planning Board until such time as the board could be accommodated in its own buildings.

Assistance to the University is also being extended to accommodate country students pending construction of the University's own residential facilities.

In addition, assistance has been given to a variety of organisations in conducting "live-in" seminars, but this assistance has been of a very temporary and limited nature.

At this stage, and in view of the commitment to the Murdoch University, it is not considered advisable to enter into any further arrangements which could possibly limit the availability of migrant accommodation.

Graylands Hostel is a Commonwealth Migrant Hostel and does not come under State control.

However, it is understood that the Graylands Migrant Hostel is in much the same position as Noalimba. Some surplus accommodation is currently being made available to trainee school teachers at the Graylands Teachers' College. Other groups not incompatible with the primary function of accommodating migrants are also assisted on a short-term basis.

23. STAMP DUTY

Cheques

Mr CARR, to the Treasurer:

(1) Is it a fact that cheques drawn in other States attract a Western Australian stamp duty when cashed in this State, in addition to a stamp duty in the State of origin?

(2) If "Yes" have the Premiers considered a "knock-for-knock" arrangement to avoid the payment of two lots of stamp duty on the one cheque?

(3) If "No" to (2), will he suggest such an arrangement to other Premiers?

Sir CHARLES COURT replied:

(1) Yes.

(2) No.

(3) In the light of the current financial difficulties facing the States, it is unlikely that an arrangement to forgo the revenue involved would be accepted.

24. HOUSING

Geraldton: Applications and Vacant Units

Mr CARR, to the Minister for Housing:

(1) How many persons are registered for accommodation in each category of SHC accommodation in Geraldton?

(2) How do these figures compare with corresponding figures in previous years?

(3) What is the length of time registered for the longest waiting person in each category, presently waiting in Geraldton?

(4) How many homes are presently vacant in each category in Geraldton?

Mr O'NEIL replied:

(1) For rental accommodation the following applications are registered—

Single unit—29
One bedroom—17
Two bedroom—34
Three bedroom—85
Four bedroom—11

For purchase homes 59 applications are held.

(2) (a) For non-Aboriginal applicants seeking rental accommodation comparative figures are—

	Unit: Single	1 Br.	2 Br.	3 Br.	4 Br.	Purchase
September 1973....	18	32	36	52	4	42
May 1972	17	17	38	20	12	34

(b) For Aboriginal applicants—

November 1973	3	6	15	17	10	Nil

(3) (a) For non-Aboriginal applicants awaiting rental accommodation the longest listing dates are—

Single unit: December 1968
One bedroom: November 1972
Two bedroom: November 1973
Three bedroom: June 1974
Four bedroom: April 1974
For purchase homes: February 1973.

(b) The commission took over the responsibility for the housing of Aboriginal families on the 1st July, 1972, and families under all categories are listed as from October, 1972.

(4) 2, two-bedroom and 3, three-bedroom houses are presently vacant and these are under maintenance prior to re-allocation.

25. FREE SCHOOL BOOKS SCHEME

Publications and Cost

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

(1) What primary school text books have already been published by the Government since the free book scheme was introduced?

(2) What books are in process of being published by the Government not mentioned in (1)?

(3) What further books are to be published by the Government and when?

(4) Are there any plans by the Government to publish more books in the future?

(5) What has been the cost to the Government of the free book scheme in each year since the scheme was introduced?

(6) What number of children attended Government primary schools in the years 1970, 1971, 1972, 1973 and 1974?

(7) What was the approximate average cost to primary school pupils for books in 1970, 1971, 1972, 1973 and 1974?

(8) Has the Education Department ever received complaints from the Teachers' Union on the quality or content of the books produced by the Government?

Mr MENSAROS replied:

(1) to (3) Books covering the subject areas of English, health, mathematics, science and social studies have been planned and produced. Seventy-four separate titles have been published, twenty-five further titles are in the process of being published and a further seven titles not yet commenced will be completed in early 1975. An order list covering all of the areas, with the exception of social studies, has been distributed and is now tabled. In some subjects consolidation of separate booklets into a larger volume has been undertaken.

(4) There are no immediate plans for further publications.

(5) 1971-1972—$275 332
1972-1973—$511 779
1973-1974—$659 971

(6) Government primary school enrolments were—
1970—122 178
1971—125 418
1972—126 358
1973—127 597
1974—129 545

Primary school text materials are made available also to pupils in non-Government schools. The numbers of pupils of primary school age in these schools were—
1970—25 312
1971—25 228
1972—25 009
1973—24 726
1974—24 680

(7) In 1970 the free text book scheme was not in operation and parents were obliged to purchase books and materials. A survey at that time indicated the average cost to be approximately $9. As the free text book scheme has been progressively implemented, the cost to primary school pupils has dropped significantly and, at the present time, it is only necessary for parents to provide personal items such as pens, pencils and rulers.

(8) Considerable correspondence has been received from the Teachers' Union and suggestions submitted have been welcomed by the Education Department. However, no specific complaint in regard to quality or content can be located.

26. BUILDING BLOCKS

Kwinana Shire District

Mr TAYLOR, to the Minister for Housing:

With respect to vacant land owned or under the control of the State Housing Commission within the Shire of Kwinana—

(a) what is the total area, approximately;

(b) what are the total number of residential allotments;

(c) what number of such lots are serviced;

(d) what number of lots under (b) and (c) are presently available for purchase;

(e) what conditions may apply to such purchase;

(f) are any lots either serviced or unserviced, presently held by private developers?

Mr O'NEIL replied:

(a) 1 100 acres approximately, which includes broad acre holdings and subdivided allotments.

(b) 777 lots;

(c) 727 lots are serviced (except for electricity).

(d) 187 lots which is more than sufficient to satisfy current inquiries.

(e) the lots are available for purchase under the "Project Developers Scheme" and the "Public Scheme" and the conditions of purchase under both schemes are set out in the documents which, with permission, I hereby table.

(f) Yes. Ten serviced lots.

The documents were tabled (see paper No. 352).

27. WATER SUPPLIES

Kalamunda Streams: Monitoring

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

(1) What liaison exists between his department and local government authorities on the monitoring for pollution of water supplies?

(2) What action has been taken in regard to streams in the hills areas, e.g., Kalamunda shire, from which drinking supplies are drawn?

Mr RIDGE replied:

(1) Public water supplies are regularly monitored by Health Department officers and MWS officers.

Other water supplies are normally monitored by local authority officers.

All reports are submitted to the Public Health Department for examination and corrective action is directed where indicated.

(2) The streams in the Hills areas are not classified as "water supplies" but form part of the local authority district drainage schemes.

The water is not considered suitable for human consumption and affected residents have been advised by both local authority and departmental officers of this fact.

28. WATER SUPPLIES

Catchment Areas: Monitoring

Mr DAVIES, to the Minister for Water Supplies:

(1) What action is taken to monitor for pollution streams, etc. which flow in water catchment areas, and could enter water storages for public use?

(2) what action is taken to monitor for pollution streams, lakes or rivers from which supplies are drawn direct for human consumption?

Mr O'NEIL replied:

(1) and (2) Public supplies are regularly monitored both prior to and after treatment and before water is made available to consumers.

29. ELECTRICITY SUPPLIES

Charges: Delivery of Accounts

Mr MAY, to the Minister for Electricity:

(1) Is the State Electricity Commission currently delivering consumers accounts by courier service?

(2) If so, when did the service commence and in what areas does it operate?

(3) Are the accounts contained in sealed or non-sealed envelopes?

(4) If not sealed, why not?

(5) Are the accounts placed in letter boxes or delivered to the door of the residence?

(6) Was the courier service established under the tender system?

(7) If not, who operates the service and what are the charges to the SEC?

Mr MENSAROS replied:

(1) It does not employ courier service. However the commission is currently using two handicapped returned soldiers and one employee injured in an electrical mains accident. Each delivrer has the use of only one arm.

(2) This service commenced after the First World War as a means of providing useful employment for one-armed returned soldiers. Accounts are delivered by this method in all areas where it is reasonable for these men to walk.

(3) and (4) Accounts are not in envelopes. Because of the disability mentioned in (1) these men are limited to carrying the number of accounts that can be fitted into the pocket of a dust coat. Obviously, if the accounts were folded into three and put in envelopes the number capable of being handled by each man would be reduced to about one-quarter of present deliveries.

(5) Accounts are placed in letter boxes.

(6) See (2).

(7) See (1) and (2). These men are permanent salaried employees of the Commission and are paid approximately the same rates as semi-skilled workers.

I might add that the question was the result of a complaint made against one of the couriers. However, as the member for Clontarf is a former Minister for Electricity I think he would take into

consideration that individual and sporadic complaints are made from time to time, and the particular complaint would not necessitate the discontinuance of the courier service, which is both convenient, efficient, and charitable.

30. *This question was postponed.*

31. ALCOA ALUMINA REFINERY

Pinjarra: Mud Lake

Mr MAY, to the Minister for Industrial Development:

(1) Is he aware that Alcoa of Australia (W.A.) Ltd. is to construct a new 162-hectare (400-acre) mud lake at its Pinjarra refinery?

(2) If so, will he advise the date this matter was referred to the Department of Conservation and Environment for investigation?

(3) If the matter has not been referred to the mentioned department, will he advise the reason for non-referral?

Mr MENSAROS replied:

(1) Yes.

(2) The development of the second mud lake was not referred to the Department of Conservation and Environment for investigation.

(3) The additional mud lake at Pinjarra is part of an overall development plan approved by the Government several years ago. Investigations at the time and subsequent experience have confirmed the integrity of the development.

There has been no drainage from the existing mud lake to surrounding farmlands or streams and no groundwater pollution.

32. EDUCATION

National Alliance Policy

Mr BRYCE, to the Deputy Premier:

In the light of his promise on page 7 of the National Alliance policy speech to "... invite parents and teachers to participate in a continuing review of the entire education system to ensure that it is adequately catering for the needs of the student and society ...", will he indicate what steps have been taken to implement this scheme?

Mr McPHARLIN replied:

Steps are being taken to improve participation by the gradual establishment of school councils.

33. DRIVERS' LICENSES

Rechecking System: National Alliance Policy

Mr BRYCE, to the Deputy Premier:

(1) Has he proceeded to implement his election promise to "... consider implementing the introduction of a regular driver re-checking system"?

(2) If so, will he provide details?

Mr McPHARLIN replied:

(1) and (2) The Department of Motor Vehicles is currently conducting research into the possibilities of introducing a driver re-checking system.

34. POLICE

Patrol Cars: National Alliance Policy

Mr BRYCE, to the Deputy Premier:

In respect of his election promise on page 6 of the National Alliance policy speech has he yet instigated a top level investigation into the cost of computerisation, installation of TV sets and more modern receiving equipment for police patrol cars?

Mr McPHARLIN replied:

This matter has been held pending the implementation of the single traffic authority when consideration will be given to the application of these proposals.

35. POLICE

C. D. Flannery: Prosecution

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

(1) Did a Supreme Court jury recently find a man named Christopher Dale Flannery not guilty of robbery with violence on 2nd May, 1974?

(2) On what day did Flannery's trial commence?

(3) On what day was Flannery found not guilty?

(4) When was Flannery arrested on the charge for which he was found not guilty?

(5) (a) Was Flannery imprisoned for the whole of the period from the date he was arrested until he was found not guilty;

(b) if "No" for what portion or portions of that period was he imprisoned?

Mr O'NEIL replied:

(1) Yes.

(2) 28th October, 1974.

(3) 1st November, 1974.

(4) 9th May, 1974—In Sydney.

(5) (a) Yes.

(b) Not applicable.

36. ALCOA ALUMINA REFINERY

Pinjarra: Mud Lake

Mr MAY, to the Minister for Conservation and Environment:

Will he refer to the answers given to question 1 on Thursday, 31st October, 1974, concerning the Alcoa alumina refinery, and advise—

(a) is the proposed 160 hectares referred to in answer (4) (a) the same approximate area referred to in question (1);

(b) if so, will he advise the reason for replying to question (1) in the negative?

Mr STEPHENS replied:

(a) Yes.

(b) The proposed mud lake is part of an overall development approved by an earlier Government and although aware of the general proposals for red mud lake development I was not aware of this particular proposal. However, to assist the Member I obtained the figures quoted in answer (4) (a) from the Department of Industrial Development.

37. MUJA POWER STATION

Extension

Mr MAY, to the Minister for Electricity:

In view of the Government's intention to defer the upgrading of the Muja power house because of the reported lack of finance, will he advise the amount of loan funds required to ensure that there is no delay in the upgrading of this very important and urgently needed project?

Mr MENSAROS replied:

Additional capital that would have been required year by year for immediate progress of this project is as follows—

1974-75—$2.3 million.
1975-76—$10.6 million.
1976-77—$21.3 million.
1977-78—$26.3 million.

One would have to remark that an accelerated progress of this project would result in excess generating capacity ahead of anticipated load requirements.

38. PRE-SCHOOL CENTRES

Enrolments, 1970-1974

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

With reference to question 13 of Tuesday, 29th October, 1974, regarding enrolments at pre-school centres, has the research been completed to enable him to provide the required information?

Mr MENSAROS replied:

No.

39. PIGS

Feeding of Kitchen Refuse

Mr BATEMAN, to the Minister for Agriculture:

(1) Is it the intention of his department to bring in legislation to stop pig farmers collecting and using kitchen refuse from hotels, taverns, restaurants, and other establishments that discard food scraps?

(2) If "Yes" will he advise how such refuse is to be disposed of after legislation is introduced?

Mr McPHARLIN replied:

(1) Yes, it would be necessary to amend the present Regulations relating to the collection and feeding of waste food and garbage.

The Member will recollect that Australian Agricultural Council has agreed that this practice should be prohibited throughout Australia with effect from 1st July, 1975, on the basis of its potential exotic disease threat to the animal industries.

(2) It is anticipated that such refuse will be disposed of by sanitary land fill. Discussions are being held with the Public Health Department to assess any disposal problems which may exist.

QUESTIONS (4): WITHOUT NOTICE

1. FARMERS

Rates and Taxes: Threat of Nonpayment

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

I would indicate that the Minister received a copy of my question last evening, but it was too late for it to be placed on the notice paper. However, I think he will agree he has had ample opportunity to obtain the information and I again ask—

(a) Is the news item contained in *The West Australian* of the 7th November, 1974, which quotes him as stating that "farmers in the area" —that is, the Margaret River-Augusta area—"had critical financial problems at this stage", correct?

(b) If so, how is this statement reconcilable with the claim of 220 farmers and 30 businessmen of the area which

was reported in *The West Australian* of the 11th November, 1974, that their critical financial situation was one of emergency?

(c) Does he, as reported in the *Daily News* of the 11th November, 1974, support the stand taken by the farmers and businessmen referred to above, not to pay rates and taxes to Federal, State, or local authorities especially as he considers only few have critical financial problems?

Mr McPHARLIN replied:

I asked the honourable member to put the question on the notice paper, and that is where I anticipated it would appear.

Apparently the error was discovered late this morning and I was advised, in my office, quite late. The question has not been investigated at this stage. I apologise for not having the reply to the question, but I have explained what happened.

2. BEEF

Producers: Government Financial Assistance

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

Further to the reply to my question without notice on the 30th October, in which the Minister stated that when the report of the situation in the south-west was known he would discuss with the Premier whether funds would be made available for special loans to beef producers in that area, is he now able to indicate whether special loans will be made available, and can he supply details of the conditions which will prevail?

Mr McPHARLIN replied:

The fully detailed report is not quite complete. When it is complete I will discuss it with the Premier to see what action may be taken.

3. ELECTRICITY SUPPLIES

Charges: Delivery of Accounts

Mr MAY, to the Minister for Electricity:

Further to the reply to question 29 on today's notice paper, whilst I commend the State Electricity Commission for employing the services of two handicapped returned soldiers, and one disabled person, would the Minister make inquiries as to the reasons why youths are delivering accounts in certain parts of the metropolitan area?

Mr MENSAROS replied:

I certainly will make inquiries.

4. ELECTRICITY SUPPLIES

Charges: Delivery of Accounts

Mr BRYCE, to the Minister for Electricity:

I wonder whether the Minister would be good enough to follow up complaints which I have received in my electorate concerning the delivery of electricity accounts.

The Minister has indicated that the accounts are placed in the letterboxes but I have received complaints of accounts having been found floating around after being pushed under doors. They have certainly not been placed in the letterboxes.

Mr MENSAROS replied:

Although I cannot see a question to be answered in what the honourable member has said, I am quite happy to say to him that I will investigate the matter. However, it is probable that these men work in different areas on various days and I believe my investigation will be facilitated if he could send me the details of the particular times and areas affected.

RURAL INDUSTRIES

Attitude of State Government: Grievance

MR H. D. EVANS (Warren) [2.51 p.m.]: My grievance concerns the deplorable lack of action on the part of the present Government with regard to rural industries, especially those in the south-west of this State, with particular emphasis on the plight of those engaged in the beef industry and the apple industry. No initiative, leadership, direction, or guidance has been given by this Government in any way. I might add that this is running true to the pattern established by Liberal-Country Party Governments in the past.

I would like to contrast the present situation with that which existed 3½ years ago when the Tonkin Government came into office. A similar situation existed at that time on the south coast, and within 48 hours I, as the then Minister for Agriculture, visited the area. My report took the form of a recommendation to Cabinet which resulted within a short time in special finance being made available to the farmers in that area. These farmers would have been without liquidity had it not been for the money made available to them. I point out that there was no chance of these farmers receiving a

drought loan through the Commonwealth because the previous State Liberal-Country Party Government was not prepared to rescind the requirement for a first mortgage. None of the people concerned could possibly have complied with that condition.

That is the situation the Tonkin Government inherited and the result indicates the diligence of that Government. Further, over $600 000 was made available to the apple industry in price support, but to this stage no assistance of this type has been forthcoming from the present Government. All the present Government has done is to blame the Australian Government.

During the grievance debate a fortnight ago the member for Vasse raised the question of beef production. The arguments put forward by the honourable member were so grossly distorted that I was prodded into describing them as dishonest. You will recall, Sir, that in line with parliamentary procedure you asked me to withdraw the remark.

The member for Vasse said that the Federal Government was responsible for the plight of the beef farmers. The honourable member must be totally ignorant of the fact that throughout the world the beef market has collapsed; our traditional markets no longer exist. How can the Australian Government be held responsible for that?

Mr A. R. Tonkin: Dishonest! Quite dishonest!

Mr H. D. EVANS: He also alluded in quite strong terms—

Withdrawal of Remark

The SPEAKER: Order! I ask the member for Morley to withdraw the interjection.

Mr A. R. TONKIN: I will withdraw the remark, Mr Speaker.

Debate Resumed

Mr H. D. EVANS: The member for Vasse alluded also to inflation and unemployment, but he forgot to indicate that these problems exist throughout the world. In the United States unemployment is currently running at 6 per cent and such eminent authorities as the OECD and the International Monetary Fund have expressed grave concern on a world basis about the outlook in regard to inflation in the near future. I do not think the Whitlam Government can be held responsible for this.

The member for Vasse also criticised the action taken by the Australian Government in regard to revaluation. However, he took great care not to mention the revaluation of December, 1971, which is described as one of the most irresponsible economic acts in Australian history. It was from that revaluation that the "hot money", the speculative investments, came into this country, up to a total of $1 500 million a year. As a result of those investments, no Government could hope to control the economy and the consequences that stemmed from that action were indeed most unfortunate. The honourable member refrained very carefully from referring to that. He also referred to the $143 million in concessions granted in the 1973 Federal Budget. However, he omitted very carefully to make any reference to the fact that neither the Liberal Party spokesman nor the Country Party spokesman would undertake to reinstate these concessions—with one exception; the superphosphate bounty—at the time of the election following the double dissolution.

Mr Stephens: They did not say they would not restore them, either.

Mr H. D. EVANS: They certainly did not say they would restore them. If the action taken by the Australian Government in regard to these concessions was such a heinous thing to do, why did not the spokesmen for the Liberal and Country Parties promise to restore them? The member for Vasse said that these concessions should never have been taken away.

The honourable member referred also to the disastrous rise in the price of superphosphate but he did not mention that the bounty has not yet been removed and that the price of phosphate rock outside Australia has been increased fourfold. We are all aware that shipping freights have also increased. But the honourable member did not mention this and it is for this reason that I say his arguments were palpably distorted.

By way of reply the Minister for Agriculture indicated that he supported the remarks made by the member for Vasse. He quoted from a report of Ronald Anderson, a noted agricultural writer. However, the Minister did not comment on Mr Anderson's speech after the 1973 Federal Budget. Senator Wriedt commented on this and said—

> One prominent rural commentator, Mr Ronald Anderson, who is not always the most generous supporter of Government policy, said that "Labor's rural policy offers a good deal to Australia's primary producers. Had it been presented by the Liberal Country Party, it would have been praised from Bourke to Bunbury". Because it was Labor policy, it was treated with suspicion.

The Minister for Agriculture was careful not to comment on those remarks made by a very prominent rural writer.

Mr McPharlin: Read it right through and see what it says.

Mr H. D. EVANS: The Minister also referred to the removal of concessions, but he did not once acknowledge the fact that his own party was not prepared to restore

them. He was careful not to list in any detail the concessions granted by the Australian Government about which he was so critical, not the least of which was the undertaking that the wool industry would receive the heaviest support it had ever received by an Australian Government since the war; assistance of $150 million and more to establish a floor price on the Australian wool marketing system. No mention of that.

The Minister for Agriculture did not refer to the grant of $65 million for animal health, the $28 million assistance to the dairy scheme, the $100 million saving to the primary producer as a result of the tariff reduction, the $36 million to the regional growth centres, the $400 million to education—and country children will benefit substantially from this—nor did he refer to the $4 million immediate revaluation compensation.

To a large extent marketing policies are the crux of the problem facing the rural industry and yet these have not been considered by the State Government. Most of the rural policy put forward by this Government is trivia—it covers almost three pages but none of it is meaningful in terms of rural economy or agricultural policy.

The four industries which are currently facing expected buoyancy are the wheat industry, the whole-milk industry, the potato industry, and the lamb industry. These industries are all subject to orderly marketing which was introduced by Labor Governments. There is not one item of rural policy development which this Government can point to as being an achievement of a Liberal-Country Party Government. The State Government shows its hypocrisy because it does nothing but blame the Commonwealth Government.

Mr Sibson: And rightly so.

The SPEAKER: The honourable member has one minute.

Mr H. D. EVANS: I think I have indicated the sort of hypocrisy displayed by the present Government and its total lack of effort and initiative to rectify this situation which has become desperate and which the Minister will not acknowledge. As far as he is concerned, according to his utterances in the south-west, only a few farmers are in a critical state. That is certainly not the opinion of the farmers or the stock men I know.

MR McPHARLIN (Mt. Marshall—Minister for Agriculture) [3.01 p.m.]: In reply to the comments made by the member for Warren, I point out that I feel he has shown some political humbug in the way—

Mr H. D. Evans: Tell us one thing you have done.

Mr McPHARLIN: —he has supported the policies of the Federal Government.

Mr H. D. Evans: Tell us one thing you have done.

Mr McPHARLIN: Members on the other side of the House have supported the removal—

Mr H. D. Evans: Tell us one thing you have done.

The SPEAKER: Order! You have repeated that three times.

Mr H. D. Evans: You will note I have not had an answer, Mr Speaker.

Withdrawal of Remark

The SPEAKER: Order! I take exception to the member talking back to me like that.

Mr H. D. EVANS: I apologise, Sir, and withdraw the remark.

The SPEAKER: Thank you.

Debate Resumed

Mr McPHARLIN: The member who has just resumed his seat, along with other members opposite, has supported measures adopted by the Federal Government; and the Opposition was loud in its praise of the actions of that Government.

Mr H. D. Evans: That is a lie! There were statements and letters, if you look in the files.

The SPEAKER: Order! The member for Warren will not speak in such terms. He is aware of the order regarding mentioning that a lie has been told.

Mr McPHARLIN: Members opposite were loud in their praise of the way the Federal Government removed concessions which had applied for some years and gave the industries the incentive and the drive they needed to produce the income of the nation and improve the quality of our export products, and to give our country a buoyant economy. Members opposite supported the removal of those incentives, which reduced the confidence of the farmers involved.

Mr H. D. Evans: Have a look at your files.

Mr McPHARLIN: This is applicable to the areas referred to by the member for Warren. They have been hit by rising costs and the uncontrollable inflation which is prevalent at the moment. This is having an impact on the people in those areas.

Mr Davies: Now tell us about the Commies.

Mr H. D. Evans: What are you going to do about it?

Mr McPHARLIN: Action was taken by the State Government. I sent an officer to the area to talk to the people. He met the Augusta-Margaret River Shire Council and attended a meeting of

farmers at Witchcliffe. He discussed the matter with a farm adviser and spoke to farmers, banks, and stock firms involved in the situation. He came back with a preliminary report; and in answer to a question without notice I advised the member for Warren that a detailed report is now being prepared and will be examined with a view to holding discussions with the Premier to ascertain what action may be taken to assist those people in the beef industry to whom the member has referred.

Mr H. D. Evans: The "gonna" Government; it is "gonna" do something too late.

Mr McPHARLIN: If the Federal Government had not taken the actions to which I have referred these people might not be in such a serious situation. Do not let us fool ourselves about that; the actions of the Federal Government have had a serious impact.

Mr H. D. Evans: What about the world market?

Sir Charles Court: Blame the world! You read the speech of the former member for Merredin-Yilgarn and you will find the answer there.

Mr H. D. Evans: Tell us about the world situation.

Mr Jamieson: Was he always right?

Sir Charles Court: He was your member.

Mr Jamieson: Was he always right?

Sir Charles Court: Your people praised his speech.

The SPEAKER: Order! The Minister for Agriculture.

Mr McPHARLIN: The member for Warren made reference to some comments I made in relation to Ronald Anderson's report. The comments I made were factual extracts from the report. But, of course, the member for Warren when he read fom one of his reports did not go right through that report, because it illustrated just how far short the measures of the Federal Government have fallen due to the inflationary trend and the high costs involved in this industry.

Sir Charles Court: To him there is nothing at all on the credit side.

Mr McPHARLIN: The assistance presently provided by the Federal Government is less than what was available previously. The people to whom the member for Warren referred are suffering as a result of the impact of this policy. The State Government is examining the situation and further investigation will be undertaken. We will be examining the situation with a view to ascertaining what assistance may be available. As I understand it, from the miserable mini-Budget announced last night by the Prime Minister, the assistance to come from that sphere is disappointing to a great degree.

Mr J. T. Tonkin: What about the very substantial tax cuts?

Mr McPHARLIN: I spoke to some business people only today, and they were most disappointed that little assistance was given to business to provide it with the encouragement and incentive it needs.

Mr Barnett: Don't talk rubbish!

Mr McPHARLIN: The men to whom I spoke are some of the leading businessmen in Australia, and they are most disappointed that no incentive was suggested by the Federal Government. Not only is the business community suffering; the farming community is suffering also.

The member also made reference to the floor price for wool which is being put into effect by the Federal Government, and he claimed this is a tremendous stroke, and that it is giving confidence to the woolgrowers in a way never before achieved.

Mr H. D. Evans: It hasn't been done previously, has it?

Mr McPHARLIN: I can recall that a proposal was agreed to by the previous Federal coalition Government that the Australian Wool Commission should purchase vast quantities of wool—which it did to the tune of 950 000-odd bales—and that received extremely strong criticism from members of the Labor Party. Yet the previous Federal Government had the courage to go ahead. So do not think the present scheme is an innovation devised by the Labor Party, because it is not. It was done previously by the Liberal-Country Party Federal Government, which managed to hold the price of wool in the face of very strong opposition, and then fed it onto the market and made a profit, I understand, of something like $30 million.

Indeed, the Federal Government is using the Australian Wool Corporation. The figure of 250c a kilo is claimed by the member for Warren to be something extraordinary, and something the Commonwealth Government has presented as a master stroke. When a figure such as that is given for a particular class of wool—in this case, 21 micron wool—what happens, of course, is that the trade considers that to be the market price and keeps the price to that figure. So we do not get the competition that could otherwise be expected.

Mr H. D. Evans: Are you advocating doing away with it?

Mr McPHARLIN: This price is not high enough.

Mr H. D. Evans: Are you advocating doing away with it?

Mr McPHARLIN: It does not give the returns that are justified. It should be at least 300c a kilo as a result of increasing costs and the inflationary trend; but the Federal Government has not seen fit to set it at that figure.

Mr Davies: Tell us what you have done.

The SPEAKER: The Minister has one minute more.

Mr McPHARLIN: I believe the member for Warren has displayed in the past a genuine interest in and feeling for farmers; but in this instance he has played politics in the hope of embarrassing the Government by claiming it has done nothing. That is incorrect, because we have made inquiries and we are continuing with those inquiries. When we obtain the necessary information we will examine the situation and, hopefully, provide the sort of assistance required by the farmers concerned. Until the situation is analysed and the information provided we cannot make a decision. The matter will be discussed in detail with the Premier. I can assure the member for Warren this will not take very long.

The SPEAKER: The Minister's time has expired.

TOWN AND COUNTRY BUILDING SOCIETY

Loans to Mr McKenzie: Grievance

DR DADOUR (Subiaco) [3.10 p.m.]: Two weeks ago I raised a grievance in this House and placed upon the table certain documents I had received through the post. When I did so I was hoping, after having made known this matter to members of Parliament, I would receive an adequate explanation of what had transpired and the reason that such large loans had been advanced at low interest rates at a time when money was at a premium and interest rates were very high.

In my view the answers that have been given are completely inadequate. I placed these papers on the Table of the House because I was genuinely worried that such a transaction should be allowed to occur. Some people may laugh at this, but I realised the next day that there must have been some political consideration in the matter because the Leader of the Opposition quickly rose to his feet to speak in defence of the people involved, or mentioned in the letter.

If this is a business arrangement whereby one executive is helping another because they are mutually involved in business dealings, then I would believe the advancement of large loans at normal interest rates could be regarded as a favour. It would be reasonable to do that if it were a case of friendship between the two parties, or if it were a question of business acumen being shown. However, when a position develops to the extent that large sums of money are being loaned at low rates of interest I begin to wonder whether such a transaction comes within the realm of ordinary business dealings.

I also look at the matter from the point of view that this is a back-to-back financial arrangement where the money has been lodged with the building society and then, in turn, the money has been advanced as a loan to the person concerned. In the *Daily News* dated Thursday, the 31st October, 1974, Mr McKerrow was reported as follows—

> He could not name the third party, but it could be assumed that it was an organisation with close dealings with the Mayor, Mr W. A. McKenzie.

It is quite obvious that this money could have been advanced only by the Friendly Societies Health Services or by the City of Fremantle. I found that it had not been advanced by the City of Fremantle so, therefore, the money must have been advanced by the Friendly Societies Health Services. A little further on in the same *Daily News* article the following appears—

> Mr R. Bleakley, president of the Friendly Societies Health Services, which controls Friendly Societies Pharmacies, said today he knew nothing about any financial arrangement with the building society over Mr McKenzie's loan.

He did not know about it, and yet the money was advanced as a back-to-back loan by the Friendly Societies Health Services.

The next point I am raising is that this money belongs to the public. It had been lodged with the building society as a back-up to Mr McKenzie's personal loan. This was probably not known by the President of the Friendly Societies Health Services, because he has already made a statement to that effect. I say, therefore, that this money has been misused, because it has been advanced as a back-up loan for gain by the Manager of the Friendly Societies Pharmacies. One can only assume that this is the case.

One then wonders about the next point; namely, what interest is being paid on the money that has been advanced by the Friendly Societies Health Services? Is the interest equal to what would be regarded as normal interest rates? This is public money and not his own money. So we are looking at public money being invested as a back-up facility. If this is the case we cannot gripe too much about the fact that the Friendly Societies Health Services money is being used. However if it is being loaned at the same rate at which the money is being received, then I say this is dishonest in the extreme. It looks as if this is so because, by way of explanation, Mr McKerrow is reported as having said—

> By reason of complementary arrangements involving lodgement of funds with the society on special terms and conditions, the loan is more than self-financing and does not involve the society in any interest loss.

So he is using Friendly Societies Health Services money—which is not his but belongs to the public—at a low interest

rate, and so the public are losing the difference between the normal rate of interest and the interest that is being paid. Therefore Mr McKenzie is gaining the benefit of such a move, which I regard as a misuse of public money.

None of these points have been explained. It is all very well for an executive to say that he has entered into a certain arrangement to help another executive. In such an instance if he advanced a loan at normal interest rates one could, perhaps, regard that as being a favour, but when it is found that one loan of $56 500 is advanced at 3½ per cent interest, another of $28 500 at 9¾ per cent interest, and a third loan of $22 000 at 4¾ per cent interest, this, to me, almost amounts to blackmailing the building society into advancing this money.

In my opinion the explanation that has been given is superficial and the matter has been glossed over and, to all intents and purposes, forgotten. It could be claimed that this might also be classed as a taxation rebate, because instead of paying current high interest rates the borrower is obtaining this money at very cheap rates. One can only ask: Is it a pay-off by the building society to the Manager of the Friendly Societies Pharmacies for his own personal gain?

Is there any suggestion that there is graft or corruption? Many similar words could be used in describing this transaction. I think a more adequate explanation is required for the protection of public money.

Mr J. T. Tonkin: Have you made any representations to the Premier to have an inquiry made into this, or have you made any representations to the Registrar of Friendly Societies? What is the use of complaining to the Opposition about it?

Dr DADOUR: I am not complaining to the Opposition.

Mr J. T. Tonkin: Not much you're not!

Dr DADOUR: The Opposition saw fit to jump in and give some sort of explanation. I do not know Mr McKenzie. Last year when we were discussing an increase in the number of outlets for the Friendly Societies Pharmacies, I was called to the front of Parliament House by representatives of a television studio because they wanted me to appear on television with Mr McKenzie. I had not been introduced to him but apparently he was standing behind me when I told the representative of the television studio that I did not wish to appear on television, because it was then that he said to me, "All right, I will tell the people that you did not want to appear on television." That is the only time I met Mr McKenzie.

However, I want to know the answers to the questions I have asked because they are reasonable enough. I do not consider I am asking anything out of the ordinary. The letter in question was forwarded to me and I could have burnt it, but it also had attached copies of legal documents. I had these documents checked and I found they were genuine copies of the original documents relating to the existing loans. I thought it was my duty then to lay the papers on the Table of the House with a view to obtaining some explanation.

If the Leader of the Opposition thinks that this matter should be investigated by a committee appointed by Parliament, by the Premier, or by some other means, I think it should be up to him to put forward such a suggestion. I find, myself, that the answers that have been given are inadequate.

MR O'NEIL (East Melville—Minister for Works) [3.19 p.m.]: I think we cannot help being concerned about some of the matters raised by the member for Subiaco. I know nothing about motivations, accusations as to bribery or corruption, or anything like that. I simply want to put the record straight as far as it is possible to put it straight.

Firstly, the dealings between a client and a building society are as sacrosanct as the dealings between a client and his bank, and these arrangements must necessarily be so. As I understand the position, the mortgage arrangements are entirely and completely legal; there is no illegality in the operation, and I personally have not taken the trouble to delve specifically into the matter other than to assure myself that the operations are completely legal. At that point I will leave that matter.

It is true there are certain back-to-back financial arrangements in respect of housing loans which are negotiated between the lender and the borrower, and the building society as intermediary and there are many such instances as this where a particular company wants to advance a building loan to one of its senior executive officers. It may well invest money in a building society on the condition that the money is onwardly loaned to that executive officer.

The arrangement as to the interest differential between the borrower and the investor is a matter for private negotiation between the parties concerned. I do not know whether there is really any interest differential in the funds loaned to a permanent building society and then onwardly loaned to Mr McKenzie, because that is a matter of private arrangement between the parties concerned.

However, I think it is a matter of some public interest to know how anyone, whether it be Mr McKenzie or someone else, could manage to obtain a substantial sum of money on short term at an interest rate as low as 3½ per cent, as the doctor disclosed; but once again how that was done is a matter of private negotiation between the parties concerned.

There is a point which is of some concern to me. When the Leader of the Opposition made a statement on behalf of Mr McKenzie, by way of answer to an interjection, when asked whether the funds were the private funds of Mr McKenzie—I am not sure whether that was the word—off the cuff he said, "Yes". I do not know whether or not that is a fact.

Mr J. T. Tonkin: It is not a fact. I subsequently found out it was not correct, but I gave the answer because at the time I believed it to be correct.

Mr O'NEIL: I am not critical of the Leader of the Opposition in this regard. I appreciate that under Standing Orders he took the opportunity to make an explanation on behalf of a person not a member of the House, and the matter was the subject of an interjection.

While there can be some public concern about this particular negotiation, all that I can say is that I have been advised by the Registrar of Building Societies that there was nothing illegal in the operation, nothing which breaches the provisions of the Act, and nothing which can be legally questioned by the registrar. However, the other matters as to the assumption which people may hold are matters over which neither I, as the Minister for Housing, nor the Registrar of Building Societies, has any control.

BABY-SITTING AGENCIES

Control of Activities: Grievance

MR B. T. BURKE (Balga) [3.23 p.m.]: At first glance my grievance may appear to be quite trivial, but I think members will agree on closer examination that it is definitely not. It involves the lack of control over the activities of baby-sitting organisations and the people who work for them. By way of introducing the subject I would like to read to the House part of a letter received by me from a journalist who, I would remind members, is a person trained to observe and report accurately on what he observes.

This journalist and his wife left to go to separate functions one evening. They had hired a baby-sitter from one of the agencies advertising their services in the pink pages of the telephone directory. When the wife returned home—the husband was still out at this stage—she was told that the child the sitter had been caring for was asleep. The letter, in part, reads—

> After the sitter left, my wife went to the boy . . . he seemed groggy but she thought this was nothing more than the effects of an afternoon sleep. He very rarely goes to bed in the daytime and is an active child from dawn to dusk. By the time I got home, the boy was becoming groggier by the minute until, about twenty minutes later, he could not focus, was salivating excessively and started walking with a spastic limp.

The boy was taken to Princess Margaret Hospital where a series of tests were carried out, and although the doctors indicated they believed he had been subjected to some form of drug, it was not possible to prove the point.

When inquiries were made by the boy's father about the baby-sitter and what action the agency might take to investigate the situation to determine whether the baby-sitter was at fault, the agency was unco-operative to say the least. Naturally, if it has no person to whom it must answer or a set of regulations with which it must comply, the agency could afford to attempt to evade questions by a very worried parent.

While it is true that every parent would have normal recourse to law in a situation like this, I do not believe the position is really as simple as it may appear. I am not suggesting that this Government or any other Government should legislate to control the operations of all baby-sitters. Obviously it is impossible to provide controls over people's mothers, mothers-in-law, and other relations; and I suppose that if individual parents wish to engage people they trust to look after their children they should be free to do so.

However, commercial organisations which provide services for parents in difficult positions—parents who often cannot find anyone to care for their children at certain periods—should be controlled so that the parents involved can rest assured that their children are being left in the care of a person who is at least answerable for the actions performed while the parents are absent.

The National Safety Council would appear to recognise the need in this area because it publishes, through its Home Safety Division, a guide for organisers of a baby-sitting course. This guide to organisers sets out under different headings how to care for a child, how to ensure the safety of a child, how to keep children happy, and what action to take should an emergency occur. Meritorious as these guidelines are, they are not of any great benefit if they are ignored.

I suggest that commercial organisations which attempt to make a profit from offering a service such as this should have their profit-making activities at least supervised and controlled.

I mentioned at the outset that perhaps some members would believe this was a trivial grievance, and perhaps to some it still remains so; but I would stress what was stressed last night in a debate on another measure: the loss of one life because of someone's negligence turns something trivial into something of great importance.

MR RIDGE (Kimberley—Minister for Lands) [3.28 p.m.]: The problem outlined by the honourable member is one most of us have experienced at one time or another with baby-sitters. I think most parents are generally very careful concerning whom they select to baby-sit, and of course while the honourable member and I may have had the opportunity to seek assistance from friends and relatives for our baby-sitting, many people are not in that position and must rely on the services of professional baby-sitters.

I agree with the honourable member that it may not be possible to introduce legislation to control the operations of these people because we could not possibly control all those who may undertake to baby-sit for someone. I have passed the stage where I have to hire baby-sitters and, in fact, my children do it now to earn a little extra pocket money. They baby-sit only for people close by who know my children, and at the same time we have given them a fair amount of training so they know what to do in the event of an emergency.

I do appreciate the problem outlined by the honourable member and I will refer his speech to the Minister for Community Welfare to ascertain whether his department has devised some way to introduce a system under which commercial baby-sitting organisations could be controlled and supervised.

The SPEAKER: Grievances are noted.

BILLS (3): RETURNED

1. Rights in Water and Irrigation Act Amendment Bill.
2. Lake Lefroy Salt Industry Agreement Act Amendment Bill.
3. Dampier Solar Salt Industry Agreement Act Amendment Bill.

Bills returned from the Council without amendment.

MEAT INDUSTRY

Inquiry by Select Committee: Motion

MR BLAIKIE (Vasse) [3.30 p.m.]: I move—

> That in the opinion of this House a Select Committee should be appointed to investigate all aspects of the meat industry including production, marketing, processing and consumption and to make recommendations where appropriate to the Government and the industry generally, to ensure stability of the industry in Western Australia.

In the course of my speech I intend to convey to the House the very real need for an inquiry of this nature. My research into the matter reveals that the last time an inquiry into the total industry was conducted was in 1928, by way of a Royal Commission. Since that time Select Committees have inquired into the meat industry, one in 1944 relating to supply in the metropolitan area, and another in 1950 relating to ways and means of obtaining meat supplies in Western Australia. Of recent times we have had the Rowland report relating to abattoirs and the Clayton report relating to the prices paid for sheep and lamb by consumers, etc.

In a period of 46 years, this will be the first attempt to initiate a full inquiry. I realise what a mammoth task such an inquiry will be, should Parliament agree to the appointment of a parliamentary committee.

Mr H. D. Evans: The member for Collie tried to have one appointed in 1969, if you recall.

Mr BLAIKIE: This is 1974, and I believe the time is opportune for such an inquiry. I hope I shall be able to explain to the House why it is necessary.

In my opinion, such an inquiry should be conducted by the Government rather than by members of Parliament. I will elaborate on this point as I continue my argument.

When one looks at the meat industry some rather startling facts come to light. In 1968 we had total cattle numbers for meat purposes of 1.3 million head. By 1973 the numbers had increased to over 2 million head, which is a very significant increase and is indicative of the buoyancy the cattle industry enjoyed in that period. By the same token, other figures relating to the slaughtering of cattle are equally important. In 1968, 435 000 head of cattle were slaughtered; and by 1972-73 the number had risen to only 550 000, an increase of just over 100 000 head. In the same period cattle numbers increased by over 700 000 head. I ask members to remember that figure because it is important.

The figures for the sheep population in the same period also tell a story. In 1969 the sheep population was 14.6 million, and in 1972-73 the sheep population was still approximately 14 million, reflecting a situation in the sheep industry which was attributable to the depressed economic conditions prevailing during that period. These figures are relevant and significant.

We can look at the pig industry, which has been relatively buoyant and stable, with pig numbers virtually doubling in the four-year period.

The facilities associated with the meat industry in this State are wide and varied. I tried to make an assessment of the number of people involved in the industry, in processing, packaging, retailing, transporting, and all other facets of the industry; but I was unable to come up with a figure. It was suggested to me that there would be over 20 000 such people, but I have not been able to substantiate the figure.

However, I can substantiate the fact that there are 13 export abattoirs in this State, and the Meat Industry Employees' Union has some 5 500 members in Western Australia. Associated with that are all the various local abattoirs throughout the State which supply meat either for local needs or for the metropolitan market.

We have a very diverse and widespread industry which has been of significance in the past. It is one on which the community depends and it is a total community industry. Not only do producers depend on it for their livelihood but consumers also depend on it for relatively cheap food, which they have been able to enjoy in the last 40 or 50 years.

I found some interesting information in the report of the Royal Commission which investigated the meat industry in 1928. One item related to the price of livestock. The Royal Commission was basically involved in the pastoral areas of the north, and we recognise that today some 40 per cent of the total cattle numbers in this State are in the pastoral areas.

The Royal Commission was given evidence about real problems in the industry. Cattle prices were tabulated in the report. For the East Kimberley area the average net market return for fat bullocks and cows was £2 12s. 10d.; the average cost of production of those animals was £2 8s. 2d., and the average profit on sales was 4s. 8d. We can certainly see why a Royal Commission was necessary. I hope to indicate to the House that similar circumstances exist today.

The same report contained a proposal that effluent from the sewerage works servicing the metropolitan area be retained and used for a sewage farm. I believe that in the not-too-distant future this State may need to consider such a project. The argument was advanced in 1928 that the millions of gallons of water running into and polluting the Swan River would provide satisfactory pastures for fat cattle production.

I am aware there is not much sewerage water flowing into the Swan River; I believe it is now pumped into the ocean. I do think we could well have a look at the feasability of this proposition to which I have referred.

Members who have seen the Werribee sewerage project in Victoria will agree it has been a tremendous success. This project utilises waste water for irrigation and thus turns it into a valued project for use in fattening animals.

I now come to the main text of my motion. I believe it is essential that we look at all aspects of the industry to ensure its stability in Western Australia. If there is to be an industry it is important that such an industry be viable, because if the industry is viable, it has stability and, as a result, the advantages would flow on to all sections of the community.

At the moment the beef producers are facing an economic crisis, and I hasten to add that by next March or April this crisis will have reached its peak. The situation that exists at the moment is that producers have met their running costs for the coming year's production—these were met last April and May—and, they are now virtually living off the land, so to speak. With the economic situation that is facing producers at the moment, together with the prices they are getting for their product I feel the highest point of crisis will arise at this period next year. This position has been caused by the very serious deterioration in our export sales in overseas countries. We recognise that those countries are also faced with economic problems; indeed it is recognised that at the moment we are faced with a world economic crisis.

However, I do believe that other factors have contributed to the economic downturn of producers—certainly those in this State; and most assuredly across Australia as a whole. So we are faced with a situation where there is a downturn in the sales of our export beef. This in turn is again reflected in our local market and such beef must then compete with the beef which would normally be sold for local market requirements, thereby causing a glut and a depressed market.

Mr H. D. Evans: The increased cost of production must also be considered.

Mr BLAIKIE: That is a crippling factor. Quite frankly I do not know how many producers will continue in the next few months. The oversupply situation has depressed prices to the ruinous levels we are experiencing now. I appreciate the comment made by the member for Warren concerning the increase in the cost of production. Every industry is subject to increased costs. It does not matter whether such industry be a Government-controlled industry or any other it is still subject to increased costs.

One can, of course, relate this back to inflation. It does not matter whether one is a processor or a producer, one is still subject to the cost spiral. In the last 12 months this cost spiral has risen by 20 per cent, and in the next 12 months it could rise by 30 per cent. In view of these continued depressed prices and escalating costs I just do not know what the future of the producers is likely to be.

Sitting suspended from 3.45 to 4.05 p.m.

Mr BLAIKIE: Escalating farm costs are placing beef producers in an untenable situation. I remind members of the very serious difficulties inflation is causing this industry. Irrespective of whether these increased charges apply to transport, labour, machinery, parts or repairs, they

must be borne by a sector of primary industry which has no opportunity to offset these costs.

Only the other day, I was visiting a property at Marybrook. The farmer told me he had intended to sell his tractor this year, as it had done 10 000 hours. In terms of motor vehicles, that would represent about 300 000 miles. However, he is now not in a position to trade-in his tractor; he must make do with what he has. He must hang on as best he can until there is a lift in market prices and he is hoping no further cost increases will occur, as these will place him in a more untenable situation.

I have spoken of this untenable situation and I should now like to give the House an example of how it affects particular farmers. I refer firstly to a property which is well known to me; I can vouch for the authenticity of the figures I am about to quote. The property has an area of 100 acres on which 70 steers are run each year. Before the present situation obtained, the steers showed a gross profit of $100 a head, representing a total farm return of some $7 000. The costs involved in achieving a gross return of $7 000 were: Superphosphate, $500, and general farm running costs, which included commission on sale of stock, cartage of stock to and from sale and general running and maintenance costs, $1 500. This left a modest but satisfactory balance of $5 000 at the end of each year. I might add that there were no other commitments on this particular property by way of bank or mortgage commitments.

However, today, instead of receiving $100 a head, the producer receives only $40 a head, giving a total gross farm return of $2 800. Superphosphate costs are to increase; let us say he will now pay $1 000 for superphosphate. Although it is debatable, I will assume that his general farm running costs will remain stationary at $1 500. I have taken account of the fact that he will effect some saving in commission costs due to the reduced return on his cattle. Therefore, his total on-farm costs are now $2 500, leaving him a net annual return of $300 on which to maintain his property and his family with at least some degree of respect and dignity. I challenge any member of the House to survive under those conditions.

Before I give another example, I point out that whether we discuss the situation relating to baby beef or other forms of beef production, the final result will vary by only a minimal amount and the profitability situation will remain the same. This is the serious nature of the situation which I am attempting to describe to the House.

Another farmer has told me that on the 800 steers he purchased, he will lose $100 a head, representing a total loss of some $80 000. I do not believe that is an isolated case. I admit that 800 steers is a fairly high figure, but many farmers are facing a similar situation.

Some 12 months ago, the *Daily News* published an article relating to meat costs from farm to table. It featured a magnificent steer named George. Of course, this was another error of the Press; in fact, George was not a steer at all and should have been called Georgina. The article traced the price of the animal from the time of purchase to the time it reached the family table. The figures were arrived at by a very critical cost analysis. The actual cost of production was 26.2c a pound and the animal was sold for 35.5c a pound, representing a profit to the producer of 9.3c a pound.

Basing my figures on an inflation rate of 20 per cent—I am quite certain that all farm costs have increased by not less that 20 per cent—the on-farm cost of that animal today would be 31c a pound. However, the best price the farmer could obtain today for the same animal would be 24c a pound, a loss of about 7c a pound. This is the serious nature of the situation to which I refer.

A number of causes have contributed to this situation: I will outline them to members. The period of March-April next year will be the critical period because it is at that time of the year that the farmer is obliged to meet his income tax assessment for the previous year; he will be obliged also to pay for his fertiliser and the bulk of his on-farm costs. Liquidity will be at a crisis point. Once again, one can look to inflation to find the cause of these problems. Banks are mighty institutions; I have used their services on many occasions, and I still do. However, banks lend farmers an umbrella when it is fine and take it away when it looks like rain.

These farmers will be placed in a critical situation and I do not believe many will be able to obtain the necessary credit to enable them to carry on. Interest rates have been a severe burden to primary producers. One can question the attitude of the Federal Government in this regard. In July, 1973, the Federal Government claimed the inflation problem was at its most severe stage and attempted to remedy the situation by increasing the bond rate. But look what has happened since. The impact of Federal measures on primary producers at that time meant they no longer received the borrowing concessions which previously they had enjoyed. Overnight, interest rates were increased by 2 per cent. A further increase of interest rates on term loans advanced to primary producers by the Commonwealth Development Bank occurred; this is what the Federal Government did to the primary producer.

I have heard members opposite being very critical about building societies for having the audacity to increase interest rates. Yet the Government which was lending money to the primary producers did exactly the same thing. Of course, this had a serious impact on the rural situation. I had not intended to refer to a matter I raised in a previous grievance debate. However, the member for Warren has goaded me into mentioning it by his earlier comments. I refer to the superphosphate bounty, which is to be withdrawn by the Federal Government. As far as I am aware there is no question of its being replaced at this stage. The only occasion when this might be replaced is in respect of new land farmers. I say this quite categorically. I challenge any member to deny that point, because I have outlined the facts as they are known.

All of these moves are having an impact on the primary producers. What they will do is to increase the cost of production to such an extent that it will be impossible for these people to continue their operations. The position is difficult enough for them at the present time, but it will become untenable.

I want to have it placed on the record that the revaluation of the Australian currency by the Commonwealth Government is having an adverse effect on our exports, particularly of beef. The policies of the Commonwealth Government have, in fact, made the Australian dollar 25 per cent dearer than the United States currency; it has made our dollar 22 per cent dearer than the United Kingdom currency; and it has made our dollar 15 per cent dearer than the Japanese currency. I would point out that these nations take 80 per cent of the total Australian beef exports. It seems that the moves of the Commonwealth Government are pricing our exports out of our overseas markets.

Mr Skidmore: Has not the Japanese Government a surplus of beef in that country?

Mr BLAIKIE: I was expecting the honourable member to make the somewhat revered remark that farmers have come to cherish so much! It is: You have never had it so good. I suppose that was the reason that 7 000 farmers turned up at the meetings at Forrest Place and Subiaco Oval to make a protest.

Mr Bryce: You must have rehearsed that one!

Mr Skidmore: I express genuine sympathy for the farmers.

Mr BLAIKIE: I appreciate the honourable member's genuine sympathy. The fact is sympathy does not get the farmers anywhere. They want assistance and recognition, but in point of fact they are not being recognised by the Commonwealth Government.

I go back to the remark made by the Prime Minister to rural producers: You have never had it so good. I would like him to pay a visit to the Margaret River district and meet the farmers. I would like the member for Warren to invite the Prime Minister to visit Manjimup and make that comment in the street, if members opposite think it is a fair comment. It was a comment the Prime Minister made without thought for the consequences, as he knew full well what his Government would do; that is, to grind the primary producers into the ground.

This brings to mind another comment I wish to make. I would ask members to recall the speech made by the Federal Treasurer (Mr Crean) when he introduced the first Labor Budget in 23 years. He spoke about the withdrawal of concessions to primary producers. His words still echo in my ears. They were: Now listen to the Pitt Street farmers squeal.

Mr Hartrey: Do you not think there are any Pitt Street farmers?

Mr BLAIKIE: That is the type of inane remark one could expect from members who do not understand the real circumstances or the emergency situation that exists.

Mr Hartrey: Do you not think there are any St. George's Terrace or Pitt Street farmers?

Mr BLAIKIE: The honourable member may like to call them St. George's Terrace or Pitt Street farmers. The fact is that the Federal Government said it was withdrawing the concessions from the St. George's Terrace farmers, if that is the way the honourable member wants to use the expression. I shall tell members what the Federal Government did; in taking that action it enmeshed every bona fide farmer. There might be 0.1 per cent of the primary producers who could be regarded as Pitt Street or St. George's Terrace farmers, but what about the other 99.9 per cent of genuine farmers engaged in rural production?

Mr H. D. Evans: The estimate was 10 per cent.

Mr BLAIKIE: If the member for Warren wishes to vindicate the actions of the Federal Government it is his prerogative to do so. I do not believe that Government has shown any sympathy or compassion for the primary producers, and in particular for the beef producers and the meat industry. If the honourable member chooses to wave the flag for the Federal Government he may do so.

Mr H. D. Evans: I am on side with you.

Mr BLAIKIE: The concessions were withdrawn, and all primary producers were snared in the same net. In one blow there was a loss of $143 million caused by the withdrawal; and there was the discontinuance of the superphosphate bounty.

Other blows included the increase in petrol price; an increase in telephone installation charges; reduced depreciation rates on machinery, buildings and equipment; and the imposition of a surcharge on the export of meat which still exists. What a setback to the primary producers that action by the Federal Government turned out to be! I would ask members opposite: From where will the primary producers find compassion?

Mark my words, what the Federal Government will do is to curtail severely productivity in the rural sector, particularly in the meat sector—to which I am referring specifically. We have the World Food Organisation making a plea for increased food production, but the Federal Government which believes in social welfare programmes—I wish some of the farmers I represent were Aborigines, because if they were they would get some help—is doing everything it can to stifle production. Not one ounce of assistance is coming forward from it. If members opposite can tell me what assistance is coming forward, I would like to know.

Mr McIver: What is your Government in this State doing about the matter?

Mr BLAIKIE: The meat industry is under a critical threat from various sources. It is facing a threat from the policies adopted by the Federal Government. At present there is a depressed meat export situation in Australia, and of course there is also the problem of inflation which has arisen as a result of the policies of the Federal Government. I believe that the meat industry could possibly overcome any one of these setbacks individually, but I can assure the House that it has no hope of overcoming the lot in one hit.

This is where the Federal Government must be made fully aware of the situation; and it should be persuaded to come to the party and render assistance. The meat industry does not have the benefit of a prices justification tribunal; if it did the consumers would probably be paying $1.50 a pound for sausages.

Mr Bryce: Will the Select Committee which you have proposed look into the rake-off by the wholesale butchers?

Mr BLAIKIE: I shall be recommending that aspect be investigated. I have spoken about the seriousness of the situation. I do not believe it compares with the recession that was experienced in 1969 and 1970 by the wheat and wool industries. I believe the present situation is more critical for this reason: where a farmer is dependent upon beef production he has no alternative form of production by way of cropping, etc. His income is based entirely on the utilisation of pasture, and this is why I believe the situation which many of these people face is serious and, indeed, critical.

All this will have an adverse effect on the services in the areas concerned. The service industries, the communities involved, and the towns will be affected. I can see the time when farmers will not be cutting down on their expenditure, but will have no expenditure at all as they have no alternative form of production. They will have to hang on as best they can. Of course, this will adversely affect the businessmen.

I would now like to refer to some reports that appeared in the Press last week. I am very critical of them. In *The West Australian* of the 11th November appeared a report under the heading—

SW rebels give PM ultimatum

In fact, these people are not rebels. They face an untenable situation, and they are doing whatever they can to draw the attention of the Federal Government to their plight. They have been placed in a difficult situation through a variety of reasons. They are not rebels. I make this point in order to get the record straight.

These people were very concerned about their situation, and they took recourse as best they could. However, I did not see them marching in the streets or going on strike.

Mr Skidmore: They did go on strike by withdrawing their right to provide funds to the Government. That is strike action.

Mr BLAIKIE: In point of fact they did not go on strike. What they did say was that they would take certain action unless some assistance was forthcoming from the Federal Government.

Mr Bryce: They threatened to go on strike.

Mr BLAIKIE: They did not. They want compassion, understanding, and outright assistance very quickly .

Mr Bryce: Ten minutes ago you said they did not want assistance.

Mr McIver: If nobody buys the produce from the farmers, what do you think should be done?

Mr BLAIKIE: Even if the market situation does improve moderately in the next five or six months and a rise of 2c to 3c a pound takes effect, I am concerned that inflation will eat up any advantage that may be forthcoming.

Again, this goes back to the attitude of the Federal Government, and to the absolute necessity for it to recognise the existing situation it has created. It should adopt policies which will confer some benefit for thrift and initiative shown by the people. Of course, at present no such encouragement is given by the Federal Government.

Mr Skidmore: The Federal Government has injected funds into the community, and they will help the farmers.

Mr BLAIKIE: I was pleased to see in this morning's issue of *The West Australian* a report of a speech made by the Prime Minister last night. I was pleased to see that he has acknowledged that the beef industry is facing a serious situation. That has been acknowledged, but it is time the Government got off its backside and did something.

Mr Bryce: Which Government?

Mr BLAIKIE: This has been going on for too long. The State Government has made representations to the Federal Government on this very issue.

Mr Bryce: It makes a lot of promises, too.

Mr McIver: Does the member opposite think that money is the answer?

Mr BLAIKIE: Is any member opposite prepared to challenge me that the State Government has not made representations? Again, this goes back to the member for Warren challenging the Minister for Agriculture and asking him what had been done. At least, the Minister for Agriculture has made representations. I am waiting to see just what notice the Federal Government takes of the representations that have been made. I sincerely hope the House will agree to the appointment of a Select Committee.

Mr Bryce: They should stand up and do something for themselves.

Mr McIver: The member for Vasse should read the speeches that were made in 1960.

Mr BLAIKIE: I believe my motion should be agreed to. However, I hasten to warn the House that if a Select Committee is appointed that should not be the signal for the Government—State or Federal—to take no further action until the report of the committee has been received. I again make the point that action is required now. I believe that now is the time to act, not in six months' time when the industry could well be in a chaotic situation.

There is a need for a reconstruction programme associated with the beef industry. I trust this is one of the points which the proposed committee will investigate. There is a need for reconstruction in the appropriate fashion. In fact, we are now at the bottom of a price trough and I certainly hope it will not get any lower. It is expected that in two or three years' time we will return to a buoyant situation and the industry will return to the top and get out of the trough. The world demand situation will ensure that we will have a market for our produce. While I speak about the need for a reconstruction programme, it is urgent that something be done now.

Today I received advice regarding rural reconstruction assistance, and an indication of where to apply for it. I would like to read to members some of the terms of reference of the commission which was set up by the Commonwealth Government to investigate the needs of industry, including the meat industry, with a view to receiving suggestions for restructuring. I crave the indulgence of the House while I read some of the terms of reference, laid down for the commission by the Prime Minister, and with which I am very concerned. They read—

> I, EDWARD GOUGH WHITLAM, Prime Minister
>
> 1. Refer the following matters to the Industries Assistance Commission for enquiry and report in accordance with Section 23 of the Industries Assistance Commission Act 1973. What assistance should be provided after 30 June 1976 for rural reconstruction and for what period of time should any recommended assistance be provided.

This is where the need is today. Members opposite speak about an understanding and compassionate Federal Government. However, the application booklet which I received has to be filled in now for assistance in 1976. Quite frankly, I doubt whether many beef producers will be left in the industry if the present trend continues. Applicants are requested to supply evidence in a very complex form which is difficult to prepare. I believe this is where the State Government can play its part by assisting those areas which are in need of reconstruction. The expertise which is available in the various Government departments should be used in preparation of evidence to assist those producers.

First of all, there is an urgent need for reconstruction of the industry now, and it should not wait until 1976 as has been indicated by the Prime Minister. I hope the Minister for Agriculture will take this matter up with the Federal Minister in Canberra.

Secondly, I believe the existing Rural Reconstruction Scheme will be of little assistance to beef producers. To be eligible for assistance a producer has to prove he has a viable proposition. However, how could that be done in some of the instances I have quoted? The answer is that those people will not be able to prove their eligibility.

Mr Skidmore: Is the assistance to be spread over a period of time?

Mr BLAIKIE: It will be spread over a period of time. The member for Warren was well aware of the situation which existed in 1971 when successful applicants were rating about 78 per cent on the first time up. I believe the same situation will apply.

I hope the Minister for Agriculture will take up with his Federal counterpart the necessity for short-term loans to be made

available, preferably without interest. If interest is to be charged it should be on a minimal basis. Loans are required to provide carry-on finance during the next 12 to 18 months. I emphasise that point.

I also wish to raise the matter of unemployment benefits. Personally, I find it most untenable and most undesirable to have to mention this matter in the House. However, in the short term, the Federal Government could broaden the scope of the existing Act covering unemployment so that farmers who met the eligibility criteria could obtain some assistance from that source. That is another avenue which ought to be explored, because although a farmer may have assets in the vicinity of $100 000 or $150 000, if he is making a straightout loss he is actually going backwards. In most situations it is most undesirable for the farmers to sell their properties. An unemployed person is not expected to sell his house, his car, or his boat before he is able to obtain unemployment benefits.

Mr Skidmore: Neither does he receive the benefit unless he is unemployed.

Mr BLAIKIE: In point of fact, the people to whom I am referring are basically unemployed.

Mr Sibson: They are unemployed because they are receiving no income.

Mr BLAIKIE: The most important aspect of my motion is marketing. All members realise that marketing is the key to any industry. The problems associated with the meat industry, to a large degree, relate to marketing and I believe that far more should be done to improve our markets. The sheep and lamb industry was in difficulties in 1969 and 1970. Admittedly, there were drought conditions at that time but associated with them was an oversupply situation and, again marketing was the main problem being experienced.

One has to appreciate fully the requirements of marketing, whether for the local market or for the export market. In point of fact, there is a buyer for every product associated with the meat industry. A simple example is the requirements of an Italian restaurant in Lake Street compared with the requirements of the Parmelia Hotel. Marketing is the key to the meat industry, as it is to any other industry.

Recently I was reading a report on this very aspect of marketing. The report referred to the various by-products of the meat industry sold throughout the world. I understand the spleens of animals find a ready market in Greece, whereas in Turkey freshly killed sheep's eyes, are a real breakfast delicacy. I must add that the latter does not appeal to me. However, I again emphasise that there is a market for every product and it is essential for us to recognise this aspect. It would be a function of the proposed Select Committee to investigate this aspect fully.

Many members in this Chamber will recall that last year we went on a trip to the north of this State. We inspected the cattle feed lots, and the abattoirs at Broome, Derby, and Wyndham. We had with us the former member for Wellington (Mr Iven Manning) who represented a most efficient beef producing area of the State, and while he was eating a magnificent T-bone steak at the Argyle Tearooms he commented—not to be outdone—that the steak must have come from the south of the State because it was too good to come from the north. When we later inspected the storeroom at the back of the tearooms he was very pleased to see a stack of boxes branded, "E. G. Green & Sons, Harvey".

Mr Ridge: They must have run out of boxes in the north!

Mr BLAIKIE: That is an example of a product meeting a market requirement because that meat had to be transported some 2 000 miles and be sold against local competition.

Mr May: Hullo, the lights have gone out! That did not happen during the term of the previous Government!

Mr Rushton: Not much; it happened on opening day!

Mr BLAIKIE: Another aspect of the industry which I believe a Select Committee could investigate is that which relates to sheep meat which has played a very important role in the development of this State and in particular the export of live sheep. In 1969, 312 000 head of sheep were exported. During the first 10 months of this year some 600 000 head were exported. Those figures represent real value but I wonder whether we could achieve better results and whether the animals should be slaughtered in this country in order to meet market requirements.

That will be the case—we are meeting a market requirement at this stage. By the same token, I am concerned at the attitude that has been adopted by the Meat Industry Employees' Union in regard to the embargo on the export of live sheep. I believe we have good potential for the export of live cattle also. The committee would need to investigate other avenues such as these. When one looks at the world situation today, one realises very quickly the tremendous wealth of the Arab States. I feel we could achieve a good market in those states provided we meet their conditions and requirements. A Select Committee could fully investigate the possibilities of such markets. I realise that I am labouring on this point, but I believe the marketing situation is a very important aspect of the meat industry. The Arabian States do not like frozen meats—they prefer fresh meat

or chilled meat. To take advantage of these markets we must meet the requirements of the consumers, and this principle applies not only to overseas countries, but also to our own country.

The committee would need to investigate thoroughly many other aspects of the industry. It could consider the marketing of livestock on a localised basis, and again I refer to sales by producers. I would like to see the committee inquire into the much maligned auction system and to investigate the pros and cons of the sales made on a weight and grade basis. If we are to have weight and grade selling, I would like to know, and the producers would like to know, what criteria of grading will be used, and also the criteria for sale by live weight, appraisal, auction, dressed carcases, or any other method.

The voluntary reserve price plan which I understand will come to fruition very shortly is indeed a milestone for the industry. Again I cannot see how the inquiry could inhibit the operation of this plan in any way. In fact, I applaud its introduction and I certainly hope it will be of some benefit to the industry. I also hope the committee will have the opportunity to investigate and assess its advantages, merits, or otherwise.

I believe there is an urgent need for a review of meat standards, and inspections, to ensure that market requirements, both local and export, are met. In my opinion we have a crazy dual system of inspection in our export meat abattoirs. Meat is inspected by officers of the Department of Primary Industry as well as by local meat inspectors. I do not know whether one of these inspectors could do the dual job but there does seem to be an overloading of costs. Any practical reduction in costs will benefit the industry.

Mr Skidmore: These inspectors are not looking for the same thing in the same way.

Mr BLAIKIE: I agree, but the Select Committee would examine all such aspects and report on them. If the dual inspection scheme is to continue, I would like a logical explanation of it. However, if the committee feels it should not continue, well then, we would want to know its reasons for saying so. The industry could reduce its costs of production by a single inspection scheme.

We need an overall organisation to co-ordinate the abattoir standards of the State and to meet the requirements of different abattoirs. I am fully aware that many operators at export abattoirs are very critical of private abattoirs because it is felt that they are not up to export standard and therefore have an unfair advantage. However, private abattoirs fill a most important role in the industry and I do not believe they should be disadvantaged in any way at all. Worthwhile conclusions could come from an inquiry into these matters.

The Select Committee would need to be market orientated. It will have to be aware of marketing requirements as well as the requirements for public health and hygiene.

It is necessary to investigate industry costs from the producer to the consumer. I believe the member for Ascot referred to this matter some time ago. When researching this subject, I was rather staggered to find that with an animal of 500 lb. dressed weight, the cost of killing fees and chilling would amount to $25, handling from the abattoir to the retailer would add another $10, and the actual costing to the retail shop is based on 25c per pound, making a total cost of $160. This situation should be subject to scrutiny because although the producer has not received one cent as yet the cost to the industry is $160 for the animal—and this is before it reaches the housewife.

Mr Hartrey: I agree with you there.

Mr BLAIKIE: Even if the producer gave the animal away, it has cost $160.

Mr May: This has been going on for some time.

Mr BLAIKIE: That is right. In 1973 the handling costs of meat to a retail outlet were 17c a pound. In 1974 the handling costs amounted to something like 24c a pound. Many variable expenses come into this, such as wages, delivery, rent, advertising, cleaning, painting, maintenance, insurance, telephone, depreciation, bank charges, etc. We can readily see why handling costs are rising. I make the point to the House that in the space of 12 months the cost of handling meat has risen by 25 per cent. If inflation continues at the present rate we can well expect a 30 per cent increase in the next 12 months. What proportion does the producer get? All the way down the line costs are escalating out of all proportion and the producer's return is diminishing. The consumer must buy meat at a higher price because of increased costs and yet the producer is getting no benefit from this, and apparently the man in the middle is not receiving any extra benefit. This situation should be investigated, and a Select Committee could do just that.

Mr Skidmore: A cost analysis would show that the middle man is taking more than his share.

Mr BLAIKIE: That may be right. I will just reiterate the points I have made. There is a need for a thorough investigation of the meat industry, and I believe members will support me in this motion. I am concerned about the policy of the Federal Government, and unless this attitude changes, the meat producers will reduce production. Within the next three to five years meat will be in short supply

and prices will escalate far beyond anything we have seen at recent high peaks. This is evident from the situation in rural areas today.

I have already said that I believe we are at the bottom of a trough. Rural reconstruction should be assessed immediately, and not in 1976 as has been indicated by the Prime Minister. There is a necessity for short-term carry-on finance to meet the impending needs of taxation and farm-running costs, including fertilisers, which these producers will have to meet in the very near future. We also need complete co-operation between Government and industry to explore and to capitalise on any new market potential. This is most important and certainly very necessary. The State Government should fully investigate the possibility of establishing a marketing and processing joint venture with a meat importing country. By this I mean a country to which we export meat. If these people could be encouraged to invest in our meat industry it would help to stabilise it. These countries have the markets we want, and we have the produce they want. There is validity for this argument because it would assist future stability in the industry by way of long-term contracts which apparently we do not have at this stage. There is a possibility for hope in this direction because the Federal Government has at last relaxed its foreign investment policy.

It is necessary to investigate alternative methods of sales by producers, and also the voluntary reserve price plan. All avenues ought to be investigated because the industry would be assisted as a whole with an impartial system. The committee would review dual inspections at abattoirs for both local and export markets. It would investigate production costs because if these costs continue to rise unchecked, they will surely cripple the industry; and the Federal Government is fully aware of its untenable polices in regard to primary producers, as well as its obligations to the meat industry and to the nation. The meat industry is in a serious situation and I believe the impact of this situation will be felt in March or April of next year. The rural communities that are dependent on production will be seriously affected by any problems in the meat industry. I hope members will support my motion. The committee will have a mammoth task, but as I indicated in my opening remarks this task should be more appropriately carried out by the Government.

In conclusion I would like to read from a report of the Royal Commission of 1928 to which I referred earlier. The general conclusions were—

> There seems little doubt that the cattle industry throughout Australia is in a condition little short of chaotic, and that it requires most careful handling in order to restore it to something approaching its former footing.
>
> The first essential towards the restoration of order is the complete reorganisation of every branch of the industry, from the station to the market, whether local or overseas. Success in this direction can be attained only by the whole-hearted co-operation of Governments . . .

In the main, those remarks are valid today. I commend the motion to the House.

Mr YOUNG: I second the motion.

Debate adjourned, on motion by Mr McPharlin (Minister for Agriculture).

MEMBERS OF PARLIAMENT

Declaration of Financial Interests: Motion

MR A. R. TONKIN (Morley) [5.02 p.m.]: I move—

> That in the opinion of this House immediate steps should be taken requiring all Members of Parliament to reveal their directorships, shareholdings and any other financial interests or rights which could lead to a conflict of interests.

I believe it is incumbent upon Parliament and members of Parliament to have clean hands and, furthermore, to show that they have clean hands and that those who trumpet the cause of law and order must be above reproach. If we are to make laws in this place, it must be clear to the people that we are making them in a disinterested—although not uninterested—fashion. We must show the public that we are people of dignity and honour.

Democracy is being questioned in many circles throughout the world today. I dealt with this recently; I believe many people agree with me that the standards of public life are in danger of falling away. We have seen some lamentable examples of this in the United States of America. I believe grave damage was done to the cause of democracy in this State with the Comalco share incident in the Twenty-sixth Parliament. People will accept that we should receive salary increases if they believe our hands are clean and if we are full-time members. I believe the size of our salaries today predicates that the member is a full-time member. Certainly, people would not expect a basic salary of $14 000 a year to be pocket money.

In this respect, we have heard one member of Parliament say when salary rises are announced, "I do not think we deserve them." I know the particular member has a very extensive outside interest and I would agree that that member did not deserve his salary rise, because one would look in vain to find him here, except when the House was in session. I believe there is a difference between those whose sole income is their parliamentary salary and those to whom it is a little extra.

The Boyle inquiry in the United Kingdom in 1971 found that one member in 16 spent less than 40 hours a week on the job. I would be quite happy for such an inquiry to take place in this Parliament so that the work-value of members of Parliament could be established. I am quite sure there would be some revelations which would cause eyebrows to rise in many circles; probably it could be indicated to the people that some of our members of Parliament are far from being full-time members, even though they receive exactly the same salary as full-time members.

I point out that it is the policy of the Australian Labor Party that directorships and shareholdings should be tabled in the form of statutory declarations. I believe this policy was written into our platform at the Surfers Paradise conference.

A motion is before the Australian Parliament at the moment relating to this matter. It was moved by the Special Minister of State (Mr Lionel Bowen) and reads as follows—

> That this House is of opinion—
>
> (a) That, in any debate or proceeding of the House or its committees or transactions or communications which a Member may have with other Members or with Ministers or servants of the Crown, he should disclose any relevant pecuniary interest or benefit of whatever nature, whether direct or indirect, that he may have had, may have or may be expecting to have;
>
> (b) That every Member of the House of Representatives should furnish to the Clerk of the House of Representatives such particulars of his pecuniary interests, supported by statutory declaration, as shall be required, and shall notify to the Clerk any alterations which may occur therein, and the Clerk shall cause these particulars to be entered in a Register of Members' Interests which shall be available for inspection by the public; and
>
> (c) That a Joint Committee be appointed to inquire into and report on what arrangements need to be made to give effect to the above principles.

Members may take part in various debates in this House and appear to be disinterested legislators; but what is hidden and what the people have a right to know and must know is that they have vital financial interests in matters being discussed in Parliament. These facts should be clear to everyone.

I believe the holding of public office confers upon people a great responsibility. It is a great privilege to be able to come here and help shape the course society is to take. Of course, some people will object that my motion represents an invasion of privacy, and that members of Parliament have a right to their privacy. I agree that anything which is not relevant to the legislative process should remain private; there are certain parts of our lives which are private and which should not be intruded upon because they could have no possible impact upon a person's performance of his duty.

But where there is a possibility of a conflict of interest, I believe it should be raised. This is one of the prices we pay for coming here; if members do not like this invasion of their privacy, so that people can see whether a conflict of interest exists, no-one will force them to remain in this place. We have been given a great privilege to serve the people of Western Australia in this Chamber and it should be quite clear to everyone that we are serving the people as a whole, and not certain narrow interests.

Mr Speaker, no doubt it will be a great relief to all members to know that I intend on this occasion to be brief in my remarks.

Mr Old: Hear, hear!

Mr A. R. TONKIN: I am glad I am getting some support from the other side. There are two kinds of interests. It may be argued that there are people in this House who, quite obviously, have a special interest in some field or another. For example, one could say that former school teachers in this House represent the education interest; other members may represent the interests of solicitors. However, such interests are general and are clearly known to the public. As a matter of fact, I am beginning to wonder when people will stop saying, "Mr Tonkin, a former school teacher. . . ."

I do not know whether they ever say that the Leader of the Opposition is a former teacher; perhaps when I have been here 40 years, they will forget I have this general interest. However, it is well known; generally, people know the occupations carried on by members before they came to this place.

A very different situation exists in regard to particular, hidden interests. It may arise from a financial interest or from shareholdings. I should like to emphasise that I am not speaking against the principle of members owning shares; I indicate only that such interests should be declared.

I wonder what the Liberal Party meant before the last election when it referred to "open Government". I had hoped that open Government meant that members opposite would support my motion because they have nothing to hide. I do not suggest they have anything to hide; if they have nothing to hide, let us let the sunlight in; let the members of the public see we have nothing to hide.

Traditionally, Parliament has put very few restrictions on the holding of outside interests by members of Parliament. In

the past, members of Parliament were part-time members in much the same manner as shire councillors are part-time in their involvement, and they had to look to other ways to earn their income.

This time has long since gone. We are now receiving a salary for performing our duties which is capable of supporting us, and therefore I believe it is our responsibility to indicate that our sole interest is in serving the people of Western Australia.

I think Parliament is a very conservative institution and we have carried over many customs that have been built up over many decades and even centuries. One of these customs is that a member of Parliament is regarded as being able to carry on his parliamentary duties as a part-time occupation. In actual fact, today a member of Parliament is being paid a full-time salary.

A great deal has been said about the dignity of Parliament. I am most concerned about the dignity of Parliament, but I am rather bemused at times when it is considered that the dignity of Parliament is being upheld by insisting that a member shall wear his coat while sitting in the Chamber, but on the other hand it appears to be quite all right for one member to challenge another to come outside the House of Parliament and engage in fisticuffs. In fact, I was rather surprised that you, Sir, did not take any action when I raised that matter previously. You, Mr Speaker, seemed to think that this was part and parcel of the game.

I believe the dignity of Parliament is most important, and I believe we have to be sincere and talk about the true dignity of Parliament, because the dignity of Parliament is not based on how a member shall dress; it is based on the kind of person a member is. It has nothing to do with the clothes he wears, but with the state of his mind.

The SPEAKER: If I may interject on the honourable member, I can substantiate what you are saying; that is, it depends entirely on the state of mind of each individual member.

Mr A. R. TONKIN: I thank you for your support, Mr Speaker.

Sir Charles Court: Apparently you did not get the message.

Mr A. R. TONKIN: I can interpret the Speaker's remarks as support, if I wish. It is relevant to talk about party funds here, because once again we are entering a situation where members may legislate in this place for reasons not apparent to the public. However, I believe that the source of party funds should be made known to the public. They should know who is paying the piper and so perhaps work out the reason for the tune which is being played. That is most important. Such funds should be kept under continual review by this Parliament, because conditions are changing continuously.

I understand that this matter has been raised in Parliament previously but certainly it is a subject that should be raised as the rules should be reviewed continuously because, as I have already stated, conditions are changing all the time. I have brought this matter forward because I believe it should be debated in the interests of the public and Parliament itself.

There are, perhaps, two ways by which the problem of conflict of interests can be approached. Firstly, there is the principle of avoidance. In other words, the member of Parliament divests himself of any financial interest he may have, or he avoids taking on any further financial interests. That is the principle of avoidance of any conflict. The Bar Association of the City of New York said that avoidable conflicts of interests should normally be avoided. An editorial in the *New York Times* of the 26th August, 1970, contained the following—

> What is needed is an acceptance of the fact that election to the House or Senate, like appointment to the Cabinet, means often accepting a full-time job and a total commitment to public service. That means no directorships, no law practice, no outside business interests, and all invesments put in trust until the individual returns to private life. Disclosure is not enough, divorce is the only answer. Until the line is clearly, irrevocably drawn, Members of the House and Senate will not be where they ought to be—above suspicion of using public office for private enrichment.

The point is that we should be above suspicion of this kind of practice.

The other view—and this is the view I believe my motion indicates we should follow—is not so much that a member should seek avoidance of conflict of interests by divesting himself of his shares, but that he should adopt the principle that whatever one has one should disclose.

The principle of disclosure, however, can be applied in various ways. For example, one might say: When should such disclosure be made? In other words, should the disclosure be made only when a member of Parliament rises to his feet and says, "I intend to speak to this Bill and I wish it to be known that I have so many shares in such and such a company", or should the disclosure be made at the commencement of a member's parliamentary career so that such information is available to the public? I believe that the latter course should be followed.

Secondly, should a register of the business interests of members be compulsory or voluntary? Only this year a long debate took place in the House of Commons in Britain and an overwhelming

number of members were in favour of a compulsory register. I know that a gentleman by the name of Andrew Roth, in successive editions of a book titled *The Business Background of MPs* has performed a service to the British public which, in my opinion, should be performed here because this book is published regularly. Any member who is interested can obtain this book and see for himself the business interests of members of Parliament.

The Institute of Public Relations' code demands that a parliamentary register be kept for examination by the public at its offices, showing the relationship between members of Parliament and any firm affiliated with the Institute of Public Relations.

In 1969 a Select Committee was appointed by the House of Commons under the chairmanship of one Mr Strauss, and it is interesting to read the reaction of the Press to some of the recommendations. This reaction came from many different newspapers. The *Financial Times*, of the 22nd December, 1969, stated—

> The Liberals have demonstrated that it (a register) can be done without offensive prying.

That report was made because the Liberal Party in England—I emphasise the UK Liberal Party, not the Australian variety—keeps a register of Liberal parliamentarians' financial interests for inspection by the public at any time.

The *Sunday Telegraph* of the 21st December, 1969, stated—

> There is no reason why directorships, consultations, and other appointments should not have to be registered.

The Sunday Times in its issue of the 21st December, 1969, supported the idea of a register.

Since then proposals for a register have been renewed by the Press. Reports were made by the *Observer* on the 9th July, 1972; the *Financial Times*, on the 2nd February, 1973, and by the *Sunday Telegraph* on the 4th February, 1973. On the 7th April, 1973, *The Guardian* reported—

> MPs objected to the suggestion that a register should be kept in conditions of security. The whole point of the register was that members' interests must be known to those who dealt with them.

The Times, in a leader published on the 25th April, 1973, supported the idea of a register by stating—

> It is hard to see how a secret register could reassure the public.

It also suggested that—

> Pressing the case for an all-party register was in the public interest.

In the United Kingdom the custom has been for a member of Parliament to declare his shareholdings and directorships when a conflict of interests appears imminent.

The ruling given by Mr Speaker Abbott in 1811 is a guide to members, because he ruled that a member of Parliament should refrain from voting on any matter in which he had a direct pecuniary interest. This ruling has been accepted not only by the House of Commons, but it has also been handed down to other parliamentarians throughout the world using the Westminster model.

The Strauss Select Committee of 1969 duly came out with its report. The committee was criticised because it was claimed that every member of it in fact had massive outside interests. Therefore it was claimed that this was not the best kind of committee to draw up recommendations. In any case, the following is contained in the report of that Select Committee—

(1) Disclosure of any relevant pecuniary interest "of whatever nature whether direct or indirect" which a member may have in any debate or proceedings of the House of Commons or its committees.

Also in any transaction with other members of Parliament or with the Public Service, members of Parliament must disclose any interest.

(2) The question of advocacy for a fee or compensation is derogatory to the dignity of the House.

In May, 1974, the House of Commons voted overwhelmingly for the establishment of a compulsory register, and a Select Committee was appointed to ascertain how this should operate.

In the Federal Republic of Germany, particulars of a member's profession, consultancy, or remuneration from a business or businesses are published in the Bundestag handbook. Paid activities for associated activities *vis-à-vis* the Federal Government are also published. Furthermore, members of Parliament must report to the President any other occupation for which remuneration is received. They must also keep a separate account of all contributions received for political activities, or when they are candidates.

So we see that in the Federal Republic of Germany there is a requirement for members of Parliament to state the source of the funds when they are fighting elections as candidates.

In Canada there is a Bill numbered C-91 which is related to this matter. In Canada the people know the legislation by the number appearing on it. This Bill requires the disclosure of gifts received by a member, by his spouse or infant, and of the name and address of each person from whom he, his spouse or infant has received

the benefit of such a gift. The Bill contains a comprehensive requirement that such disclosure must take place. I suppose many of us regard Canada as a sister State of Australia. In the Provinces of Canada guidelines have been set down for a long time for conduct by Ministers.

The Jamaican Legislature, which is based on the Westminster model of Parliament, has an integrity committee, which was established in March, 1972. Its job is to make recommendations in respect of principles which should govern legislation to deal with the integrity of parliamentarians, and more particularly the declaration of their assests and income. The committee recommended that each member of Parliament should within three months of election make a statutory declaration of assets and incomes, and bring it up to date as at the 31st March of each year. An integrity commissioner has been appointed, and he can demand more information from members of Parliament if it is considered necessary. I am not suggesting this, but in Jamaica any property that is not so declared is forfeited to the Crown.

In the United States of America there are, of course, several Statutes dealing with the conflict of interest. In April, 1968, a code of conduct was adopted by the House of Representatives. The members of that House are required to disclose annually their professional earnings over $1 000, and any other income from a single source exceeding $5 000. It is also of interest to know that in the House of Representatives the interest of a spouse or any other party, if constructively controlled by a member, must be reported. I repeat that phrase, "if constructively controlled by a member"; a very important and interesting phrase.

A member of the House of Representatives must list his interest in any financial venture doing substantial business with the Federal Government, or is subject to Federal regulatory agencies, if the ownership at fair market value exceeds $5 000, or if income from such exceeds $1 000 in any one calendar year.

However, there is no provision for campaign receipts to be disclosed. Information regarding members' relationships with the Government and their professional earnings remain confidential. This is very different from the other proposals.

Members of the USA House of Representatives must also disclose the source of any unsecured loan of $10 000 or more, if the loan is outstanding for more than 90 days. All honorariums received by members which exceed $300 must also be declared. Members are also expected to adhere to the 8-point code of official conduct laid down by the House of Representatives.

The United States Senate has adopted rules. It does not have a code of ethics relating to this subject, but its rules are more specific than those for the House of Representatives. I am suggesting that we in this Parliament should indicate that our hands are clean. The American Legislature also agrees with that. I do not think it is valid to say that, because the Americans have a particularly corrupt kind of society, that is the reason there is a requirement for their members to disclose their sources of income. Members of, and candidates for, the Senate of the USA have to identify gifts, liabilities, fees, and trusts exceeding a certain amount of money. The information so disclosed is confidential, unless cause for investigation is shown. Both Houses of the American Congress have standing committees to supervise the administration of the rules I mentioned, and to recommend to Congress any changes they believe should be made.

Coming closer to home, at the present time in Victoria an inquiry is under way by both Houses of Parliament for the setting up of a register of the private interests of members. An interim report has been presented, but the part of the inquiry dealing with a register of the private interests of members has not yet been reported upon.

In South Australia a Bill entitled "Members of Parliament (Disclosure of Interests) Bill" has been introduced by Mr Duncan, the member for Elizabeth. This is quite a simple Bill, and it provides that members shall furnish the presiding officers with certain details. The details are laid on the Table of the House and are then printed as a parliamentary paper.

No doubt you, Mr Speaker, and other members are aware of Standing Order 195 of the House which provides that a member, who has a direct pecuniary interest in any question, shall not be entitled to vote on that question. Of course, if no register of interests is kept I do not know from what source one could learn whether a member has any pecuniary interest in a question. I have never heard of such a pecuniary interest being declared in this Parliament, and I do not know whether such declaration should have been made.

I believe that a new Standing Order along the lines of the one recommended by Mr MacEachen, the President of the Privy Council of Canada, should be considered by us. That Standing Order is as follows—

> A Member (Senator) shall not advocate any matter or cause related to his personal, private or professional interests among Members or Senators, or among public servants, or before any Government boards or tribunals, for a fee or reward, direct or indirect.

That is a Standing Order we should consider.

I understand that when he was Premier, the present Leader of the Opposition had a dossier prepared on the financial interests of his Ministers. This is a step I applaud. It did not go all the way which

I believe is desirable, but at least it was a start. I do not know whether the present Premier is aware of the financial holdings of all the members of his Cabinet.

We should have to register annually with the Clerk the various details mentioned in my motion and the public should have access to the register. A standing committee of privilege or a similar committe should investigate all questions of conflict and advise members and the House generally of rules which should be made or changed. There is nothing so disappointing to the prurient as revelation. His interest will evaporate once he knows what is going on.

There are three ways to deal with criticism we must face from time to time. One way is to ignore it and pretend it does not exist. Another way is to howl loudly with the hounds and pretend it will not be noticed that one is a hare; in other words, scream "corruption" in accordance with popular clamour. The third and correct way is to disarm criticism by frankness. This is the method by which to put innuendo to flight. The probity of members should be put beyond doubt. Therefore a register should be compulsory. The House of Commons voted on this matter and it was maintained that if a compulsory register were not kept there would be a continuous flow of innuendos against those members who did not participate; and the whole purpose of a register is to put a stop to innuendo.

A second problem concerns the definition of an "interest". I refer once again to the question of contractually controlling an interest even if one does not own a share. Because of the problems of definition, if we had a voluntary register, it is likely there would be 51 different definitions of what is an "interest".

The overriding reason for a register to be compulsory is that the public has a right to know what factors might be influencing our decisions, and if the people are aware of those factors and are aware that, for instance, a person is a millionaire, they elect him with their eyes open. They will be aware that he has extensive shareholdings and so they can make their choice with that knowledge. At the moment people are denied this knowledge and that is the reason for my motion.

In connection with the difficulties confronting us in implementing such a scheme, I would like to quote what Sir Winston Churchill said to those charged with the responsibility of inventing Mulberry Harbour. Mr Speaker, you would be more aware of Mulberry Harbour than I would be because you were far more active in that kind of conflict than I was able to be. Sir Winston Churchill said—

> Pray, do not argue for the difficulties; the difficulties argue for themselves.

Difficulties of interpretation will be experienced and it will be hard to know where to draw the line. But these problems can be overcome.

The central issue facing us is whether our parliamentary institution is flexible enough to adapt to changing pressures and demands. If we do not show we are adaptable and are able to respond to changing conditions, demagogues may find other alternatives.

One very important change in conditions to which I have already referred is that we are all now receiving full-time salaries. No longer can we say that we must have an outside interest or we could not live. If a member receives a full-time salary and also retains an outside interest, it is up to the electors to decide whether that member is worth his hire under those conditions. It is up to the electorate, knowing the situation, to decide whether or not the member should be supported.

Mr Hartrey: Everyone knows I have an outside interest.

Mr A. R. TONKIN: This is very important. The people who voted for the member for Boulder-Dundas knew he was a lawyer. There was no hidden interest there. It was quite open. This is the whole purpose of my remarks today.

The question is whether this representative institution has the ability to reform itself. I believe the dubiety, the suspicion, and the innuendos must be dispelled. We must rise above these things and show our hands are clean and that we are above suspicion. That is why I believe this motion should be supported.

Mr BERTRAM: I second the motion.

Debate adjourned, on motion by Sir Charles Court (Premier).

LAND

Park at Reabold Hill: Motion

Debate resumed, from the 9th October, on the following motion by Mr J. T. Tonkin (Leader of the Opposition)—

> This House applauds the concept of a new park consisting of 800 acres of natural bushland to the west of Reabold Hill and urges the Government to take the necessary steps to have the area made an "A"-class reserve for such purpose.

MR RUSHTON (Dale—Minister for Urban Development and Town Planning) [5.38 p.m.]: It is my privilege to respond to this motion which was well intentioned. Its objective is to ensure that greater reserves within our metropolitan region are held for all time. I am sure all members agree with this objective.

The Government appreciates the spirit of co-operation demonstrated by the Leader of the Opposition who arranged for

members of Parliament to visit the area under discussion. In company with members of the Perth City Council we had the opportunity to gain first-hand knowledge of the area, which will help us in this debate.

Before I embark on the few remarks I wish to make, I would like to indicate the Government's intention. In due course I will move to delete all words after the word "park" in line 2 of the motion with a view to substituting the following—

> and requests the Perth City Council and the University to defer any subdivision of the undeveloped land in the proximity of Bold Park until the report of a study group has been received and considered by the State Parliament. The Perth City Council is also requested to convene a study group to examine this area in conjunction with the land within Bold Park and the contiguous University Land and make recommendations about its future use and development.
>
> For this purpose, it is recommended that the study group comprise the necessary scientific and technical expertise to deal with all aspects of flora, fauna, topography, environment, community use and enjoyment, including overall Metropolitan Regional Planning and financial considerations.
>
> It is also suggested that the State Government make available State Government officials, including Treasury and Town Planning representatives, on a basis to be mutually agreed with the Perth City Council.
>
> Further, it is requested that the result of the study be presented to Parliament with the views of Perth City Council, as soon as practicable.

Those who journeyed to the Bold Park area would agree that to make a decision without first of all obtaining and then perusing the scientific and technical data available could lead to selling ourselves short, and selling the State short. A better decision will be reached in due course if that data is examined.

I am sure all members are interested in the motion presented by the Leader of the Opposition. I have a number of copies of my proposed amendment to the motion which are available to those who are interested. I also have available a pamphlet, to which I shall refer, and I would like the Leader of the Opposition and the Premier also to have a copy of it. It concerns the Lake Joondalup proposed reserve. It is a small pamphlet and sets out the intentions of the MRPA with regard to the creation of an additional reserve. Copies are available to those members who desire to follow the motion closely.

I would be remiss, indeed, if I did not add to the appreciation expressed to the Leader of the Opposition our appreciation of the Lord Mayor (Mr Ernest Lee-Steere) for his ready co-operation. I also express appreciation to the Town Clerk, the many councillors who journeyed to the Bold Park area with us, the City Planner and the Assistant Town Planner and their staff. I am aware that many people worked during the weekend prior to our inspection in preparing the dossier which was well presented and most helpful. As a matter of fact, it contains sufficient information to make it unnecessary for me to develop my argument at length. Considerable background has been provided.

I would add that I have visited the area concerned on many occasions. In my early days I attended a school not far from Bold Park and I was involved in many cross-country runs on the very piece of ground now under discussion. I have on many occasions blessed the sandy nature of those hills. In more recent times I have visited the park and the reserve to observe and assess the general nature of the area.

If we were to be frank with ourselves we would agree that many people view the area differently. Some would say that it should be retained as a bush reserve while others would concede that there was room for some subdivision, certainly on the seaward side of the reserve where the area is not quite as attractive as it is on the eastern side.

It will be acknowledged that the City of Perth has already contributed greatly to the well-being of the area, and those who visited it would have observed the work already done. I think members would also acknowledge that there is room for further thought with regard to the development of the area.

We owe a debt of gratitude to the Premier and his staff, who did most of the coordination with the City Council with regard to our inspection. In voicing my appreciation I would include my own staff, and the MRPA who have provided me with information related to the project. It is also important to mention that the MRPA has done much work in providing reserves over the last few years, and I will touch briefly on that matter while replying to the comments made by the Leader of the Opposition during his presentation of the motion.

The Leader of the Opposition mentioned the area of 800 acres of natural bushland, and there was some conjecture as to the exact area of land. However, I think the intention of the Leader of the Opposition was that the whole of the bushland site should be set aside for the future. I do not think there is any need for this House to debate the acreage involved; it is the area which we observed, and we can accept that as the area in question.

The Leader of the Opposition pointed out the need for the area to be made a Class "A" reserve. The intention, of course is to protect the area for all time and this

matter will receive consideration when we review all the information obtained from the research which we have recommended. The Leader of the Opposition also said he was hopeful that his motion would influence Perth City councillors in their decisions and I think it can be agreed that the motion has had that effect already. Bold Park has attracted considerable attention subsequent to the introduction of the motion.

As the Leader of the Opposition said, there is greater recognition now than there has been in the past that open space is an essential element of urban life. This leads me to the work by our planners in the provision of open space. During the years from 1959 to 1974, 23 490 acres have been purchased, or are in the course of being purchased, for open space. Each year we are setting aside areas larger than King's Park. A total of 12 890 acres have already been acquired, and 6 600 acres still have to be acquired. Notice has been given concerning 4 000 acres at Lake Joondalup. The pamphlet which I have made available provides information with regard to that area.

We have to be appreciative of the efforts of our planners, and the MRPA—and the various Governments—because although all the land has not yet been acquired it will be available in the future.

It is interesting to note where the 12 890 acres have been acquired: the Swan River foreshore 163 hectares, the Canning River foreshore including the Southern River 99 hectares, White Lakes in the Rockingham area 1 429 hectares, Lake Gwelup 56 hectares, Dianella 41 hectares, Bibra Lake 285 hectares, Lake Carine 107 hectares, throughout the escarpment 2 200 hectares, and other smaller allotments totalling 832 hectares. There are other areas with which I am not acquainted, totalling 2 640 hectares, or about 6 600 acres, in the metropolitan region, and an area of 4 000 acres at Lake Joondalup which is at present under consideration by the MRPA. This is a good effort on behalf of the people we represent throughout the State, ensuring that a good supply of land is available on a regional basis.

In addition, town planning schemes in the council areas are providing not only the 10 per cent but also other land, and when we look at the situation in depth we find an ever-growing amount of reserve land.

This does not take away from the intention of the motion. I want it to be known that efforts are continually being made, and other plans are coming through the pipeline for the provision of reserves on a regional basis. As areas are opened up, at least 10 per cent of each subdivision is being set aside as reserve land.

We must also acknowledge the difficulties in achieving what we set out to achieve. The member for Morley mentioned the Whitfords area, into which research is being undertaken at the present time. Governments have agreed to the concept and it is difficult to change the decision in midstream. However, considerable thought is being given to it.

We must find a way to manage the coastal area and prevent people from destroying it. We can set aside large areas of land and try to keep the nature strips and the natural appearance, but for all our good intentions the areas can be destroyed by people who visit them. This emphasises the need for the motion now before us.

The member for Rockingham will be aware of the sand dune country in his electorate. A study of what should be done there has been continuing for quite a period. I have had discussions on this matter when visiting Rockingham and I hope it will not be long before we reach a solution.

Wherever we go and whatever we do, we have the conflict between nature and man. When one visits the natural areas at Bold Park one can observe the destruction of the natural growth through making them freely available to the public, with the vehicles they ride and the articles they take with them. We would all agree that except for some small clumps of trees the vegetation on the coastal slopes has deteriorated a great deal since the time we went there as children. We are delighted at the retention of so much vegetation on the eastern slopes. On our visit to the area we walked down to Camel Lake, which I think members will agree would be a delightful place for a picnic at any time.

I hope members will take a very broad view of the amendment I am proposing and accept it. It is the Government's intention to convey the motion to the Lord Mayor so that the Perth City Council will know what our recommendations are. Having the responsibility of the Local Government portfolio, I do not wish to intrude upon the autonomy of local authorities. The motion is put forward in a spirit of co-operation and with the intention of giving a guide to the Perth City Council, rather than imposing our wishes upon it. I am sure the mover of the original motion will agree that the amendment I propose accords with the spirit of his motion.

The Leader of the Opposition referred to the acquisition of Wireless Hill, and I note from reference to the regional plan that it has not yet been included as a reserve. It is still designated as Commonwealth land, and an amendment must be made. The Commonwealth owned the piece of land on Wireless Hill, which was zoned for Commonwealth purposes. It did not have the high zoning which Bold Park has. As the land at Bold Park zoned urban has extra value because of

its rezoning, it must be acquired in a different manner. The proposal put forward by the Leader of the Opposition would mean the Perth City Council would have to make a larger contribution in one area than in another. I think the Leader of the Opposition is hoping the council will take a broad view of the proposal. However, the situation in regard to the Wireless Hill project was different from that in regard to Bold Park.

I mentioned the other reserves simply to demonstrate that the State, the Metropolitan Region Planning Authority, and local authorities must be mindful of the priorities they set. For instance, Lake Joondalup is of growing importance to the people in that area, and if we were to commit $15 million to the Bold Park exercise we might lose opportunities to obtain a broad package of reserves in other desirable areas.

So it makes me somewhat hopeful that this assembly of members will agree to the amendment I am proposing. I would like to refer to the different aspects of my proposal. Members will recall that the University of Western Australia owns a piece of land contiguous with this park. We will ask the Perth City Council and the university to accept our recommendation. We have not included the portion of land owned by the university in the original motion, but it is obvious that if the Perth City Council is to be asked to contribute by way of review, the university should also be asked to do the same. I trust the university will receive our request in the same spirit as that displayed by the Perth City Council. We have asked the council to defer subdivision while this negotiation takes place. We are mindful of the fact that the council has other land available to it nearby which it can subdivide.

We are not directing the council but we are asking it to defer subdivision of the undeveloped land in the proximity of Bold Park until the report of the study group has been received. I hope I have shown that there is a need for further study. The future of this land is not easy to predict. I have referred to the nodal problems along the Whitfords coastal area to show how difficult loose sand on the coastal plains can be. It is very difficult to hold this land in a natural state. If this land is to remain bushland, we will need to manage it in such a way as to bring back some of its previous natural beauty. Obviously it has been allowed to deteriorate. Fires have clearly occurred, and members who live nearby would know what damage has occurred in past years.

From observation we must agree that much has to be done if this park is to be restored to the natural bushland that we, as Australians and Western Australians, have the birthright to enjoy. I am speaking purely to the amendment, and I suggest that we ask the Perth City Council and the university to defer development of the piece of land I have delineated here as Bold Park and the contiguous university land along Stephenson Avenue.

We are asking that a study group be set up to research the idea put forward for a natural bushland park or an alternative. I suggest that this study group should comprise scientific and technical experts to advise on such things as flora, fauna, topography, the environment, and possible community use of the park. Subject to the wish and approval of the Perth City Council and also the university, if university land is involved, this study group would include officials from the Treasury and the Town Planning Department and others with the special knowledge required. This issue is vital to all of us.

At a later stage I would like to present to members a full review of the operations of my department in relation to the provision of parks and the work of the MRPA. When I refer to my department, I mean the Town Planning Department acting on behalf of the Government of the day.

I happen to live in the hills and I know that the acquisition of the escarpment has meant much to people in the hills areas. The bushland backdrop to our city is appreciated by all of us who can view it. It is obvious to me that with the co-operation of the Leader of the Opposition, and I trust, the support of members of his party as well as members on this side of the House, we will accept the intent of the proposition to seek the co-operation of the Perth City Council and the university. We are aware that the Perth City Council has a major responsibility in matters of this kind, and I have indicated already that we will communicate with the Lord Mayor and the council to seek their reply to my recommendation. I hope in due course I will have an opportunity to present a little more detail about other related activities.

I would like when the opportunity arises to present to the House a little more detail of what Governments and the MRPA have achieved. In the meantime, of course, the Government's intentions have been conveyed to the House. I would hope in due course when I do move a motion in this respect it will receive the support of the House.

Mr Speaker, I ask your indulgence and seek leave to continue my remarks at a future sitting.

The SPEAKER: The Minister has asked leave of the House to continue his remarks at the next sitting. If there is a dissentient voice, leave will not be granted. As there is no dissentient voice, leave is granted.

Debate thus adjourned.

The SPEAKER: Despite the possibility of incurring the displeasure of the House, I will leave the Chair until 7.30 p.m.!

Sitting suspended from 6.09 to 7.30 p.m.

FACTORIES AND SHOPS ACT AMENDMENT BILL

Returned

Bill returned from the Council with amendments.

PAINTERS' REGISTRATION ACT AMENDMENT BILL

Second Reading

MR O'NEIL (East Melville—Minister for Works) [7.34 p.m.]: I move—

That the Bill be now read a second time.

The Bill now before members is to amend the Painters' Registration Act, 1961-1970, to correct a number of anomalies which have become apparent in recent years and to provide the Minister with a greater degree of flexibility in the setting of registration and examination fees.

I think it is fair to say that when the Act was placed on the Statute book, it was on the basis that the cost of administration would not be a charge against general revenue. To enable the necessary funds to be raised, the Act provided for an annual registration fee and there were fees payable by candidates sitting for examinations. The board was entitled to retain against expenses, penalties which were payable under the provisions of the Act. The original registration fee was a sum not exceeding $14.70, while the amount authorised to be charged for examination papers was $6.30.

Up till recently these charges and fees were sufficient to permit the board to obtain sufficient revenue to meet expenditure with something in reserve. However, escalating costs in the last two or three years have placed the board in a position where it is running at a loss with no power to increase the present maximum fees, and by the end of this year it is expected that all its reserves, which were once in the order of $8 000, will have been exhausted.

To avoid this situation developing again in the future, it is proposed to prescribe the registration fee and the fee for examinations by regulation. This will enable the board to put forward from time to time recommendations to amend the scale of charges so that a state of balance is maintained without the necessity to submit an amending Bill to Parliament. Members may be assured that the fees in the future will not be raised unnecessarily. Any increase will be on the basis that additional revenue is required to enable the board to meet its outgoings.

A further anomaly was that the Act implied that any person who had completed a five-year apprenticeship was entitled to be registered without further examination. The board submitted to me that in the interests of the public it was desirable that painters obtaining registration under the Act had additional qualifications to those gained through serving their apprenticeship.

Therefore, under the amendment set out in clause 4, it is proposed progressively to introduce a number of subjects which a person seeking registration must pass. The subjects proposed by the board cover basic accountancy, costing, and modern paint technology. I feel confident that all members will agree that it is in the interests of any young tradesman desiring to set himself up in business as a master painter to have a knowledge of these subjects to increase his capacity to carry out work of a high standard and to lessen the possibility of becoming bankrupt.

A further amendment is to strengthen the Act in regard to dummying. The board has advised me that there have been cases where a person holding the registration on behalf of a painting company occupies a position which has no greater authority than that of a foreman. This is unsatisfactory and not in accordance with the intent of the Act. What it means is that the person with the knowledge and skill which would ensure a satisfactory job has to take direction as to the quality of the workmanship and the materials being used.

Experience has shown that it is difficult to control dummying, but by amending section 14(b) by increasing the penalty from $100 to $400 and requiring any employee of a partnership or company who is registered under the Act to be responsible for the standards of workmanship and materials employed in the painting, it is hoped that there will be an improvement in the present unsatisfactory state of affairs.

Associated with this amendment the Bill contains a provision that the board may, on complaint, conduct an inquiry where a registered painter being a partnership or company has failed to comply with any of the provisions of section 14(b).

Another new provision introduced by this Bill, clause 8, is the granting of the right to enter premises to inspect painting. No right of entry was included in the Act when it was originally passed and over the years the inspectors of the board have been frustrated by those who are aware of this refusing them the right to inspect painting being carried out on private property. This amendment will overcome this legal technicality which is resorted to only by those people attempting to avoid their obligations and the requirements of the Act. This new provision provides that a person obstructing an inspector or other authorised person can be fined a maximum of $40.

Clause 9 of the Bill tidies up the question of fees payable for registration. The Act as at present drafted requires the applicant to pay the sum of $4.20. Under the amendment contained in clause 3, the

application fee will be prescribed by regulation. The Act provides that when the application is accepted, there shall be payable a proportional amount of the annual registration fee commensurate with the unexpired period of the registration year which expires on the 31st day of January each year. It is now proposed that on registration an applicant shall pay a full year's fee as prescribed by the regulations irrespective of the time of the year when application for registration is made.

A further amendment, clause 10, provides that where a company or other body corporate is convicted of an offence the directors or members of the governing authority of the company or body corporate or an officer concerned in the management who authorised or committed the offence are also guilty. Furthermore, provided the person is given reasonable notice by the complainant, the person can be convicted before a court.

This provision is designed to overcome the problem of companies with minimal capital deciding to cease to carry on business when they are convicted of an offence in order to avoid paying the fine. If the directors or other responsible persons are also convicted, it will be possible to recover the penalty irrespective of the fate of the company.

Members will also note that clause 2 of the Bill provides that the amendments shall come into operation on a date fixed by proclamation and that there could be a variation between different sections. The purpose of introducing this flexibility is to enable those provisions dealing with the revenue of the board to be proclaimed as soon as practicable to ensure that the new scale of fees operates when the new registration year commences on the 1st February in order that the board may balance its budget in its forthcoming financial year. I commend the Bill to the House.

Debate adjourned, on motion by Mr T. H. Jones.

WHEAT INDUSTRY STABILIZATION BILL

Second Reading

MR McPHARLIN (Mt. Marshall—Minister for Agriculture) [7.41 p.m.]: I move—

> That the Bill be now read a second time.

The purpose of this Bill is to make provision for the new wheat stabilization arrangements which are to operate for the period the 1st October, 1974, until the 31st October, 1979.

There is a long history of wheat stabilization in Australia going back to the introduction of the first scheme in 1947, coupled with the establishment of the Australian Wheat Board to carry on from the board established under emergency regulations during wartime.

The features of the wheat legislation have been the total acquisition of the Australian crop by the Australian Wheat Board, its marketing by this single Australian marketing board, the guaranteeing of a minimum export price for a fixed amount of wheat—200 million bushels for the 1968-1973 scheme—and the fixing of a home consumption price.

Stabilization has been achieved through the establishment of a trust fund to which farmers contributed when the actual export price exceeded the guaranteed price. In the periods that the actual export price was below the guaranteed price, payments were made into the pool from the trust fund. In the event of there being no funds in the trust fund the shortfall with respect to the guaranteed price has been made up without limitation by the Federal Treasurer.

Initially the guaranteed price was based on the estimated cost of production contained in the Bureau of Agricultural Economics' survey carried out throughout the Australian wheat-growing areas over a period of years. In order to reduce the cost of production and the consequent Government commitment, the yield divisor —the estimated average areas yield—was increased in 1963 to reduce the estimated costs of production. At that time the increase in the yield divisor could be supported by Commonwealth statistics.

In 1968 the concept of calculating the guaranteed price from the estimated cost of production was abandoned and the guaranteed price was modified only after the first year of the agreement on the basis of movements in cash cost associated with the production and marketing of wheat to the point of delivery at port. The so-called imputed costs of interest on capital invested and the owner-operator allowance were not scaled upwards as had been done previously.

Despite these changes, the basic concept of a guaranteed export price on a fixed quantity of wheat, coupled with the home consumption price, was retained. To obtain the home consumption price, a fixed amount was added to the guaranteed price. In 1968-1973 this amount was 25c a bushel.

There have been major changes in the legislation now presented for approval. These have been well publicised in the Press and have been the subject of considerable concern within the industry and within this Government.

The major change has been that the concept of the guaranteed price has been abandoned. Instead, an export price—which is the sliding average of previous export prices and the current export price —is established according to the formula

shown in clause 29(5) of the Commonwealth Wheat Stabilization Plan, and this is called the stabilization price.

In effect, this formula establishes that the stabilization price for the current year will be equal to the stabilization price for the previous season, plus one-quarter of the difference between the average export price for the current season and one-half of the sum of the average export price for the season immediately preceding the current season and the stabilization price for the immediately preceding season.

This stabilization price will apply to all wheat exported from Australia.

While broadly similar provisions exist for payments by growers into the trust fund and for payments out of that reserve fund, there is imposed a financial limit of $30 million in any one year, or 15c a bushel, whichever is the lesser, of payments either into or out of the reserve fund.

The Federal Government, for its part, has agreed only to refund any deficit in the reserve fund up to a total of $80 million, provided always that, should there be a shortfall during the period of the stabilization scheme which requires a Commonwealth pay-in followed by a sharp rise requiring a farmer pay-in, the first charge against the funds paid in by the growers will be to offset the amount of the Commonwealth Government's contribution. This is the so-called mid-term repayment provision.

The Federal Government has agreed that it will meet any deficit in the fund only at the end of the stabilization period, but I repeat that this obligation is limited to $80 million.

The current situation is that, as a result of very favourable prices in 1973-74 which are expected to continue through 1974-75, the wheatgrowers of Australia have already contributed some $45 million to this fund and can anticipate contributing a further $30 million during the present year.

The fund will therefore, at the end of the first year, be some $75 million in credit with a limitation on the pay-outs from the fund of $30 million in any particular year. The funds which will be available at the end of the first year will cover the total pay-out for a further 2½ years with a maximum Commonwealth contribution to any deficit of a further 1½ years, amounting to a possible total of $45 million.

It seems unlikely, in view of the present wheat situation, that even this amount of the Commonwealth pay-out will be required. It is for this reason that this scheme has been called an equalisation rather than a stabilization scheme.

Another major provision which has been subject to negotiation between the Australian Wheat Growers' Federation and the board is the extent of the direction by the Federal Minister.

For some years the Federal Act has provided that the Minister may direct the board, but, as a result of a direction given to the board during the most recent hostilities between Egypt and Israel, the Australian Wheat Growers' Federation has required the Government to underwrite the extent of losses incurred by any agreement made on non-commercial terms at the direction of the Minister. This provision is not repeated in the State Bill before the House as it does not relate to action within the State.

The other area of substantial concern is in the home consumption price. The Government has made a provision in its agreement to the stabilization plan that the home consumption price commencing on the 1st December, 1974, be $70.41 a tonne plus such increases or decreases, if any, that are made in the price by the Federal Minister for Agriculture, after consultation with the relevant State Ministers, to allow for changes in prices of wages or rates or charges payable with respect to the production, transport, and lien or storage of wheat.

There is no provision within these adjustments for a change in the owner-operator allowances and this has been a matter of representation to the Federal Minister on behalf of wheatgrowers. To date, the only undertaking the Federal Minister has given is that he will give consideration to this matter when determining the home consumption price for the year commencing the 1st December, 1975, and subsequently.

Could I now just turn to the constitutional position? Firstly, it is true to say the extent to which constitutional power rests with either the State or the Federal Government in this area is not particularly clear. For this reason it has been the practice for Australian wheat marketing legislation to have mirror provisions in both the Commonwealth and State legislation. There are two aspects which I would, however, particularly like to point out.

In the first instance, the wheat is acquired by the Australian Wheat Board in Western Australia under powers vested in the Australian Wheat Board by the State legislation. It follows that the sale of this wheat is controlled under the State legislation. It would, therefore, be appropriate for the State Minister and not the Federal Minister to fix the home consumption price for wheat.

In the interests of a uniform stabilization plan, State Ministers have agreed to the provisions of clause 21 in this Bill. If, however, difficulty is experienced in negotiating what is considered to be a satisfactory home consumption price for wheat in future years the vesting of this power in the Federal Minister will have to be re-examined by the State Government.

In the same way the sale of wheat by producers in Western Australia to an overseas country is effectively controlled by powers vested in the board by the State legislation. In the event of a situation arising in which it is considered that undue direction to the detriment of wheatgrowers in Western Australia is being given to the board by the Federal Minister, the State could amend the legislation to require the Federal Minister to obtain the approval of the State Minister prior to authorising such a sale. This position will be carefully watched.

These are the major aspects which make this Bill differ from other wheat stabilization Bills which have been before this House in previous years. I will now turn to some of the less significant changes which have been made and, in doing so, will also refer to changes in the wheat quota legislation which are consequent on changes in the stabilization arrangements—

(1) The definition of "wheat products" has been changed from the 1968 legislation. This definition has been widened in order to increase the scope of the board to deal with infringements of the legislation.

(2) Subsections 14(1)(a) and (b) have been modified to give the board more control over wheat being delivered to it. As part of these changes, subsections 14(2)(a) and 14(2)(b) have been included. With the change of the Act and omission of the guaranteed price, there has also been some change in the penalties associated with these unauthorised dealings in wheat. The previous penalty was a penalty of three times the guaranteed price of wheat per bushel, whereas the penalty in this case is a flat rate of approximately $5.50 a bushel.

(3) The authorisation of a police officer to enter premises is identical with the provisions of the 1968 legislation, although it does differ from the model legislation which was submitted by the Commonwealth draftsman. It is considered that the State legislation is more effective in this field.

Some complementary amendments to the Wheat Delivery Quotas Act are also necessary to complete the arrangements for the scheme. I commend the Bill to members.

Mr J. T. Tonkin: Would you please explain the necessity for the retrospectivity that is in the Bill? You are making this Bill retrospective to the 1st October last.

Mr McPHARLIN: That is the date of the termination of the previous legislation; it ended on the 1st October.

Debate adjourned, on motion by Mr H. D. Evans.

WHEAT DELIVERY QUOTAS ACT AMENDMENT BILL

Second Reading

MR McPHARLIN (Mt. Marshall—Minister for Agriculture) [7.56 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to make certain alterations to the Wheat Delivery Quotas Act, 1969-1973, most of which are consequential upon the Bill I have just introduced dealing with wheat industry stabilization.

The other alterations are—

(a) The power of the State to declare a nonquota year in a year in which there is a quota year declared under the Commonwealth legislation has been removed because it is considered that, under such circumstances, there is no alternative for the State but for the quota provisions to be abided by. Experience in 1973-74 and 1974-75 confirms this.

(b) A new provision is included in the legislation to permit the Wheat Quota Committee, if required by the Minister, to maintain records in periods when wheat quotas do not apply. Considerable effort has been devoted to the establishment of wheat quotas, and it seems desirable until the precise effect of removal of quotas at this time on depressed meat and wool prices has been determined for the records to be maintained. The option rests with the Minister to require the quota committee to take this action or not.

I commend the Bill to the House.

Debate adjourned, on motion by Mr H. D. Evans.

WHEAT INDUSTRY STABILIZATION BILL

Message: Appropriations

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

PHOSPHATE CO-OPERATIVE (W.A.) LTD. BILL

Second Reading

MR O'NEIL (East Melville—Minister for Works) [7.58 p.m.]: I move—

That the Bill be now read a second time.

On the 16th October, 1973, Phosphate Co-Operative (W.A.) Ltd. was incorporated under the Companies (Co-operative) Act, 1943-1959, with the principal object of establishing within the Shire of Merredin a modern fertiliser works and chemical manufacturing plant.

On the 11th March, 1974, a duly registered prospectus was issued seeking subscriptions for shares in the company. Subscriptions were sought only from persons commercially engaged in the production and sale of wheat and other cereals who undertook, at the time of application, to make future purchases from the company of superphosphate manufactured by the plant intended to be built by the company.

Prior to issuing its prospectus the company had obtained a feasibility study to establish the capital and operating costs associated with the proposed fertiliser manufacturing plant, and the directors had also obtained some undertakings from the Government concerning the guaranteeing of borrowings by the company of moneys necessary to complete the establishment of the plant.

By the terms of its prospectus the company was obliged to attract applications for shares to the value of $1 499 750 before any allotment of shares could take place. If this amount was not raised, the prospectus failed. The Companies (Co-operative) Act specifies a maximum period of four months from the date of issue of a prospectus within which the particular minimum subscription must be attained, so that in this case the minimum subscription of the amount I have mentioned was required to be raised not later than the 11th July, 1974.

The company failed to attain its minimum subscription within this time. Whenever a co-operative company fails to achieve a minimum subscription pursuant to a prospectus the directors are required to repay all application moneys to the individual applicants forthwith.

Shortly after it was ascertained that the company had not raised the minimum subscription the directors approached the Government with a view to seeking, perhaps an extension of time for obtaining the minimum subscription, or for such other appropriate action that could be taken to give the directors a further opportunity to get the project going.

The company had received applications for $1.1 million in share capital and pledges for 110 000 tons of superphosphate, and thus it was obvious to the Government that the company's proposal had very substantial support from the farming community to which it was presented, and the Government was accordingly anxious to take any reasonable measures to further assist the directors with the proposal.

It does appear, however, that the capital and operating costs specified in the first prospectus are almost certain to require revision, even if only because of increases in costs attributable to the efflux-ion of time, and it was therefore considered that the original prospectus should not be merely extended, for to do so would be misleading to further prospective applicants.

The Government was also anxious to ensure that applicants for shares on the basis of the prospectus issued in March, 1974, should not be locked in for any period, and that they should be able to obtain the return of their application moneys if they so wished.

This Bill therefore proposes that the directors shall pay to the Treasurer within 14 days of its passage all application moneys received in response to the first prospectus, and that the directors shall further supply to the Registrar of Companies the original forms of applications for shares so that copies thereof may be made and given to the Treasurer to identify the individuals on whose behalf he is holding moneys. As mentioned before, any applicant may at any time by writing to the Treasurer, obtain the repayment to him of his original application moneys, together with any interest earned thereon while those moneys are invested by the Treasurer.

The directors are to be given until the 1st July, 1975, to prepare, have registered, and issue a new prospectus, and while that period of time may appear at first sight to be rather lengthy, it is to be remembered that it is, first of all, a maximum period, and secondly, that the capital and operating costs of the venture will have to be re-estimated, both for the purpose of inclusion in the second prospectus and for the purpose of the company's being able to approach the Government again with a view to obtaining guarantees similar to those offered by the Government prior to the issue of the first prospectus.

If a second prospectus is issued prior to the 1st July, 1975, the directors will have six months in which to seek to attain the minimum subscription set out in the second prospectus. That is an extension of two months beyond the ordinary time, but it is, in my view, a reasonable extension having regard for the fact that the directors are not only seeking mere applications for shares, but they are also seeking an undertaking to purchase superphosphate from the company.

In the event that a second prospectus is not issued prior to the 1st July, 1975, or in the event that the company fails to achieve a minimum subscription in response to a second prospectus, the Treasurer is directed by the Bill to repay all application moneys subscribed in response to the first prospectus. The Treasurer is under the same obligation should the directors inform him on or before the 1st July, 1975, that they do not intend to proceed with the issue of a second prospectus. A person who applied for shares pursuant to the first prospectus and who wishes to make similar application in response to the second prospectus

will be able, under the Bill, to direct the Treasurer to pay out his original application moneys to the company by way of application moneys for a second application. Such a person will be paid direct by the Treasurer any interest earned on those moneys while in the hands of the Treasurer.

Although the Bill is in a sense an unusual one modifying the application of the general provision of company law to co-operative companies, it is nevertheless felt to be a reasonable and desirable measure in the particular circumstances of this case. I emphasise that any person who applied for shares pursuant to the prospectus issued in March, 1974, will be able, at any time, to obtain the repayment of his moneys and interest thereon merely by writing to the Treasurer, and the Treasurer must give effect to every such request. The other factor which is relevant is that this is not an instance where applications for shares have been sought from the community at large, but, rather, only from persons engaged in cereal growing, and even then, only if they are prepared to undertake to purchase superphosphate from the company.

I commend the Bill to members.

Debate adjourned, on motion by Mr Bertram.

SMALL CLAIMS TRIBUNALS BILL

Second Reading

Debate resumed from the 31st October.

MR BERTRAM (Mt. Hawthorn) [8.06 p.m.]: Those on this side of the House are as anxious as anyone else to have a tribunal, called a small claims tribunal, if that is preferred, to be established as quickly as possible. However, it so happens that of about four or five Bills with which I have to deal, having taken the adjournment of the debate in each case, this Bill was the last dealt with, but it is first on the notice paper today while the others are further down.

Therefore at the outset I would ask the Minister whether he would defer for a little time the Committee stage of the Bill so that we on this side of the House might give more detailed study to the measure than we have thus far been able to give it, for a number of reasons, not including negligence on our part, but including the fact that we are having difficulty in obtaining comparable Bills and other material.

It is true that the House did not sit for one week, but during that week we had a number of other obligations and commitments. So I hope the Government will give us a little extra time before the Bill is dealt with in Committee.

At the time of the adjournment of the House last night, or early this morning, I would not have had the temerity to suggest such a proposition, but today into my possession has come a document entitled *The Federal Platform of the Liberal Party of Australia* and, on page 9, among other things, is the following—

> The Liberal Party therefore believes that—
>
> (1) Members of Parliament should possess appropriate qualities, experience, dedication and ability with a proper understanding of the parliamentary system and a respect for its traditions and functions. They are responsible to their electors and should not be subject to direction by persons or organisations either inside or outside the Parliament.

During the course of proceedings here last night, there was ample manifestation that members of the Liberal Party were not aware of that provision.

The SPEAKER: Are you relating this to the Bill before the House?

Mr O'Neil: With great difficulty.

Mr BERTRAM: Yes. I am indicating that I would like the Government to give the Opposition an opportunity to study this Bill further after we have dealt with the second reading and before it proceeds into Committee.

Mr Clarko: Are you planning to become Liberal members of Parliament?

Mr BERTRAM: I was simply drawing the attention of members of the Government to that provision of the platform because I have come to the conclusion that they are not aware of it.

Sir Charles Court: That is a very basic provision in our philosophy.

Mr BERTRAM: From what I gathered from comments I actually heard and things I saw—that is, direct evidence—during the campaign for the last State election I understand that members of the populace have grave doubts about the credibility of the present Government, then the Opposition. I wonder what they think of it now.

I will link it up this way: we are debating a Bill to establish a small claims tribunal. A few short days ago we had before us the Appropriation Bill (Consolidated Revenue Fund) when the Government had an opportunity to do something about banishing this terrible socialism once and for all. However, the Government did nothing whatsoever to excise from expenditure any item which was "tainted" with socialism or, in fact, which was socialistic.

Hard on the heels of the Budget debate, only a few days ago, we heard this Government, which has said it is so opposed to socialism and matters in any way "tainted" with socialism, announcing its intentions to extend the operations of the Government Printing Office. The Government intended to buy a large area of land

for that purpose—a classic socialistic enterprise being embarked upon by this Government.

We now have this Bill before us which has a very real and significant content of socialism within it. I will also indicate some examples to justify that statement. First of all, the Bill appears—and I think it does to a limited extent—to place people before profit. In fact, it will establish a people's court for the first time in this State. It will place people before practice and procedure, such as we encounter in the traditional law courts, because it seeks to break away from tradition completely so far as this State is concerned—not so far as other parts of the world are concerned. The Bill has a very real humanitarian content.

The setting up of a small claims tribunal—not necessarily in the style now before us—was the aim of the Tonkin socialist Government, as it was called by the opponents of Labor during the last State election. Furthermore, I think it may well be true to say, although I am not dogmatic on this, that the first type of small claims tribunal ever to get off the ground anywhere in the world may have been in the Scandinavian countries which have some reputation for leadership in the socialist line of activity.

The proposition now under discussion seeks to inject more justice into our law. Our party has been doing that, and came into existence for that very purpose—another ingredient to justify the assertion that this measure is very heavily orientated towards socialism and the socialistic philosophy. The Bill will introduce justice which is currently out of reach of many people for the reasons which, if I get an opportunity, I will spell out. Justice will be brought within reach of the community but, perhaps more particularly, within reach of the people we on this side of the House represent.

Further justification for my statement that the Bill has a socialistic content is the fact it happens to be thoroughly consistent with much of what the Australian Government is doing. The Australian Government, quite perceptibly, is taking steps to remove unnecessary burdens on the people of Australia.

Mr Nanovich: To remove, or ruin?

Mr BERTRAM: Remove; is the member opposite not aware of the legislation? The Australian Government is taking steps to remove unnecessary costs which have been carried by the populace of Australia for many years. It may be asked: Where is this being manifested? I will give some indications. Firstly, I will refer to the Bill dealing with family law currently before the Australian Parliament, which will mean a saving of millions of dollars to the Australian people. If that Bill becomes law, and looking at the Liberal Party platform it seems that it has a 50-50 chance, it will remove the extraordinary situation where when married couples have a difference, and their marriages break down, they will no longer be required to fight one another which, I suppose, is a manifestation of competition.

Sir Charles Court: That can be taken too far, of course.

Mr BERTRAM: Mature people can understand and comprehend and acknowledge that there is room for a difference of opinion. It does not mean that either party is wrong; it means that they are human beings who do not agree. So, in an adult manner, they will be able to resolve their differences short of fighting one another at great expense to themselves, and to the detriment of the offspring in such a case.

Sir Charles Court: I hope the honourable member is not in favour of divorce on demand.

Mr BERTRAM: A further example of the efforts of the Australian Government to remove the burden on the Australian people is the national compensation Bill of 1974. If that Bill becomes law members can imagine the amount of money which will be saved by ordinary Australian people. That has proved to be the case in New Zealand and the same could easily apply here. I have now given two examples.

As I have said, this measure introduces the very type of assistance which we would have introduced had we still been the Government. In fact, we were obliged by our policy speech to set up a tribunal, not necessarily titled "tribunal". However, it would do the same job and names are irrelevant.

Paradoxically, whilst the measure has been introduced by a Conservative Government, which is surprising but as we proceed we will comprehend the reasons for its introduction, a spokesman for its counterpart in the United Kingdom—that is to say, the Heath Government—on the 9th February, 1973, despite a good deal of pressure, said the Government was opposed to the creation of courts where consumers could lay complaints against traders. Sir Geoffrey Howe, QC, then Minister for Trade and Consumer Affairs at Salford, Lancashire, made that statement.

So, it is a paradox that this Bill has been introduced by a Government of the present complexion which, in a sense, is completely unpredictable but understandable because there was an election to be won. What does it matter if a few principles were tossed out of the window in order to win the 1974 election?

Sir Charles Court: Did not the Liberal Government pioneer legal aid in this State, and did it not set up a system better than anything else in Australia?

Mr BERTRAM: I will not enter into that discussion at this stage.

Sir Charles Court: It was ahead of the Commonwealth.

Mr BERTRAM: These things have come belatedly.

Sir Charles Court: The honourable member seems to forget those things.

Mr BERTRAM: I say the bulk of the blame rests on the conservative Liberal Party, aided and abetted by the National Alliance, for this measure being long overdue.

Sir Charles Court: We pioneered it.

Mr BERTRAM: I am speaking about this Bill.

The SPEAKER: I think it would be a good idea if you did.

Mr BERTRAM: It is a long overdue measure. Later in the debate perhaps we will hear words we are accustomed to hearing, such as, "This shows initiative and leadership by the Government." But there is no leadership in this Bill at all. A Bill of the same name was introduced in Queensland in 1973.

Mr Grayden: That contradicts what you said earlier, does it not? There is similar legislation in New South Wales and Victoria also—three Liberal States.

Mr BERTRAM: No leadership is given with this Bill because the pathfinding has been done in other States.

Mr Grayden: You know perfectly well it was the Government's policy, as announced during the election campaign.

Mr BERTRAM: I have conceded that.

Mr T. D. Evans: It was also announced in our policy.

Mr BERTRAM: Of course it was. This was a little bit of vote-catching.

Mr Clarko: It worked, did it not?

Mr BERTRAM: Not in the metropolitan area, where the Liberal Party was butchered.

Similar legislation was introduced in New South Wales in 1974. So as I see it at a very quick glance, because of the short time available, the Bill is almost a copy of the other Acts, particularly the Victorian one. The other States have had experience of the operation of the legislation.

Mr Grayden: We will apply that experience. It is a combination of the best in all the legislation.

Mr BERTRAM: We on this side therefore take the view that if the Government were so keen about protecting the little people in minor litigation it would now be venturing forth into a wider area than the very limited and restricted area which is so carefully delineated in the Bill. The Bill has to do with people who are consumers on the one hand and traders on the other. It appears to go out of its way to ensure that certain people do not come within its ambit. For example, it seems to me that the activities or contractual relations between consumers and architects, chiropractors, physiotherapists, lawyers, and doctors are not embraced by the Bill. In the absence of any good reason for it, one wonders why that is so. However, instead of that actually being said in so many words in the Bill, we have clause 4 (2) which puts together a lot of words for the reading of which the ordinary consumer would be no better off, and he would not know what it was all about.

The Bill is designed to set up a people's court for the little people in order to save them the expense, time, difficulty, and everything else that goes with conventional litigation. It is therefore incumbent upon this Parliament to ensure that those consumers can pick up the measure and understand it so that they do not then have to go to a lawyer to find out whether they have entree to the tribunal which is to be set up. I am by no means convinced that subclause (2) of clause 4 is properly worded, having regard for the need for laymen to understand it.

It must be remembered that, amongst other things, the object of the Bill is to keep lawyers—and agents, for that matter—out of the tribunal. The idea is to enable competing parties to resolve their differences in person. There should be no desire to complicate the Bill or the wording of it. I believe the subclause to which I have referred can be vastly improved for a number of reasons, not the least of which is the need for people to be able to understand clearly when they have entree to the tribunal. It is all very well to enable people to go to the tribunal without a lawyer, but it is not reasonable that people should have to go to a lawyer to find out whether they are eligible to approach the tribunal in the first place.

In his second reading speech the Minister said the Bill contains an express provision to allow the tribunal—which will be a single referee—to take any evidence without being confined to the rules of evidence. That is meritorious. But I understood the Minister to go on to say the tribunal would have to make determinations according to law. To that extent the Government has elected to follow the policy in the Victorian law rather than that in the Queensland law. As we on this side see the position at this time, we would prefer the Queensland approach which enables the referee not to be tied up with the law at all but to exercise common sense, fairness, and equity in resolving the questions which come before him.

Mr Grayden: That is contrary to the recommendation of the Law Society.

Mr BERTRAM: I understand that.

Mr May: Are you sticking up for the Law Society now?

Mr Grayden: You were doing that in connection with the Fuel, Energy and Power Resources Act Amendment Bill a while ago.

The SPEAKER: Order!

Mr BERTRAM: I intimated that some of my comments are qualified because we on this side of the House do not feel we are yet in a position to be dogmatic about the Bill. For instance, we have not seen the Law Society's opinion, and we would very much like to see it in order that we might have the full story before us. However, since the idea of the Bill, prima facie, is to enable little people to go before a tribunal and argue matters on grounds of common sense, fairness, and equity, it is absurd for them to be tied to the law on the subject because if they do not know the law they cannot plead their cases sensibly. Every time they open their mouths they may send a torpedo into the bulwarks. If it is a matter of ordinary common sense, fairness, and equity, the referee can give them his point of view and will not be saying, "You cannot do this or that."

On this side of the House we are inclined to prefer the Queensland system where fairness, equity, and common sense prevail. This is consistent with the concept envisaged. I have been informed, albeit very briefly, that the Queensland system is working quite well.

As I understand it the idea of the tribunal in the first instance is to have matters dealt with expeditiously. The law is sweetest when it is freshest, and this principle takes cognisance of that fact. The next principle is that attempts will be made to resolve differences by negotiation, and this is thoroughly desirable. In due course the adversary system of law will disappear to a large extent, or, I should say, I hope it will. I have already said that I cannot see any merit in people fighting each other when matters can be resolved by negotiation in a mature and adult way.

The intention of this measure is that when the tribunal is established it can investigate and exercise jurisdiction in respect of contractual matters only. This will eliminate all the professions that I have mentioned, and others.

The Bill provides that the tribunal may hear claims arising from contracts entered into for two years before its establishment. I am inclined to believe that the retrospective period could have been even longer. The Statute of Limitations will apply usually to contracts of the kind likely to be brought before the tribunal, so my suggestion is that this retrospective period should be increased to six years. I realise that this could mean the tribunal is very busy at the outset, but temporary referees could be appointed if it becomes necessary. This would be a transitional stage and I believe justice would result. That is our main objective, transcending all others, and it will not break the Treasury.

We accept completely the provision that proceedings shall be dealt with as informally as possible. Claims will be heard in private, and while I do not personally object to that, some people may not think it is a good thing. It seems to me that if the calibre of the forum is good, then the artificiality of formality is unnecessary. With a competent tribunal the job will be done and done well.

I should touch on a few other matters, but perhaps I can refer to these during the Committee stage. I feel that clause 21 could do with a little touching up. I notice that a claimant before the tribunal must pay a fee of $2 or something of that kind when making his claim. I suggest to the Government that the auditing and accounting necessary in respect of such fees does not justify a charge at all. I remind members that a few years ago the Brand Government set up the ill-fated Motor Vehicle (Third Party Insurance) Tribunal. That tribunal did not charge fees at all for the reason I have suggested; the tribunal felt that the accounting procedures were not justified for the small fee which would have been charged to litigants. The cost of collecting such fees would have far exceeded the actual sum involved.

I find it very hard to imagine that the income from these fees would be a very large sum. This seems to me to be a classic example of creating a self-inflicted nuisance.

The tribunal is to operate in such a way that, if possible, no agents will appear for litigants. I see some difficulties arising from this provision because some traders who may appear before the tribunal probably employ fairly highly-skilled clerks who have attended in chambers in the Local Court for years. From a practical standpoint these clerks are fairly competent operators in legal proceedings. Traders who have such clerks in their employ will have a very real advantage over consumers. It is quite clear in the Bill that it is not desired to have agents or people with legal qualifications appearing before the tribunal.

Another provision I would like included in the Bill is the right for New Australians who find difficulty with our language to be assisted by interpreters free of charge. Many New Australians believe that they are hurt by our law; frequently this belief is without justification. These people do not know our law and with only a poor command of our language they have suspicions, doubts, and despair. The Minister has stated the Government's desire to establish a people's court, so I invite him to consider my suggestion that New Australians who appear before the tribunal should be put in the same position as

litigants who speak English. Such people should not be at a disadvantage, and there should be no discrimination in the way of costs. I do not think my suggestion would cost very much, and I hope the Government will consider it.

For the reasons I have already given, we are sympathetic to the principle of this measure. However, we are concerned that it shows very little leadership or initiative. What has happened is that someone picked out an Act from another State, copied it slavishly, added a few small additions, and presented it here. No risk has been taken and we are given no leadership. Queensland opened up this area of a people's court in 1973. That Government was prepared to take a bit of a risk and to show some leadership. The State Government is slavishly fulfilling a promise to the electors, but it has had very little heart in the idea. The Government should say, "We will not bring in a small claims tribunal and then at some future time a small debts court. We shall endeavour to go a little further at this stage. We will take the initiative, and for a change the other States can follow us."

This measure deals only with contractual situations. Many people feel they are entitled to claim money but because the sum is a small one it is absurd for them to bring an action in a court of law. Let us say that someone wished to institute a claim for $200. He could not successfully institute legal proceedings because even if he succeeded and recovered the costs from the other side, by the time his own solicitor is paid very little of the money claimed would be left. In other words, the return does not justify the risk, the trials and tribulations, and everything else associated with litigation.

We on this side would like to see—even if it means for the time being the limit of the jurisdiction is reduced a shade from the suggested $500—the tribunal being allowed to operate in a greater area and perhaps following to an extent the area of jurisdiction enabled in the Local Courts Act. If, for example, a person has a quarrel over an architect's bill for $50 he can go to the Local Court and argue about it; but he may not go to the small claims tribunal envisaged in this Bill because if I understand the clause correctly —and I will be only too delighted if the Minister can point out I am wrong—he will be told the tribunal has no jurisdiction in that area.

No provision is made for an appeal from the tribunal, but one can obtain relief if one can show the tribunal acted without jurisdiction or in a manner which is not in accordance with natural justice. So, first of all, the small claims tribunal is to be confined to contractual matters and to situations of consumer *versus* trader. It appears that the professions have been completely eliminated. We would like to hear a good reason for that.

We would like to see an extension of the area of jurisdiction of the tribunal. We want to see a little initiative taken and a little leadership shown in this respect. I do not particularly care what the tribunal is called; I am concerned about its work, the function it performs, and the social service it provides. I would like to see its jurisdiction extended to include more of the jurisdiction currently exercised by the Local Court.

Having said those things, we on this side will support the Bill in the hope that we may be given an opportunity to study it more closely and to prepare amendments to extend its jurisdiction which we may discuss in the Committee stage.

MR HARTREY (Boulder-Dundas) [8.43 p.m.]: Like my learned colleague who has just addressed the House, I will support this Bill first of all because it is in accordance with the instructions of the Labor Party to do so, because it has found favour with the State Executive of the Labor Party, and because as a member of the Caucus I was pledged to vote for it. My last reason for supporting the Bill possibly is my least reason; that is, I think it will not do any harm at all but will remove from the courts a great number of people who are pests.

However, I do not think the Bill will be a great success for all that because there are difficulties inherent within it. It may work all right in Queensland; I do not know because I have no experience of how it operates in that State. But I do have some experience and I have some knowledge of how difficult it is to get men who are qualified to be local court magistrates—and that is a well-remunerated and well cared-for office—to accept that office. So from where we will get qualified legal practitioners to accept the job of referees in these palm tree justice courts, I do not know.

Mr Grayden: This is why we have increased the age limit to 70.

Mr HARTREY: The Minister had better raise the age limit because I might be out of work soon. If the Government were to consider that, I would be very grateful because I never know when I might be on the old-age pension. It might be better to be a referee in the local court at Black Stump than to be on the dole!

Mr Bertram: You could amend the Bill.

Mr HARTREY: Yes, I could even move an amendment myself. However, without being too facetious, I think it is really a splendid idea to get the narks who argue about a few odd shillings out of the law courts, and that will be the result of this Bill.

I saw an instance of this in Kalgoorlie not very long ago. A well-known female pest came to my office to consult me. I have in the past acted for her on seven

occasions in matrimonial disputes with her husband, and I have also acted for her husband in several matrimonial disputes with her. That was a long time ago and they are mature now and have become reconciled to each other.

However, on the other hand, the lady is not yet reconciled to many other people, and she was determined I should take the case on her behalf; it did not matter how much she had to pay, she wanted me to take the case. If I recall correctly, it concerned a fortnight's rent. I told her I would not cheerfully take the case and that it would cost her about $200 to endeavour to recover $27. However, I told her I would go to the court and listen to her conducting her own case. So help me God, I did, and it was most entertaining. It provided a very good example of what will happen under this Bill.

Consider two ladies each of whom has not the slightest idea of how to present a case or of how to explain to the magistrate what the argument is all about. They will not have any advocates to assist them, but must start off from scratch—perhaps that is not a bad word to use! They cannot reach some sort of conclusion between themselves. Of course, the referee will have the delectable job of getting these two infernal females together and asking what they are grizzling about. They will immediately start off both together, making the referee wish they could be taken separately. Then the referee will have to sort out the problem and decide that one of the ladies should not have been charged with the cost of repairing a broken window because it was not her fault but that of the little boy from across the road; and so it will go on. Finally when he is absolutely fed up he will say, "You will pay $10 and that is the end of it", and, thank God, there is no appeal.

Losing such cases will be a great relief to the Local Courts and a tremendous relief to the legal profession. I do not know what criticisms the Law Society has expressed concerning the Bill, but I am certain any criticisms it has are not actuated by any desire to prevent this court from coming into existence. It will save a great deal of time which is wasted by people who come along with stories such as the one I have outlined. I have heard a hundred times the remark, "It is not the money, it is the principle of the thing." But when one tells them it will cost $100 they are staggered and incredulous. So one says, "If your principles are not worth $100, go and get lost." I have said that plenty of times in the past, and I suppose I will do so in the future.

People wanting to fight over a principle of $7.50 will be the very clients the proposed tribunal will attract; and, thank God, those of us who practise law in a more serious way will be rid of them. Therefore, I am entirely in favour of the Bill.

However, whether the Bill will work is another question. From where will the Government obtain referees? It has been said they must be qualified persons, but I cannot see why because they have only to deal with old females and folk of that kind, and they do not have to administer any law. It is suggested that is of merit, but I do not think it is always so.

The first Parliament of the Commonwealth—not the Rump Parliament—endeavoured to reduce the whole of the law of England into one volume so that there would be no more nonsense about law and we would have every man his own lawyer. An earnest endeavour was made for a couple of years to do this, but nobody could find out what the book was all about because everybody interpreted it in a different way. It was an impossible proposition.

Take for example the Workers' Compensation Act. The first Act—the first British Act—was passed in England in 1897. It provided for the most remarkable of procedures. The legislation covered only heavy foundries, railways and other heavy industries, and every district had a local committee of referees who settled the argument.

It was very soon found that it was a better idea to go to the local county court judge and get him to resolve the matter. The committee system never worked. Nobody understood the referees, and the referees themselves did not understand the legislation. Ultimately, people resorted to the small debt courts and county courts, where the situation was resolved by a judge. Of course, that is a more complicated procedure than the Local Court in this State.

I suggest the small claims tribunal will be something of a circus. I told the State Executive of the Labor Party that I believed this to be the case. That is no secret because the executive does not sit in secret. It always has the Press present, so I am not betraying any confidence. We must remember that it is the poor people who owe the small debts; they are not rich enough to owe large amounts of money and, to some extent, they will be the victims of each other. The saying "The poor help the poor" is very true; but of course, in the case of a small claims tribunal, the poor will often be using the poor.

I do not intend to go into the context of the Bill in great detail; I simply say that I agree with the member for Mt. Hawthorn when he suggests clause 4 reads in a very comical manner in so far as it defines persons who are not traders for the purposes of the Act. Clause 4 (2) states—

> For the purposes of this Act a person who in respect of goods supplied or services provided by him would be a trader,—

At this stage, the unfortunate person reading the Bill must go back to establish the definition of a "trader". Having done that, he reads on—

> —but for this subsection, shall not be a trader in respect of those goods or services if in supplying those goods or providing those services—
>
> (a) he acts in the exercise of a discipline that is not ordinarily regarded as being within the field of trade or commerce; or

I suppose those "services" would cover the services of an accountant, a chemist, or a doctor because they are all under the exercise of a discipline. The chemists are members of the Pharmaceutical Council; doctors, of course, come under the control of the Medical Board of this State—people frequently think mistakenly that all doctors are members of the Australian Medical Association; they are not, although most doctors are—and the accountants, of course, have their respective associations.

So, they will not be able to go before the small claims tribunal. I am sure they will not worry about that too much because, if they have any sense at all, men in that situation treat their bad debts as losses. I certainly do; I have never sued anyone for anything in my life. It has probably cost me a lot of money over the years, but it has meant a saving in time. The time one spends chasing a fee of $60 is time that could be spent in earning $200. Clause 4(2) continues —

> (b) he gives effect to the instructions of another who in providing those instructions acts in the exercise of a discipline that is not ordinarily regarded as being within the field of trade or commerce, and the goods supplied or the services provided are in all respects in accordance with those instructions.

A person going to the tribunal with a copy of his Bill in his or her hand—I think, more often, it would be her—would think, "What in the name of goodness do those words mean?" I am not sure of their meaning; I am just giving members my interpretation. However, I do not guarantee that is right; perhaps the Law Society will tell me I am barking up the wrong tree.

The fact that there is to be no appeal is splendid; the fact that there are to be no writs of *artiorari habeas corpus* or mandamus or anything else I can think of in Latin or Norman French or pidgin English is also a splendid idea. In fact, the Bill has many virtues, and I congratuate the Government. Despite what was said by the member for Mt. Hawthorn, I do not want to be uncharitable; we should not be ungrateful to the Government for bringing in such an entertaining piece of legislation. I only wish it success. I hope members opposite have the time to go down and watch the proceedings of this court because for a little while they will thoroughly enjoy it and, then, they will get completely bored. I am frightened that the referee also will become bored.

I close by pointing out that it is well known that the Crown Law Department and the Minister responsible for its administration are having plenty of difficulty in finding magistrates to take up well-paid, highly respected positions in north-west courts. The persons required for these positions need only be young fellows who have more or less just completed their articles; of course, they must have a little experience to act as magistrates, but not a terrible lot. The position of magistrate really is quite a good one; it is a better position than I have always held.

If the Government cannot attract legal practitioners to these courts, where will it find men with legal qualifications to accept the job of refereeing disputes over who poisoned Mrs Smith's budgerigar, who broke Mrs Brown's window or who hit little Willy and stole his cap? Those are the important matters which will be determined by the small claims tribunal, and I wish it luck.

MR GRAYDEN (South Perth—Minister for Labour and Industry) [8.57 p.m.]: We on this side of the House are subjected to all sorts of things. Last night, the session continued until about 2.30 a.m. Sometimes we are subjected to criticism and abuse; tonight we have been subjected by the member for Mt. Hawthorn to a massive display of what unquestionably was sour grapes. The tears flowed from the honourable member to such an extent that members on this side were thinking in terms of coming into the House wearing gumboots or some other type of protection. From the moment he stood until the moment he concluded his speech, the member for Mt. Hawthorn expressed sour grape sentiments of regret that the Liberal-Country Party coalition Government should introduce legislation of such consequence.

Strangely enough, he said that the legislation was in accord with what the Australian Government was doing in this field. He quite overlooked the fact that non-Labor Governments in New South Wales and Victoria introduced similar legislation some time ago; that legislation is now working famously in those non-Labor States. The member for Mt. Hawthorn gave the impression that such legislation was the prerogative of Labor Governments, quite overlooking the fact that virtually all reforms of any consequence that have been effected in Australia have been effected by non-Labor Governments. I refer to child endowment and social benefits of that nature; all these improvements were introduced by non-Labor Governments.

Several members interjected.

The SPEAKER: Order! Order!

Mr GRAYDEN: I can cite another example. It was Mr Holt, who later became Prime Minister, who put child endowment on the Statute book of the Commonwealth. So as far as I am concerned the criticism that has been levelled by the member for Mt. Hawthorn can be completely dismissed.

This Bill makes provision for two years' retrospectivity. Any claim submitted within two years after the passing of this legislation will be recognised by the tribunal. The member for Mt. Hawthorn is asking that six years' retrospectivity for the granting of small claims be provided. Can any member think of going back six years to enable small claims made within that period to be granted? Yet, the member for Mt. Hawthorn, in making this submission, is a lawyer and he should know better. I repeat: He is asking that a tribunal of this kind should make all claims retrospective for six years. Such a suggestion is idiotic in the extreme and does not warrant any reply by me.

Already consumer claims tribunals are playing a tremendously important role in the programmes of various Governments to ensure that consumers are protected. This Government would not hesitate to add further mandatory controls to the wide range of existing consumer laws if it were deemed necessary. That is the situation. As a Government we are here to look after the consumer.

This particular legislation stems from the Government's election policy. I have here the Liberal Party Policy for 1974-77. It was widely distributed prior to the last election. A very relevant portion of that policy reads as follows—

> We will also set up a small claims tribunal in which grievances between individuals over small matters can be settled with minimum cost and delay.

Mr Bertram: You are not doing it; you are only touching the edge of it.

Mr GRAYDEN: This legislation, as the member for Mt. Hawthorn should know, combines the best points of all legislation already existing in the Commonwealth. It was introduced in this House on the 31st October. Last week the House did not sit, and last night the member for Mt. Hawthorn had the debate postponed because he wanted an extra day's grace before he made his contribution to the debate. Today he requested that the Bill should not go into Committee this evening. I can only come to the conclusion that the member for Mt. Hawthorn is not interested in the legislation, and as far as I am concerned there is no point in deferring the measure and it should be taken into Committee.

If the member for Mt. Hawthorn is not sufficiently interested to give the Bill consideration in the time that has already elapsed he certainly does not deserve any consideration when he makes a request that the Bill should be delayed further.

This is only one aspect of Liberal Party policy. On the same page the following appears—

> We will maintain our strong and, if necessary, expanding support for Legal Aid Services which we established when last in Government.
>
> It has the reputation of being one of the most effective in the Commonwealth. We will accept Commonwealth financial assistance, but will reject a Commonwealth takeover of the scheme.

That was the comment made in respect of the legal aid services, and yet the member for Mt. Hawthorn would convey the impression that such a move is contrary to Liberal Party policy. I repeat that it has been non-Labor Governments throughout the Commonwealth that have introduced legislation to effect most reforms such as this.

I can quote another aspect of the Liberal Party policy which is very interesting and relates to this legislation, as follows—

> Liberals also recognise that the free enterprise system can achieve these goals only where it accepts full social responsibility and where the conditions exist for a free exercise of choice. These conditions include honest competition, a wider knowledge of products on the part of the consumer, and the protection of the consumer against oppressive and over-bearing sales techniques.

That is the latest policy. I have emphasised the policy of the Liberal Party announced prior to the last election, and its policy at the present time, and that policy is now being implemented.

In the circumstances I will not make any further comment. Virtually every remark made by the member for Mt. Hawthorn did not warrant an answer, but I do take the opportunity to thank the member for Boulder-Dundas for his comments on the Bill.

Question put and passed.

Bill read a second time.

In Committee

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

Clause 1: Short title—

Mr BERTRAM: As intimated in the debate just concluded, it is the desire of the Opposition to give the Bill further detailed study. It has not been neglected; there is no room for suggestion that it has. In fact, the suggestion is thoroughly improper. The Opposition has backed me in person. I have been in touch with people in other States. I have also made

inquiries in this State seeking material in order that in the Committee stage the Opposition can give this Bill the treatment to which it is entitled and the representation to which consumers—numerous as they are—are entitled.

We have been frustrated. For example, up till yesterday I do not think it was possible to obtain, within the Parliamentary Library, a copy of the corresponding Queensland legislation, for instance. We believe that in the Committee stage we should get down to detail. We do not believe the way the Committee has been operating in recent times on other Bills is proper and we do not want the Committee stage—

The CHAIRMAN: I trust that statement is not a reflection on the Chair.

Mr BERTRAM: No, Mr Chairman, it is not. However, when a member submits questions on various matters to a Minister and they are dealt with by a total lack of answers, that is completely unwarranted. At this stage my belief is that discussion on the Bill could be deferred so that it may be given justice at this stage, as the Minister has been good enough to quote from his own party's platform, and as, by interjection, he also intimated his intention to adhere to his party platform. I now quote from item 6 which appears on page 5 of the booklet outlining the Liberal Party's platform—

> In Australia the essential elements of the democratic system are—
>
> 6. An informed and effective parliamentary opposition with full freedom of expression.

We cannot have a fully informed and effective Opposition without giving it a reasonable opportunity to be effective.

So far as this State is concerned this is the first time we have had legislation of this kind before the Parliament, and therefore it is completely novel. Our responsibility, on this side of the Chamber, is to be properly informed. This is the policy of the Opposition.

We want to be properly informed. We do not want to go off half-cocked, because once the measure becomes law it will be too late for us to lament the fact of the passage of the Bill.

The Minister was good enough to quote a portion of the platform relating to consumer affairs. I would also like to quote a portion of it in support of the clause.

I refer to item (2) (e) at page 47 of the Federal platform of the Liberal Party. This states—

> Liberal policy therefore affirms that the Federal Government must co-operate with the States to—
>
> (2) Ensure the following fundamental rights—
>
> (e) the right to be heard—assuring consumers a fair hearing before legislative and administrative bodies.

That is precisely what the Opposition requires. If the Minister insists on proceeding with the Committee stage of the Bill he will be running directly in the face of what I have just quoted. The Opposition will not be able to do justice to the measure, and the consumers we represent—who constitute the bulk of the people of the State—will not be given a hearing at all; at least not for all practical purposes. I would like some guidance on what move I should make to have the matter stood over.

Sir Charles Court: Where in the Bill is your main problem?

Mr BERTRAM: We have no great problem. The Bill contains a number of small provisions which we believe we can improve upon. More particularly we believe the measure should be given greater scope. Many consumers expect to be covered by the provisions of the Bill and to reap the benefits therefrom. They will not be able to obtain the benefits in the form in which the Bill is now before us.

No doubt many members have encountered minor motor accidents where the damage sustained amounts to about $100. Such cases will not be heard before the proposed tribunal. There are hundreds of people in the State who are deprived of the damages they have suffered, because they are not prepared to approach the insurance companies concerned or sue the other parties, as they know they cannot win.

We should be given the opportunity to mould the Bill so as to accommodate such cases. We would like progress to be reported to enable us to do that.

Progress

Mr BERTRAM: I move—

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

Sir Charles Court: Is it competent for the honourable member to move that motion?

The CHAIRMAN: The honourable member is permitted to move the motion at the conclusion of his speech. I was very tolerant with him. Normally in the debate on the short title of a Bill I would not have allowed the debate to continue as it has in this instance. I did give the member for Mt. Hawthorn room to manoeuvre, because he desired to adopt the course which he has just adopted. If this practice is continued in future I shall not allow similar speeches to be made in the debate on short titles of Bills.

Motion put and a division taken with the following result—

Ayes—18	
Mr Barnett	Mr Hartrey
Mr Bateman	Mr Jamieson
Mr Bertram	Mr T. H. Jones
Mr Bryce	Mr May
Mr B. T. Burke	Mr Skidmore
Mr Carr	Mr Taylor
Mr H. D. Evans	Mr A. R. Tonkin
Mr T. D. Evans	Mr J. T. Tonkin
Mr Fletcher	Mr Moller
	(Teller)

Noes—23	
Mr Blaikie	Mr Mensaros
Sir David Brand	Mr Nanovich
Mr Clarko	Mr Old
Sir Charles Court	Mr O'Neil
Mr Cowan	Mr Ridge
Mrs Craig	Mr Rushton
Mr Crane	Mr Shalders
Dr Dadour	Mr Sibson
Mr Grayden	Mr Sodeman
Mr Grewar	Mr Stephens
Mr Laurance	Mr Young
Mr McPharlin	*(Teller)*

Pairs	
Ayes	Noes
Mr Harman	Mr P. V. Jones
Mr T. J. Burke	Mr O'Connor
Mr Davies	Mr Watt
Mr McIver	Mr Coyne

Motion thus negatived.

Committee Resumed

Clause put and passed.

Clauses 2 and 3 put and passed.

Clause 4: Interpretation—

Mr BERTRAM: The clause contains certain definitions. On page 4 we find the definition of "trader" on which the member for Boulder-Dundas and I have made some comment. The first part of the definition of "trader" is similar to the definition appearing in the Victorian Act.

I am puzzled as to the need for subclause (2). Will the Minister consider spelling out with reasonable clarity the provisions that are excluded from the operation of this legislation?

Would he also explain why trades people appear to be discriminated against and the professional people are excluded? As intimated earlier, a person referred to under the Bill as a claimant could, in the Local Court, seek and obtain relief against not only traders, but also professional people.

It is most important that this clause be drafted in such a way that any ordinary person of reasonable intelligence might be able to understand it. I agree wholeheartedly with what the member for Boulder-Dundas said. He has some difficulty in understanding this clause and I believe that generally speaking very few lay people would understand it. This is a thoroughly undesirable situation in respect of a Bill the provisions of which many consumers will come to grips with in years to come.

Mr GRAYDEN: At the beginning of my second reading speech I said—

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

Obviously the Bill does not include professional people such as psychiatrists, dentists, psychologists, and so on. It is as simple and clear as that. Unfortunately it is necessary for the clause to be worded as it is or those to be excluded would have to be spelt out, and this would be undesirable.

Mr Bertram: Those people you mentioned provide a service.

Mr GRAYDEN: Yes; but the object of the Bill is to cover those referred to in the opening paragraph of my speech.

Mr B. T. BURKE: The Government has refused to acknowledge the request of the member for Mt. Hawthorn who was quite honest and sincere in the details he outlined. If the Government expects us to co-operate, it is asking a lot when it adopts the attitude it is adopting on this occasion. No urgency exists for the measure to be passed, and the Government has plenty of business on the notice paper. Therefore this item could be delayed to allow at least a minimum period of time for investigation by the member for Mt. Hawthorn.

The CHAIRMAN: Order! The member for Balga should not speak in this way on this clause because his comments are not related to it. I have given the honourable member an opportunity to make his point, but unless he confines his remarks to the clause I will have to ask him to resume his seat.

Mr B. T. BURKE: Thank you, Mr Chairman. I am relating my remarks to this clause because this is the one which contains those points raised by the member for Mt. Hawthorn and about which he wishes to make inquiries. Because of this I thought this was the most appropriate clause on which to make my comments. I want to know why the measure is not intended to cover those services offered by professional people.

Mr J. T. TONKIN: I am not at all satisfied that we understand the full purport of this clause. For example it could be said that a plumber renders a service, so would it be possible for action to be taken against the plumber before the tribunal?

Mr Hartrey: Yes.

Mr J. T. TONKIN: If that is the case and it is possible for action to be taken against the plumber for that type of service, surely the legislation would cover butchers, bakers, and milkmen because they are supplying goods as well as providing a service by delivering those goods?

If one engaged an agent to make inquiries into some business proposition, would one be entitled to sue the agent? After all, he would be rendering a service. Is he excluded? I believe we are entitled to have explained to us precisely those persons who are definitely excluded, and then we can, by a very simple process, realise that everyone not excluded is included.

Mr GRAYDEN: I believe the clause is self-explanatory and I would refer members particularly to subclause (2) (a). I do not think I could go further than that.

It might be of help if I explain the experience in Victoria. The following is the information I have received—

> Claims coming before the Consumer Claims Tribunals to date have included disputes over television set repairs, motor car repairs, warranties on motor cars and household appliances, refunds unfairly held and household renovations.

More than 60 disputes have been settled. That is the type of complaint with which our tribunal will deal. Paragraph (b) of subclause (2) is also self-explanatory and I do not think we have to be any more specific than that.

Mr HARTREY: I appreciate the Minister's difficulty, but I cannot agree that the situation is anywhere near as simple as he states it is. The word "discipline" has two different meanings, one of which is rather rare, but I think it is that one which is intended in this case. The regular meaning is "obedience to an ordered system of command over individuals". A soldier and a policeman are subject to discipline.

On the other hand, the word "discipline" is derived from *"disco"* which means "to learn" and from *"discipline"* which simply means "a kind of learning". I think that is what is meant here. If a man "acts in the exercise of a discipline" he is acting in the practice of his professional training. That is what I think is the meaning of this clause, but it is not the obvious meaning. I think the provision means what the Minister contends it means, but it excludes only people who act in the discharge of a type of professional training. A doctor is definitely exercising his knowledge of a particular training or species of learning. So is a psychiatrist and various other people who have been named. I still maintain that this includes an accountant. I am sure the plumber would not be included, nor would plasterers or painters. I am not at all sure, but I think a building contractor would also be included.

The position is dubious. Surely we should put our heads together in an effort to express the situation a little more clearly. I ask the Minister to skip this clause and reconsider it later.

Mr GRAYDEN: I appreciate the point of view put forward by the member for Boulder-Dundas. This matter has been well and truly looked at by the Crown Law Department and I understand the provision has been taken from an Eastern States Act. I will certainly have it examined further and if an amendment is necessary I will not hesitate to have it incorporated in another place.

The Bill was introduced on the 31st October and I think everyone has had an opportunity to examine it.

Mr BERTRAM: I have examined the Victorian Act and the first portion of the definition of "trader" is identical with what appears in the Bill now before us.

Mr Hartrey: Would the member read the definition to us?

Mr BERTRAM: The definition of "trader" reads—

> "trader" means a person who in the field of trade or commerce carries on a business of supplying goods or providing services or who regularly holds himself out as ready to supply goods or to provide services of a similar nature.

The definition goes on, but the rest is irrelevant. It is really the first portion of the definition which is the same, word for word, as the definition which appears in our Bill. However, there is then a complete departure with the inclusion of some additional 15 lines, and we seek an explanation for that addition.

The Minister has now agreed that doctors, dentists, physiotherapists, and psychologists are excluded. Rightly or wrongly, they are excluded from the provisions of the Bill and we want to know why. Those people are not excluded from the operations of the Local Courts Act. If there is a reason for their exclusion from this Bill it seems there is an obligation on the Minister to tell the Committee what that reason is.

Mr TAYLOR: Perhaps when the Minister replies to my query he will also answer the point raised by the member for Mt. Hawthorn. Subclause (2) of clause 4 states that for the purposes of this Act a person who in respect of goods supplied or services provided by him would not be a trader—and we already have the definition of "trader"—if, in supplying those goods or providing those services he gives effect to the instructions of another who, in providing those instructions, acts in the exercise of a discipline.

Do I understand that a painter who contracts to paint a car port, or a house for an amount less than $500, could come within the powers of this legislation because he is providing a service; but if an architect were to contract that painter, or otherwise engage him or arrange for his services, the painter, in these circumstances would not come under the provisions of this clause? Does subclause (2) mean that anyone who works under the direction of a master builder or a painter who may, by some devious means, be exercising a discipline—that is, a person who works under that protection—will not be covered by the definition of "trader"?

Mr GRAYDEN: The provision simply means that certain people are excluded. If they have employees, or delegate tasks, those people will also be excluded.

The member for Mt. Hawthorn has stated that the Victorian definition of "trader" is identical with ours.

Mr Bertram: No, only the first portion of the definition.

Mr GRAYDEN: We have added another clause to clarify the situation and to exclude certain people. The small claims tribunal will deal with certain situations and it is not intended to be all embracing.

Mr HARTREY: I am afraid the Minister has not clarified, but obscured the situation even more. I would agree, without any doubt at all, that a master builder and a contractor would come within the ambit of this measure provided their services did not amount to more than $500. I also agree that an architect would not come under the provisions of the Bill. However, I do not think the point raised by the member for Cockburn has been answered. The following words are quite ambiguous—

> gives effect to the instructions of another who in providing those instructions acts in the exercise of a discipline . . .

I think "discipline" means a learned profession, or a branch of a learned profession. If an architect is "exercising a discipline" he is in simple language "practising a profession." I think we should keep to those simple words rather than use the expression "exercise of a discipline".

But is he giving instructions? An architect probably has power to give instructions to a contractor, in which case the building contractor does not come within the ambit of the provision. But it may be said that after all the architect is not giving instructions; it is the owner who is giving the instructions.

It is all too complicated for me. I do not think the Minister finds it as simple as he says he does, or if he does he understands the English language better than I do. I am not sure of the meaning of the expression "exercise of a discipline." If it means what I say it means, I think it should be expressed as "practise of a profession". The words "exercise of a discipline" could be used but they do not convey much meaning which is applicable to the clause.

I think there is ambiguity about paragraph (b) which must be cleared up. I cannot say what view a court would take, and one would have to go to a court for an interpretation of the meaning of an Act. One cannot settle the meaning of an Act under a palm tree. We do not do justice that way here. For the interpretation of an Act of Parliament one has to go to the Supreme Court, and I do not think the Supreme Court would be happy to say whether an architect was giving instructions to a builder on behalf of the owner or whether the owner was giving instructions to a builder on the advice of an architect. I do not know how any judge would decide the matter, so I think we should clear it up ourselves.

Mr BRYCE: I do not think I am the only member of this Chamber who has constituents coming into the office from time to time with complaints relating to the professions. If this Bill can be described as a measure of social reform and a step in the right direction in terms of facilitating solutions to the problems which arise, why is the Minister setting out to exclude the professions?

I will give probably the most frequent example as far as my own electorate is concerned; that is, complaints about the legal profession. Many people have come into my office and presented me with details of what they consider, rightly or wrongly, to be excessive charges and disputations over legal fees.

Mr May: One case has been reported in the paper in the last two days.

Mr BRYCE: The Minister has completely failed to give the Committee any reason for the exclusion of the legal profession, veterinarians, and other similar professional people who, as far as parish pump matters are concerned, certainly fall within the scope of this clause. The definition is far too narrow.

Mr B. T. BURKE: By interjection the member for Clontarf mentioned a case which has been given some publicity in the last two days. It concerns a Mr Robson, who is a constituent of mine. Mr Robson came to see me after receiving an account for something less than $500. I referred him to the member for Mt. Hawthorn, who pointed out to Mr Robson that the law was very often for the very poor or the very foolish. In other words, the only advice we could give Mr Robson in his efforts to avoid the payment of an amount which he thought was being unjustly claimed from him was to pay the bill, go home, and chalk it up to experience.

If this small claims tribunal comes into being, and if another Mr Robson seeks advice in a similar situation, the only advice which can be profitably tendered to him will be the same advice—pay the account, go home, and chalk it up to experience. We have seen from newspaper reports that Mr Robson was not prepared to do that. He is handling his own case and counterclaiming for damages from the solicitor for breach of contract. If we rely on the initiative of our constituents in confronting the legal profession in the way one man has, I suggest we are not performing our function as legislators.

Mr SKIDMORE: I have listened to the debate at odd times, sufficiently to make me a little dissatisfied with subclause (2) of clause 4 which defines the scope of redress under the Bill. I have tried to understand it. I am not a lawyer but, after reading the subclause, I am not sure who has any rights under it. Who will advise people whether they may sue the butcher, the baker, or—as someone said facetiously —the candlestick maker?

Mr Hartrey: And the bookmaker.

Mr SKIDMORE: Bookmakers have fallen out of favour since the introduction of the TAB. If we here cannot understand and interpret the provision, and are dissatisfied with the Minister's interpretation of it, how can we expect it to be understood by the little person who goes to the tribunal in an endeavour to seek redress? He will not even know whom he can go to see. Subclause (2) begins—

> (2) For the purposes of this Act a person who in respect of goods supplied or services provided by him would be a trader, but for this subsection, shall not be a trader in respect of those goods or services if in supplying those goods or providing those services—

What a lot of legal gobbledygook! Surely we can get away from legal jargon in a Bill which is intended to help people who go to the small claims tribunal. It should be written in language they can understand. The Bill should list the people to whom it applies. The Factories and Shops Act enumerates 17 or 18 types of shop which may remain open.

Why do we have to make the Bill so ambiguous that even lawyers in this Chamber cannot understand it? If lawyers cannot understand it, how can any ordinary person understand it? I have never read such jargon. It clouds the issue. The clause tells one nothing. The Minister, the Government, or whoever provided such rubbish should put it into the Queen's English so that we know what it is all about.

Mr BRYCE: On this side of the Chamber we are all aware that the Minister's behaviour tonight is quite out of character. He is really—

Mr Blaikie: Watch it!

Mr BRYCE: —a gentleman, and capable of appreciating—

Mr Hartrey: Flattery will get you nowhere.

Mr BRYCE: —the fact that opportunities such as this may be presented once in a lifetime. This is a chance to take a real step forward. In his reply to the second reading debate the Minister said the Labor Party was not the only party—in fact, he even challenged the reputation of our party—that is a party of initiative and reform. We have seen from the scope of this clause that it has been borrowed from the Victorian legislation and plugged into the Western Australian situation.

The Minister ought to take the chance now presented him to blaze a new trail and establish a precedent, if he believes it will be a precedent, in Australia. He should include the professional groups in the classification. As I suggested to the Minister a little while ago there is no doubt that people in these professions are sometimes the subject of disputes in relation to small amounts of certainly less than $500. I would like the Minister to indicate the category in which chiropractors will be placed. Are they to be included with doctors, dentists, veterinary surgeons, and lawyers?

Mr Hartrey: Yes.

Mr BRYCE: This group has no form of registration. Some of my constituents have come to my office to raise the question of unreasonable fees charged by chiropractors.

Mr O'Neil: Chiropractors are registered.

Mr BRYCE: The Minister for Works is quite correct, they are registered in Western Australia. However, I understand the actual form of registration does not impose the same sort of discipline in regard to fees charged and matters of that type. The Minister must realise that this is a first-class opportunity for a little bit of trail blazing and indicate his desire to set some standards for the other States to follow.

Mr BARNETT: The Government is to be truly complimented on introducing this piece of social reform. On the surface it appears to me to be a Bill which I would be proud to have had the opportunity to introduce. This measure is to allow people to go about obtaining a decision in relation to disputations over small amounts. It will obviate the necessity of their having to apply to the courts for a decision. It disturbs me, however, that I could issue a claim to be heard by this tribunal if I had a disputation with a baker. However, if I had a disputation with a doctor or someone in one of the professions, I could not use this method. I fail to see the necessity for the legislation to provide for the disallowance of claims against certain types of people.

Mr Grayden: How can you claim against a doctor? It is your word against his. How could you go along and say to him, "The service you gave me was not worth the amount you have charged"?

Mr Hartrey: You could say to him that he had charged more than the common fee.

Mr BARNETT: It disturbed me considerably that although the question has been asked several times the Minister's reply has been rather turgid. The Minister has not answered the question satisfactorily. If he can give me a genuine answer as to the necessity for this discrimination, I will be satisfied.

Mr Grayden: Professional people are in a different field from those in trade and commerce.

Mr BARNETT: What would happen when a doctor charged a fee well in excess of the common fee?

Mr Grayden: If you received an account from a psychiatrist and you disputed it, how could anyone decide whether the psychiatrist had seen you for a sufficient length of time to justify the account?

Mrs Craig: A doctor is allowed to charge more than the common fee. It is up to you, as the patient, to establish first of all whether he will charge the common fee.

Mr BARNETT: A pensioner may ask a doctor what he intends to charge. The doctor may say that his fee will be $5. However, if he finds the pensioner is a bit of a nuisance, he may decide to charge him $10 to discourage him. Things like that do happen, and surely such a case could be decided by the small claims tribunal.

Mr May: Like the couple who saw the member for Boulder-Dundas.

Mr BARNETT: I would appreciate it if the Minister could rise to explain this.

Mr BRYCE: Mr Chairman—

Mr SKIDMORE: Mr Chairman—

The CHAIRMAN: The member for Ascot.

Mr Skidmore: The Minister is about to rise and I feel he should be heard.

Mr BRYCE: I will be delighted to give the Minister preference.

The CHAIRMAN: I will put the question.

Mr BRYCE: Mr Chairman—

The CHAIRMAN: The member for Ascot has been on his feet three times.

Mr Bryce: I am interested in standards of this sort, and the dignity of the House.

The CHAIRMAN: I take that as a reflection on the Chair. You rose to speak, I gave you the nod, and you sat down. Under Standing Orders you have exercised your right to speak on this particular clause.

Mr SKIDMORE: You may recall, Sir, that I called your name and it looked as though two speakers were on their feet. The Minister rose to speak and I sat down to let the Minister speak first. I was on my feet before you put this clause.

The CHAIRMAN: Could you just restate that?

Mr SKIDMORE: I was on my feet and I caught your attention. However, it looked as though the Minister was getting up and I said I would bow to the Minister. In all sincerity I say that I got up simultaneously with the Minister and I would like to exercise my opportunity at this moment of time to speak to this particular clause.

The CHAIRMAN: Order! Three people attempted to catch my eye when the previous speaker sat down. I gave the call to the member for Ascot, and he started to speak. He then resumed his seat. No-one rose, so I proceeded to put the question on the second occasion.

Mr Skidmore: Oh, fair go!

The CHAIRMAN: That is a fair go.

Mr Skidmore: It is not.

The CHAIRMAN: Order! No-one was rising when I put the question the next time.

Point of Order

Mr TAYLOR: On a point of order, Sir, though I note your comments and I will not query the phraseology that you used, I do not think you actually put the question. You started to put it, and the member rose to his feet. Do I understand correctly that at this stage the question has not been put?

The CHAIRMAN: It has not been put. I was going through the motion of putting the question.

Mr TAYLOR: So in actual fact the question has not been put?

The CHAIRMAN: No. It is normal procedure that during the Committee stage a member who wishes to speak will rise, and the Chairman will then allow the member to speak. I commenced to put the question because no member was on his feet requesting the right to speak.

Mr SKIDMORE: I request the right to speak.

Committee Resumed

Mr SKIDMORE: For a moment I thought the Minister intended to answer the queries raised by the member for Rockingham. In fact, I was quite sure that was his intention.

However, as it appears the Minister does not wish to exercise his right to reply it seems we must continue to question what is meant by this clause. In his second reading speech the Minister said—

> This is a Bill to provide for a small claims tribunal which will deal with disputes arising between consumers

and suppliers of goods and services where the claim for payment of money for goods supplied or work performed is less than $500.

If that was written into the Bill I would have no quarrel with it, but in fact under the definition of "trader" we find the Bill is concerned with persons in the field of trade or commerce, and then subclause (2) continues on to create complete misunderstanding of what is intended.

I am in sympathy with the question of bringing more people within the confines of this legislation. Let us assume that a doctor charges more than the prescribed fee for a consultation. The patient, feeling aggrieved, surely has a right in law at the moment to file a complaint in his own name and endeavour to prove in a court that he has been wrongly charged. Surely the question of whether a person is right or wrong is not to be determined by legislation. It is not right to determine by Statute whether people who appear in a court of law are right or wrong. Is that what is intended by the gobbledygook in this clause? If I am aggrieved because my chiropractor threw me around on the table 14 times and did not fix my slipped disc, but still charged me $17, surely I should have the right to sue him.

By this Bill the Government is restricting people from saying, "I am aggrieved; I believe I should do something about it." Does the Government wish to take away from an aggrieved person the right to go to a court? That is precisely what is being achieved by the limitation in the Bill. If the Minister does not answer this question he will leave himself in an invidious position because we can only draw the conclusion that he wishes to prevent people from appearing before the small claims tribunal. If my conclusion is incorrect, the Minister should put me right.

Mr GRAYDEN: May I say for the benefit of the member for Swan that this clause is not gobbledygook at all. It is extremely clear. The Bill covers transactions which fall within the field of trade or commerce, and anything outside that is excluded. What could be more simple?

Mr Taylor: Why are others excluded?

Mr GRAYDEN: It has been spelt out in this way because the Crown Law Department thinks it is the best way.

Mr Skidmore: Are you referring to the definition of "trader"?

Mr GRAYDEN: I am referring to subclause (2).

The CHAIRMAN: I would ask the Minister to direct his remarks to the Chair not only because I, too, am interested in the matter, but because it is difficult for the *Hansard* reporter to hear.

Mr GRAYDEN: I am sorry. The clause embraces all traders within the field of trade or commerce.

Mr A. R. Tonkin: Why?

Mr GRAYDEN: I have given the reason by way of interjection. How does one proceed against a doctor or psychiatrist? We do not want claims of that kind before the tribunal because they would hamper the proceedings. We know similar tribunals operate effectively in Victoria and New South Wales. Since September the New South Wales tribunal has handled 60 disputes between consumers and traders. I have already described the type of goods and services involved. In that State in no instance has a complainant or trader resorted to the services of a lawyer in presenting a case. It has been stated it is established that the tribunal is fulfilling its function in providing consumers and traders in dispute with simple, inexpensive, and informal proceedings conducive to reaching quick and equitable settlements.

We already have all sorts of legislation to protect consumers, but as the Minister for Consumer Affairs I would not hesitate to suggest further controls if it became apparent they were necessary to protect consumers.

I have already given an assurance that if members are experiencing difficulty in understanding the clause I will certainly ask the Crown Law Department to study it to see whether it can be simplified; but it will not be altered because that is not necessary. If the clause can be simplified it can be easily amended in another place.

Mr SKIDMORE: I thank the Minister and I accept that in his candid opinion the interpretation he places upon the clause is correct. It appears that merely because the tribunals in New South Wales and Victoria have a limited application to certain traders in commerce, we in Western Australia should adopt a conservative attitude and not for one moment suggest we should widen the area of jurisdiction of our legislation.

It seems to me the Minister is escaping a responsibility which surely should be inherent in progressive legislation. If the Minister says he would be prepared to consider bringing other people within the ambit of the measure at some future time, then I point out to him it would be so easy to so provide now without upsetting any other Act. Why must we always be conservative when dealing with people?

Take chiropractors for example. As I have been roughly treated, both in the physical and in the monetary sense, by a chiropractor perhaps I would feel that they certainly should be included within the ambit of the Bill; but it appears that because Victoria has not had one such case we in Western Australia will not have one. Because in Victoria no claim has been made against a doctor, none will be made in this State.

Mr Bryce: They cannot claim in Victoria because it is not in the definition.

Mr SKIDMORE: That is so; but let us assume a claim could be made against a doctor in Victoria. If no such claim has been made that does not mean to say a claim will not be made in this State.

I fail to understand why we should limit the rights of these people. I accept that the Minister has given us his interpretation of this clause in good faith. He has assured us that the Crown Law Department will be charged with the responsibility of putting this clause in simpler terms, without changing its purpose. However, I had hoped that our persuasive arguments may have convinced the Minister to ask the Crown Law Department to broaden the scope of this clause to allow everybody the right to go before the small claims tribunal.

Mr BERTRAM: I think this is an appropriate moment to place on record the fact that, had a Labor Government introduced small claims tribunal legislation, the measure would not have been couched in these terms; it would have had a much broader application. Once this clause has been disposed of, the Opposition, really, will have been frustrated in its endeavour to extend the provisions of the Bill. The clause is a very important one, as far as we are concerned. In some respects, it is analogous to clause 7 of the Road Traffic Bill; once that clause was passed, the Bill was substantially lost as far as we were concerned.

The Minister has been at pains to tell us that the Victorian Act has worked well; I am not in a position to say whether or not that is the case. But if it has worked well, why is there a need for us to depart from their definition of "trader"? I think it is correct to say that professional people have not been brought before that tribunal to date. These are all questions which require answers. However, I have nearly reached the stage of being in despair of ever receiving adequate answers in the Committee stage of Bills.

Mr BARNETT: I should like to ask the Minister two questions which arise from answers he gave previously. The Minister said that the Bill is not meant to be all-embracing. Why? The second query relates to professional people and why they were not included in the Bill. Basically, the Minister's answer was, "How does one proceed against a professional person such as a doctor?" My question is: How does one proceed against a doctor or a professional person in any court? Why should the situation be any different in the case of a small claims tribunal?

Mr A. R. TONKIN: Earlier, by way of interjection, I asked the Minister why people outside of commerce were to be excluded and the Minister replied, "Because that is so in Victoria." For many years of Liberal-Country Party Government, particularly during the Brand Administration, new legislation was rarely introduced unless we were slavishly following some other State.

Mr Grayden: This Bill is a combination of the legislative position in all the other States.

Mr A. R. TONKIN: It is good to see the Minister has picked the best points from existing legislation. But why should we not be a little more daring, and break new ground? If there is a good reason that we should not include areas outside of commerce, I should like to hear it. The fact that this area is excluded in Victoria is certainly no explanation.

Mr Grayden: The main reason is that we wanted some simple, inexpensive tribunal where people could conduct proceedings in a simple, inexpensive, and expeditious way. Once we get outside the field of commerce, we are in a different realm altogether; such a proposal would be beyond the ambit of a small claims tribunal.

Mr A. R. TONKIN: If there is a dispute between two citizens and one happens to be a pediatrician, why should he be excluded from appearing before the small claims tribunal? I should like to see the whole question explored. There may be some good reason that this should be the case, but that reason has not been advanced. We have a right to know.

It is not good enough to say that the Crown Law Department says such and such. We are supposed to be the legislators. If we had a genuine committee system, we could call before us experts from the Crown Law Department, lawyers, and others so that we could discuss the ramifications of the legislation. Instead, we sit here as if we were participating in a corroboree, pretending we have a genuine committee system.

Clause put and a division taken with the following result—

Ayes—23	
Mr Blaikie	Mr Mensaros
Sir David Brand	Mr Nanovich
Mr Clarko	Mr Old
Sir Charles Court	Mr O'Neil
Mr Cowan	Mr Ridge
Mrs Craig	Mr Rushton
Mr Crane	Mr Shalders
Dr Dadour	Mr Sibson
Mr Grayden	Mr Sodeman
Mr Grewar	Mr Stephens
Mr Laurance	Mr Young
Mr McPharlin	*(Teller)*

Noes—18	
Mr Barnett	Mr Hartrey
Mr Bateman	Mr Jamieson
Mr Bertram	Mr T. H. Jones
Mr Bryce	Mr May
Mr B. T. Burke	Mr Skidmore
Mr Carr	Mr Taylor
Mr H. D. Evans	Mr A. R. Tonkin
Mr T. D. Evans	Mr J. T. Tonkin
Mr Fletcher	Mr Moiler
	(Teller)

Pairs

Ayes	Noes
Mr P. V. Jones	Mr Harman
Mr O'Connor	Mr T. J. Burke
Mr Watt	Mr Davies
Mr Coyne	Mr McIver

Clause thus passed.

Clauses 5 and 6 put and passed.

Clause 7: Eligibility to hold office as referee—

Mr SKIDMORE: I rise again to endeavour to persuade the Minister to reconsider his decision not to broaden the scope of the Bill. The Minister stated that if the Bill were broadened in the manner proposed, there would be a clouding of the function of the court and its jurisdiction and it would find itself in difficulty in endeavouring to determine issues; that is, placing the plaintiff and the defendant together and hearing a case before the court. In considering such a situation surely we would say that the referee appointed should be a person well versed in law and competent to convince the parties concerned of the rights or wrongs of their submissions.

Mr Grayden: You do not want a situation to occur where a surgeon, for example, would have to suspend his operations for the purpose of attending the tribunal?

Mr SKIDMORE: The Minister's question is fair enough, but it seems to me that he is putting forward a one-sided case in making that suggestion. Does the Minister consider that the doctor's time is more valuable than the patient's? If that is the type of suggestion the tribunal will be faced with we will have a problem in trying to obtain some equity, because the Minister has said that the case heard by the tribunal could be clouded with questions of fact submitted by two parties when making a decision as to whether one or the other party is right.

I simply say that clause 7 makes it quite clear who shall be appointed to hold office as a referee. Therefore it would appear to me that one of the objections put forward by the Minister cannot stand the light of day when we consider the qualifications of the person who will be appointed as a referee.

Mr Sibson: What is wrong with that?

Mr SKIDMORE: There is nothing wrong with it at all. A magistrate presiding over any Local Court could be likened to a man who sits in court as a referee. The point I am making is that if we widen the scope of the Bill we will not cloud or make a mess of the number of claims that come before the tribunal. Even the Act itself provides for more claims tribunals to be set up. If one claims tribunal is unable to cope with the number of claims placed before it, another can be established. We can continue to appoint any person as a referee as long as he is a barrister, solicitor, attorney, or proctor of the Supreme Court.

The argument put forward by the Minister is obviously the policy of the Government, but in my opinion the Minister should endeavour to persuade his advisers to allow the scope of the Bill to be widened so that it may be given some validity. The arguments advanced by the Minister that the Bill should not be widened must surely founder on the basis of the type of person who is to be appointed as a referee.

Mr HARTREY: I am certainly not moving this amendment from a selfish point of view or from a point of view of pique. I have moved it from a practical point of view. Many magistrates retire at 70 years of age and as I anticipate the Government will have some difficulty in obtaining suitable referees such men could be appointed to this position. It is very difficult to obtain comparatively well trained and well respected gentlemen such as Local Court magistrates.

Mr Grayden: That has been the experience in other States.

Mr HARTREY: It has been the experience here, too. It may be difficult to obtain a referee, but I feel sure the services of a retired magistrate could be obtained. A magistrate of a Local Court usually retires at 70 and in most instances such a person has many years of active life before him.

Also, a retired clerk of courts could be appointed as a deputy referee, and certainly a man who has acted as a stipendiary magistrate up to the age of 70 years could take on the job of referee for the next five years or so. There is no reason why he could not be appointed. Many men over 80 years of age have become distinguished for their intelligence and their service to the community. Looking back in history it can be recalled that the great Roman Senator, Cato the Elder, learnt Greek at 80 years of age and spoke it in those times. Many men in our own lifetime have rendered distinguished service at an age well over 70. One that comes readily to mind is Sir Winston Churchill. Another is "Der Alte", Chancellor Adenauer of West Germany in comparatively recent years.

There is no logic or justice in depriving the Government of the right to appoint retired magistrates as referees and if the obnoxious words in this clause are deleted—which should be elementary common sense—the Government will be permitted to appoint a retired magistrate as a referee. Enabling legislation is always better than a Statute that frustrates.

This is quite an important point. I would ask the Minister to give careful consideration to the deletion of the words, because he admits that the Eastern States have experienced difficulty in finding referees. The legal profession is a profitable one, and it is not easy to wheedle men out of the profession to act as referees. I can say that retired magistrates, even though qualified could not be readily enticed to return to the profession; therefore I suggest that we should exclude the words I have referred to.

Sir Charles Court: Will you not be defeating the purpose if you take the words out, because the Minister very wisely included the words to bring in the people you are referring to? If we take out those words I imagine that future Administrations might try to hold you back to the limit of 65 years of age. The words were included specifically to bring in people over 65 years of age who have excellent capacity to fulfil the role.

The CHAIRMAN: Some members are holding a little conversation between themselves to the exclusion of the Chairman and the *Hansard* reporter.

Mr HARTREY: The qualifications of those eligible to hold office as referees are barristers, solicitors, attorneys, and proctors of the Supreme Court. Admittedly the legal practitioners of this State are in those categories.

In case members wonder what a proctor is I will quote the words of Dickens in *David Copperfield*. Those who have read this novel will recall that Agnes Wickfield's father was a proctor, and that David Copperfield himself was articled to Wickfield as a proctor. He defined the profession as "a sort of monkish attorney", for a proctor in those days was a legal practitioner licensed only to practise in the ecclesiastical courts of the Church of England. When the first Divorce Act brought matrimonial causes into the law courts any barrister allowed to conduct matrimonial causes automatically became a proctor. The word is now an antiquated expression. I move an amendment—

> Page 5, lines 19 and 20—Delete the words "and who has not attained the age of seventy years".

The CHAIRMAN: I draw the attention of members to Standing Order 181 which lays down the method for moving amendments. Amendments are to be forwarded in writing. In this case I shall accept the amendment, but I would ask members to adhere to the practice laid down in the Standing Orders.

Mr GRAYDEN: It would not be wise to agree to the amendment for the simple reason that the words have been included to prevent the exclusion of persons in the categories mentioned, who have attained the age of 65 years. I would be happy to see the suggestion of the member for Boulder-Dundas incorporated in the Bill, and for that purpose we could have the provision examined. If it is considered reasonable or desirable for the words to be deleted, an amendment could be made to the Bill when it is in another place to have a limit of 75 years of age inserted in the provision. At this stage it would be too dangerous to delete the words.

Mr SKIDMORE: I take up the argument put forward by the Premier. It could be that the deletion of the words, "and who has not attained the age of seventy years" would be a bar to the appointment of someone who was over the age of 65 years. I understand that some age restriction might be imposed by the Public Service.

Looking at the wording of the clause, one must draw the conclusion that if the argument put up by the Premier is right then a person who has attained the age of 70 years will not be appointed. The argument of the Minister that there is some difficulty in placing a restriction does not stand up. The fact of including the reference to 70 years of age is no restriction at all. A person could be 69 years of age, or four years over 65 years of age, when he is appointed. I feel there is no bar to the deletion of the words.

Mr Grayden: You find that in other Acts.

Mr SKIDMORE: We shall not have it in this legislation. We are trying to assist the Government to overcome in the future the difficulty of finding the number of persons who are qualified to act as referees in the small claims tribunal. We are suggesting a logical way to widen the field by saying that certain persons, without age limitation, may be appointed.

In reality there is no danger at all in the amendment, and the Government should accept it. I understand the Minister has admitted that the amendment is a good one, but he says there will be an age restriction. When we look at clause 5 we realise that a number of referees will be appointed. I think the Government will stand supreme in the appointment of such persons. We should do away with the age restriction and ensure the Government is able to appoint the required number of referees.

Amendment put and negatived.

Clause put and passed.

Clauses 8 to 15 put and passed.

Clause 16: Jurisdiction—

Mr BERTRAM: This provision limits the jurisdiction of the tribunal with respect to claims where the contract was made earlier than two years before the establishment of the tribunal. The clause states—

> but does not have jurisdiction with respect to such a claim if the contract was made earlier than two years before the day on which the claim was referred to a Small Claims Tribunal.

I move an amendment—

> Page 9, line 20—Delete the word "two" with a view to substituting the word "six".

Nothing is wrong with that proposition. The Minister laughed at it earlier and I suppose he had a right to laugh at it. But he is laughing at the law. He has never shown any inclination to alter the law applying to local courts and other courts which have the jurisdiction in certain circumstances to deal with contracts going back over six years. This is before

the limitation Statute commences to operate. That Statute in effect takes away the right to relief by anyone under that particular contract. I have some real doubt as to whether any limitation is placed on time under the Victorian, Queensland, or New South Wales Acts, but no doubt the Minister will be able to indicate the position in this regard. If a limitation is to be imposed, I find it difficult to understand why it should be two years and not one, four, or five. I believe that six years is an appropriate time.

It is true that as the years go by the memory fades but that applies in other courts and we are not worried here about technicalities or absolute precision. We are trying to give someone justice in an area of litigation where the public does not currently get justice because they cannot reach it. We should not be ousting people, but as far as we can and as fairly as we can we should be extending the net and sphere of operations.

We have already made it abundantly clear that we do not believe the Bill tries hard enough. It is merely designed to strictly comply with an election undertaking and the Government simply does not have its heart in the matter.

If a time limitation is to be imposed, the sensible time is a period of six years. Nearly every day members of Parliament are confronted by people who are just outside a certain line of delineation, sometimes by only a day or a week.

Mr Sibson: Would not the same thing apply with six years though?

Mr BERTRAM: If people came to me in those circumstances and said they had just missed out when the period allowed was six years, I would just tell them it was jolly bad luck; but in similar circumstances, if the period were two years I would have a lot of sympathy for the persons involved. The present limitation is completely unnecessary and is not based on any logic.

Mr Sibson: It is only a small claims tribunal though.

Mr BERTRAM: That is true. However, in regard to this matter there is a ceiling of $500, but no minimum has been indicated. What we are trying to do is to provide a forum for ordinary people and we should not go out of our way to restrict those people to a period of two years.

Mr HARTREY: I am sorry I cannot support the proposition of the member for Mt. Hawthorn, because I do not believe it will achieve what he has in mind. It does not matter when a contract is made because the important date is the date on which the cause of action arose. I may be renting a house for a period of 20 years and during that time I might have paid the same rental. Then suddenly a dispute could arise as to whether I had paid the rental or whether it should be increased, or whether I had damaged some of the furniture. The fact that the contract was made 20 years previously is irrelevant. The time limitation has nothing to do with the contract; the important thing is when the breach of contract, which is the cause of action, occurred.

I could enter into a hire-purchase agreement involving 3½ years and in those circumstances, under the Bill, after two years I could not raise any objection concerning the agreement.

There is no point in the amendment as worded by the honourable member. I do not see any great objection to the present provision. After all, we are dealing with a court of summary justice and a person will not be involved in great expense in the consultation of a solicitor. It is true as the member for Mt. Hawthorn has said, that prompt justice is sweet justice, and under the legislation a person would have the right to approach the tribunal immediately he has a grievance. On the other hand, if a case involved a great deal of expense a person might require two years in which to save the necessary finance. Therefore I move an amendment to line 15—

The CHAIRMAN: Order! The honourable member cannot move an amendment to line 15 when we are dealing with an amendment to line 20. An alternative would be to request the member for Mt. Hawthorn to withdraw his amendment.

Mr HARTREY: I will ask him to do so.

The CHAIRMAN: I am obliged to put the question before the Chair. I cannot request the member for Mt. Hawthorn to withdraw his amendment.

Mr BERTRAM: I am always happy to accommodate my colleagues. For other reasons, which I shall not indicate, I was not at all confident as to the fate of my amendment. I seek leave to withdraw it.

Amendment, by leave, withdrawn.

Mr HARTREY: I will seek leave to move an amendment.

The CHAIRMAN: It is in writing, of course?

Mr HARTREY: It soon will be.

The CHAIRMAN: For the sake of getting the business of this Committee under way I will accept the amendment per voice. However, I ask that we get a little order into the debate. This would be the sloppiest piece of Committee work that has gone on in this Chamber for a long time.

Mr HARTREY: I think you will appreciate, Mr Chairman, that we have not had much time to prepare our material.

Mr O'Neil: Cut it out!

The CHAIRMAN: Order! I ask the member for Boulder-Dundas to move his amendment.

Mr O'Neil: A fortnight, and a week off Parliament.

Mr HARTREY: I move an amendment—

Page 9, line 16—Delete the words "whether the contract".

Mr GRAYDEN: I consider the amendment should be defeated. First of all, the word "contract" is intended to imply cause of action, and it would be interpreted that way. However, if that interpretation is not correct the matter can be altered in another place. It would be ludicrous to agree to the amendment because the subclause would not then make sense.

Mr Hartrey: I intend to move further amendments.

Mr GRAYDEN: I will certainly look at the provision again, but I feel my interpretation is correct.

Mr SKIDMORE: I rise to defend the proposition put forward previously—and now superseded—in which the member for Mt. Hawthorn suggested the limitation was unfair. The proposed amendment will not overcome that limitation. I want to try to illustrate that it is not necessary to limit the period to two years.

The CHAIRMAN: Order! The member must confine his remarks to the amendment now before the Chair. He will have an opportunity to debate his point at a later stage. He must debate the question before the Chair.

Mr SKIDMORE: I take the point, Mr Chairman, and I suggest I am debating the very amendment before the Chair. It seeks the deletion of the words "two years".

Mr Hartrey: No, it does not.

Mr O'Neil: Even the member who moved the amendment does not agree.

The CHAIRMAN: The member for Swan will have an opportunity to speak when we return to that point.

Mr SKIDMORE: I accept the point, having again learnt some of the problems associated with being a member of Parliament.

Mr HARTREY: I must reply to the Minister's remark concerning the meaning of "contract", and how it would be interpreted in a court. A cause of action is a breach of contract, and a contract is a verbal or written agreement between two parties. People do not argue about a contract, they argue about one or the other breaking a contract. The cause of action is the breach of contract. It is absurd to leave the wording as it now appears because it will not mean anything. A contract could be for a period of 20 years but under the present provision in the Bill no action would be possible after a period of two years.

I ask the Minister to trust my judgment. I have enough knowledge of law to understand this point. I ask the Minister, and the Committee, to agree to the deletion of the words with a view to the substitution of other words.

Mr Grayden: It would be more satisfactory to make the amendment in another place, if it is necessary.

Mr HARTREY: If the Minister is afraid to take my free legal advice I will not proceed.

Amendment put and negatived.

Mr SKIDMORE: I wish to come back specifically to the question of the two years' limitation. I believe the limit could be completely unfair in many instances of building construction.

I will give an example of a case which has already been brought to my attention by one of my constituents. Some 3½ years ago this person contracted with an unlicensed builder—who was using another builder's license—to build a home. The home was erected according to specifications agreed upon. Some 12 months after completion cracks started to appear over external and internal doors. The person concerned consulted the builder and suggested that something was wrong with the construction of the house. However, the builder said it was a normal settlement issue, and that the foundations were settling down. He said the cracks were only hairline cracks, and they were replastered

Some three or four months later—about two years after the house was completed and some six months after the first claim —the cracks reappeared. The owner of the house again went to the builder, who again said that the house was still settling down and that he would apply more plaster.

The wider cracks were replastered but after another three months the same problem occurred. It was now nine months after the owner first complained to the builder, and at this stage the owner went to the Commissioner of Consumer Protection.

Nine months elapsed from the time the owner of the house first made a claim on the builder for faulty workmanship. Following the investigation by the Consumer Protection Bureau an engineer was called in, and after further litigation and backing and filling for some months after the first crack appeared in the wall it was ascertained that there was no angle iron lintel over any of the doorways. To put lintels in a house which has already been constructed is a colossal job and the builder refused to do it. The Consumer Protection Bureau has been onto him, and the engineer has reported that structurally the house is sound so there is no need to worry.

For two or two and a half years that person has been trying to obtain redress from a builder for faulty workmanship and he has not yet obtained it. There are many similar cases. Another which was brought to my attention related to the construction of a house in which the bedroom was 1½ inches too wide. This was a structural fault which the builder was very reluctant to rectify.

I may be wrong but perhaps in the case I referred to previously that person would be outside the limitation of two years. Time could elapse and a person would no longer have the right to go to the small claims tribunal. We would not be doing anybody a disservice in making this legislation consistent with the Statute of Limitations and taking the time limit up to six years. We would be a little more venturesome in our legislation and have consistency with other common law provisions in which the limit is six years. That is not unreasonable. Why do we cause confusion between two pieces of legislation? The people for whom this Bill is designed want something simple. If we made the time limit six years, it would cover the many cases where it would take more than two years before a matter could be brought to the tribunal. The Supreme Court is at the present time dealing with a case in connection with charges by a solicitor which has been running for about four years.

Mr Sodeman: I think the examples you mentioned would be outside the ambit of a small claims tribunal as far as the amount involved is concerned.

Mr SKIDMORE: The point is well taken. I merely gave an example. I believe the limitation of two years is insufficient and that it should be increased to six years for two reasons: firstly to be consistent, and secondly to look after the person who might find himself in that situation.

Mr BERTRAM: I move an amendment—

Page 9, line 20—Delete the word "two".

Amendment put and negatived.

Clause put and passed.

Clauses 17 to 20 put and passed.

Clause 21: Restricted effect of tribunal's order—

Mr BERTRAM: Again we have a departure from the comparable section in the Victorian Act, which is section 19. The Victorian provision says that if a tribunal has before it a matter which justifies it making an award in excess of the sum of $500, the award will stand but not to the extent of anything in excess of $500. It seems that in a comparable situation our clause 21 says the whole of the award will be lost and of no effect. If that is so, I think we should strive for the Victorian provision. I move an amendment—

Page 12, line 10—Add after the word "effect" the words "to the extent only of such excess".

Amendment put and negatived.

Clause put and passed.

Clauses 22 and 23 put and passed.

Clause 24: Reference of claims to tribunal—

Mr BERTRAM: As intimated earlier this evening, I am unimpressed with the requirement that a person lodging a claim with the tribunal should, amongst other things, be required to pay a fee which, according to the Minister's speech, will be an amount of $2. It seems to me the cost of administration and the nuisance value of that fee would far exceed the amount of $2 per claim. I move an amendment—

Page 14, lines 5 and 6—Delete the words "and shall pay the prescribed fee to the registrar or to the clerk of the court at the time of filing".

In other words, a person will make a claim and will not be required to pay any fee at all.

Amendment put and negatived.

Clause put and passed.

Clauses 25 to 33 put and passed.

Clause 34: Tribunal to act on evidence available—

Mr BERTRAM: Because of the lack of time I did not have an opportunity to draft an amendment to this clause. However, I would like it recorded more precisely, although I did refer to this in my second reading speech, that because of the content of this clause the Minister says an order of the tribunal must follow the rule of law in respect of the issue in dispute—whatever that may mean precisely. However, it does not mean that the referee has the right to act according to common sense, fairness, equity, and justice. We feel that this mode of operation should be the charter of the referee. This charter operates in the Queensland situation and we believe it is far preferable to this provision which I understand was taken from the Victorian legislation. I would have liked to move an amendment to this clause.

Mr B. T. BURKE: I rise only to pay a compliment to the member for Mt. Hawthorn for the way in which he has handled this measure. I also wish to point out to the Committee the gross waste of time that has followed the Government's unreasonable refusal to allow the member for Mt. Hawthorn an adequate opportunity to consider the Bill.

Sir Charles Court: Don't you know we granted extra time yesterday at the request of the member?

Clause put and passed.

Clauses 35 to 43 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

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

House adjourned at 11.16 p.m.

Legislative Assembly

Thursday, the 14th November, 1974

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

QUESTIONS (46): ON NOTICE

1. WATER SUPPLIES

Moora

Mr CRANE, to the Minister for Water Supplies:

(1) In view of the high soluble content in the Moora Town Water Supply particularly in summer with evidence that it is increasing as a recent sample reveals 108 grains per gallon, could he please advise what work will be carried out this financial year to develop and pipe water from the new source located west of Moora?

(2) When is it envisaged that the project will be completed?

Mr O'NEIL replied:

(1) The sum of $450 000 has been provided in the 1974-75 loan programme for the purpose of commissioning the new bore source.

(2) Current planning envisages a commencement within two months with a view to completion late this financial year.

2. STANDARDS ASSOCIATION OF AUSTRALIA

Constitution

Mr A. R. TONKIN, to the Minister for Labour and Industry:

How is the Standards Association of Australia constituted, under what statutory authority, and to whom is it responsible?

Mr GRAYDEN replied:

The Standards Association of Australia is an independent non-profit body incorporated under Royal Charter and administered by a council which is representative of industry and commerce, the Commonwealth and State Governments and professional organisations.

Its income is derived from three main sources, an annual Commonwealth grant, sale of publications and subscribing membership.

Standards Association of Australia's specifications, test methods and codes gain recognition as national standards from the fact that they are prepared and accepted by all interested parties represented on the drafting committees. As a general rule, standards derive authority from voluntarily adoption based on their intrinsic merit.

Where, however, a standard is concerned with matters affecting safety of life or property, it may find compulsory application through reference in statutory regulations.

3. EAST CARNARVON SCHOOL

Library-resource Centre

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

When is it anticipated that tenders will be let for the proposed library/resource centre at the East Carnarvon primary school?

Mr MENSAROS replied:

Documents have been completed and it is hoped to call tenders within the next two weeks.

4. CARNARVON CENTRAL SCHOOL

Inadequate Facilities

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

(1) Is the Minister aware of the serious lack of facilities at the Carnarvon central primary school in the way of—

(a) totally inadequate staff room;

(b) no room for deputies to work or conduct interviews;

(c) no sick bay;

(d) inadequate toilets and no separate toilet facilities for staff;

(e) lack of storeroom space;

(f) likely shortage of classrooms in 1975?

(2) What plans does the Minister have to alleviate this situation?

Mr MENSAROS replied:

(1) Improved administration facilities are required at a number of schools and Carnarvon will be considered when further funds become available for such purposes.