Legislative Assembly

Tuesday, the 14th August, 1973

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

BILLS (2): MESSAGES

Appropriations

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

1. Iron Ore (Murchison) Agreement Authorization Bill.
2. Broken Hill Proprietary Company's Integrated Steel Works Agreement Act Amendment Bill.

QUESTIONS (26): ON NOTICE

1. AMBULANCES

Government Financial Assistance

Mr. RUSHTON, to the Premier:

(1) Will he advise the extent of the finance found by the Treasury to provide for the ambulance services in Western Australia during the 1972-73 financial year towards—
  (a) permanent association staff;
  (b) brigade volunteers?

(2) How many persons are involved in our ambulance services—
  (a) association (permanent);
  (b) brigade (volunteers)?

(3) Did he receive an application from the St. John Ambulance Brigade for additional help during the 1972-73 financial year?

(4) What was the sum requested?

(5) If this application was rejected, what were the reasons for refusing to help this vital service?

(6) Has a fresh application for assistance been made by the brigade since 1st July, 1973?

(7) If "Yes" what is the sum asked for?

(8) Will he grant this request?

(9) What would be the cost to the State of providing the present ambulance service in Western Australia with permanent staff based on the present rates paid to association staff for the hours presently freely given by the brigade volunteers?

(10) Why does he put such a low value on the service of the volunteers when one has regard for the extensive grants found for many other purposes?

Mr. J. T. TONKIN replied:

(1) Grants paid in 1972-73 were:—
  St. John Ambulance Association—$419,358.
  St. John Ambulance Brigade—$8,500.

(2) The Government does not keep records which would indicate the split-up of permanent and volunteer staff for either of these two organisations.

(3) and (4) An application dated 2nd May, 1973, sought financial assistance for the year ending 31st December, 1973, but the amount was not stated. A further application, dated 28th May, 1973, sought additional funds to meet an anticipated deficit of $2,326 before 31st December, 1973.

(5) The Government has not refused help and, in fact, has already paid $8,500 to the brigade in this current financial year. Grants paid in previous financial years were—

	$
1969-70	5,000
1970-71	6,000
1971-72	7,500
1972-73	8,500

(6) and (7) On 2nd August, the brigade renewed its application for additional funds to meet an anticipated deficit of $2,326 before 31st December, 1973.

(8) A decision will be made in due course.

(9) Not known.

(10) I do not place a low value on the service of volunteers, and take strong exception to the Member's implication that I do.

2. PRISON

Canning Vale: Completion

Mr. BATEMAN, to the Minister representing the Chief Secretary:

(1) Have plans been finalised for the proposed new gaol to be built at Canning Vale?

(2) If so, when will work commence on the building and when is the anticipated date of completion?

Mr. HARMAN replied:

(1) Plans for first stage have been finalised.

(2) Tender for first contract to be called October, 1973. Gatehouse completion November, 1974. Training facilities and staff recreation to commence March, 1975. Store to commence June, 1975. Prison completion 1976.

3. SEWERAGE

Beckenham

Mr. BATEMAN, to the Minister for Water Supplies:

(1) Is there a proposal to extend the existing sewerage mains in Langford across Southern River to service the low lying Beckenham area?

(2) If so, when can it be expected this service will be installed?

Mr. JAMIESON replied:

(1) and (2) This work is not included in current schedules.

The long term proposal for the sewering of the Beckenham area is via a major pumping station near Greenfield Street and the Canning main sewer.

4. DECENTRALISATION

Officer at Albany

Mr. COOK, to the Minister for Development and Decentralisation:

(1) Has the Government considered appointing an officer of a higher grade than first proposed to the position of decentralisation officer for the Albany area?

(2) Has the officer been appointed?

(3) If so, when is it expected he will take up his duties?

(4) If not, when is the appointment expected to be announced?

Mr. TAYLOR replied:

(1) Yes. The classification of the position is at present under review.

(2) No.

(3) When the problem in (1) above, has been resolved and a suitable officer becomes available.

(4) See (3) above.

5. COTTESLOE SCHOOL

Pedestrian Grade Separation

Mr. HUTCHINSON, to the Minister representing the Minister for Police:

Further to his reply to question 44 on Tuesday, 7th August would he please give further information regarding the "pending implementation of the proposed pedestrian grade separation facility" in the immediate vicinity of the Cottesloe primary school?

Mr. JAMIESON replied:

Plans and estimates for a pedestrian overway have been forwarded to the Peppermint Grove Shire Council and the Cottesloe Town Council. When the two authorities have agreed on the proportioning of their share of the costs, consideration will be given to scheduling the construction.

6. SOFTWOOD PLANTATIONS

Land Acquisition

Mr. McPHARLIN, to the Minister for Forests:

(1) What acreage of private land has the Forests Department purchased for softwood plantations since 1950 in the shires of—

(a) Nannup;

(b) Donnybrook-Balingup;

(c) Bridgetown-Greenbushes?

(2) What acreage of the above land is now under plantation?

(3) What is the total plantation acreage (including Crown land and once privately owned land) in the above shires held by—

(a) the Forests Department;

(b) private owners?

Mr. H. D. EVANS replied:

(1) (a) Approximately 5 370 hectares;

(b) approximately 6 650 hectares;

(c) approximately 1 320 hectares.

(2) Approximately 6 330 hectares (gross).

(3) (a) Approximately 7 750 hectares (nett);

(b) approximately 1 877 hectares (gross).

Note: All figures are as at 1st August, 1973, except (3) (b) which is to 31st March, 1973.

7. GARDEN ISLAND

Recreation and Conservation

Mr. RUSHTON, to the Premier:

(1) How far have negotiations progressed with the Commonwealth Government for sharing the responsibilities on Garden Island as to—

(a) flora and fauna preservation and protection;

(b) recreational reserves;

(c) access to the island by the public;

(d) transfer of the State armaments department?

(2) Is he aware of the reported deaths of tammars on Garden Island said to be as a result of the development of the naval base?

(3) Has the Government taken any action with regard to (2) above?

(4) What action has the Government taken to determine the State's responsibilities on the island and to act upon them?

(5) Is the Government intending to make financial provision this year to implement the State's undertakings on Garden Island?

Mr. J. T. TONKIN replied:

(1) Negotiations with the Commonwealth Government have not progressed beyond the status indicated in my answer to the Member on 10th April, 1973.

(2) Yes, a few deaths of tammars occurred as a result of traffic associated with an all-night operation on the island, which has now ceased.

(3) Since the all-night traffic has ceased, no action is considered necessary at this time.

(4) Cabinet has appointed a State working group to be convened by the Director of Environmental Protection with representation from the Premier's Department, Mines Department, Treasury Department, Tourist Development Authority and the Fremantle Port Authority. A meeting of 14 State departments and instrumentalities was held on 18th May, 1973, which delineated the principal interests of the State in the island.

(5) This matter is being investigated, together with other Budget considerations.

8. AGRICULTURE PROTECTION BOARD

Doggers

Mr. McPHARLIN, to the Minister for Agriculture:

(1) What are the working hours laid down for doggers employed by the Agriculture Protection Board?

(2) What is the salary and allowances paid?

(3) Has there been any difficulty experienced in obtaining men for this work?

Mr. H. D. EVANS replied:

(1) Forty hours per week on an 8 hours per day basis, to be worked as a five day week between the hours of 7 a.m. and 5 p.m. By mutual agreement men may work 10 days on and 4 days off per fortnight provided no more than 9 hours are worked in any one day.

(2) The base wage is $68.80 but this rises to $75.70 per week depending on experience and efficiency.

Other allowances include:—

Industry allowance—$4.50 per week.

Supplementary payment (service pay)—$5 per week in 1st year rising to $11.00 per week in 4th year.

Camping allowance—$11.20 per week.

District allowance—Varies from $0.75 to $10.50 per week depending on the area.

(3) There has been increasing difficulty in obtaining suitable men with adequate experience.

9. FRIENDLY SOCIETIES PHARMACIES

Expansion

Mr. O'NEIL, to the Minister for Health:

(1) In view of the fact that the answer to question 20 *(Votes and Proceedings* No. 29 of 1973) could be interpreted to imply that a decision has been made to permit of the establishment of additional friendly society pharmacies, has in fact such a decision been made?

(2) If so, what is the decision and does it extend to allowing any increase in the number of pharmacies which may be owned by private pharmacists?

(3) What number of pharmacies may presently be owned by—

(a) a friendly society; or

(b) a private pharmacist?

Mr. DAVIES replied:

(1) No.

(2) Not applicable.

(3) (a) 10.

(b) Not exceeding 2.

10. FRUIT-FLY CONTROL

Fees and Grant

Mr. RUSHTON, to the Minister for Agriculture:

(1) Will he honour his promise given during my Grievance presentation on 23rd May, 1973 and inform me on the issue of illegal fees under the Plant Diseases Act?

(2) Will the department extend to the south suburban fruit fly baiting committee a grant of $3,000 this year?

(3) If "No" to (2), what is the reason for this decision?

(4) Has the department agreed to allow pensioners some rebate without penalty to the committee?

(5) Why does the department segregate fruit fly from the sphere of their responsibility when it manages other diseases with a serious impact upon our agricultural product?

Mr. H. D. EVANS replied:

(1) As indicated in my reply the matter has been investigated and detailed information will be forwarded to the Member in the near future. This information will

indicate that the committee concerned has not been acting irregularly in charging fees for its baiting service.

(2) Financial assistance to baiting scheme committees is considered on the basis of the committee concerned making an application and supplying detailed information of operational costs and anticipated revenue. In the light of the foregoing an application by the South Suburban Fruit Fly Baiting Committee will be considered.

(3) Answered by (2).

(4) The department has no administrative control over this aspect. Baiting committees are autonomous bodies and the question of charges is determined by them within the maximum limits prescribed under the Plant Diseases Act.

(5) The department does not except fruit fly from its sphere of responsibility relative to other ubiquitous pests. In fact, by comparison with many other pests, the department devotes a great deal of expenditure on this pest by regulatory controls, extension and research. The situation is not analogous to that of an exotic pest such as codlin moth where strict quarantine measures and eradication are economically feasible.

Fruit-fly baiting schemes are provided for under the Plant Diseases Act to permit communities which so elect by referendum to organise on a group basis to carry out the control measures which are the responsibility of each individual member of the community.

11. FORREST ROAD-NICHOLSON ROAD JUNCTION

Upgrading

Mr. RUSHTON, to the Minister for Works:

(1) When is it expected the upgrading of the Forrest Road-Nicholson Road, Forrestdale junction will be—

(a) commenced;
(b) completed?

(2) Has there been an increased estimated cost for this work and, if so, what is the new figure?

Mr. JAMIESON replied:

(1) (a) In the latter part of September.

(b) No definite completion date has been set as delays could occur due to the need to remove a building to obtain satisfactory sight distance.

(2) No, but the estimated cost does not include the cost of land.

12. MEATMEAL

Shortage

Mr. RUSHTON, to the Minister for Agriculture:

(1) For how long has there been a shortage of meatmeal?

(2) Why have there been inadequate supplies available?

(3) When will the demand be met?

(4) Is it the department's responsibility to ensure adequate supplies of meatmeal are retained in Western Australia?

(5) If "Yes" to (4), what went wrong?

(6) If "No" to (4), whose responsibility is it and why has there been a shortage, especially in the poultry industry?

Mr. H. D. EVANS replied:

(1) Farmers first began to express difficulties in obtaining meatmeal in mid April, and stockfeed manufacturers have been reporting difficulties since early May.

(2) The current world shortage of protein supplements for stockfeed has greatly increased demands for meatmeal by domestic users and exporters, at a time when slaughtering rates at abattoirs in the southern area of the State have been exceptionally low. The rate of slaughtering for sheep and lambs in May, June and July was in the order of half that for the same period last year.

Meatmeal has been available from Kimberley abattoirs but prices plus transport costs have not made this source of supply acceptable to users in southern areas.

(3) It is not possible to ascertain precisely when demands will be met as this also depends on the availability of alternative protein meals. It is expected that production of meatmeal at southern abattoirs will improve in September when more sheep are sent for slaughter.

(4) to (6) Permits to export meatmeal are issued by the Department of Primary Industry under the Customs (Prohibited Exports) Regulations after consultation with the Department of Agriculture.

No permit to export meatmeal has been authorised since early June, except in the case of Kimberley abattoirs. A committee with representation from the department, Farmers' Union, stockfeed manufacturers, producers of meatmeal and exporters was also set up at that time to attempt to minimise the problem.

Users of meatmeal did not foresee the extent of the current shortage of protein meals in time either to undertake storage of surplus meatmeal produced early in 1973 or to advise abattoirs of their requirements for the remainder of the year. Abattoirs on the other hand did not anticipate the extent of the decline in kill. As a consequence, producers of meatmeal undertook export contracts in the belief that there would be production in excess of domestic requirements.

The current shortage of meatmeal is affecting the poultry and pig industries, and producers of meatmeal have taken steps to issue their limited production on a *pro rata* basis to established clients.

13. EDUCATION

C.M.F. Cadet Training

Mr. MENSAROS, to the Minister representing the Minister for Education:

(1) During the time of his Government's office has he or his predecessors received any report regarding the educational, disciplinary, character-building and other assets or detriments of C.M.F. cadet training in schools where such training is undertaken?

(2) If so, when were these compiled and will he table such report(s)?

(3) Has he or his Government any policy about the desirability of continuation or discontinuation of the opportunity of such training in schools?

(4) If (3) is "Yes"—

(a) what is this policy;

(b) when was it decided upon;

(c) what were the reasons for it, especially if (1) is "No"?

(5) If the policy is to discontinue C.M.F. cadet training in State schools, will non-Government schools still have an option to continue such training?

(6) To what extent is his policy in this matter based on the facts and circumstances prevailing in this State as against the policy decisions of the Federal Conference of the A.L.P. which only has a small contingent of Western Australian representatives who are not active educators and are not elected representatives of Western Australian voters?

Mr. T. D. EVANS replied:

(1) and (2) There is no record of the receipt of such a report.

(3) Yes.

(4) (a) The State Government cooperates with the Australian Government in the provision of cadet training. Principals of schools are permitted to exercise initiative in this matter.

(b) This policy has remained unchanged for many years.

(c) Since no report has been received, the previous policy is continuing.

(5) The State Education Department is in no way concerned with cadet training in independent schools.

(6) Answered by (4) above.

14. COMPANY LAW

Uniformity

Mr. MENSAROS, to the Attorney-General:

(1) Does his reported agreement to the contentions of the Commonwealth Attorney-General in regard to uniformity of company laws mean—

(a) that he agreed to introduce legislation for Western Australia in State Parliament which is complementary to the agreed Commonwealth legislation and will be administered by the relevant State authorities; or

(b) that the State will give up its power to legislate in this field and the Commonwealth legislation will apply to the State?

(2) If (1) (b) is "Yes" will the Commonwealth company law legislation applying to the State of Western Australia be administered by State or Commonwealth authorities?

(3) Whether State or Commonwealth legislation and/or administration applies, will State or Federal courts have jurisdiction in matters involving judicial—as opposed to administrative—proceedings based on the proposed uniform company laws?

Mr. T. D. EVANS replied:

(1) There is in fact no such agreement. All that I and some other Attorneys have said is that we are prepared to consider the possibility of referring power.

(2) and (3) What is contemplated is an all embracing Commonwealth company law. Just how it would be administered has not yet been worked out.

15. PEEL INLET CONSERVATION ADVISORY COMMITTEE

Membership and Powers

Mr. MENSAROS, to the Minister for Environmental Protection:

(1) Who are the present members of the Peel Inlet Conservation Advisory Board?

(2) Who is nominating and/or electing the members, by virtue of which Statute or regulation, and for what period of time?

(3) What are the powers and responsibilities of the board?

Mr. DAVIES replied:

(1) The Peel Inlet Conservation Advisory Committee consists of the following members:

Messrs.—

W. R. Courtney (Chairman)
M. Christiensen
A. M. Fuller
O. Tuckey
J. Armitage
J. Ireland
R. Deering
T. Leaver
Dr. A. Burbidge

(2) Membership of the committee is by Ministerial appointment and membership will be reviewed in association with the proposed legislation to establish an Estuarine Conservation and Management Authority. There is no Statute or regulation relating to membership, nor are members appointed for a fixed period of time.

(3) The committee has no statutory powers and responsibilities at present but gives advice on local matters to the Director of Environmental Protection and to me. I might add that I believe the committee is, in fact, as set up by the previous Government.

16. FREEWAYS AND EXPRESSWAYS

Banning in Capital Cities

Mr. MENSAROS, to the Minister representing the Minister for Transport:

(1) Has he made inquiries with the Federal Minister for Urban and Regional Development as to the practical effects of his statement reported in *The West Australian* on 4th June, 1973, which implied that the Federal Minister would like to discontinue to aid freeway developments within close proximity of capital city centres?

(2) If so, what are the results of his inquiries?

(3) How will the Federal Minister's reported policy affect the present Mitchell Freeway development in its present and planned future stages?

(4) What is his and the Government's policy in reaction to the Federal Minister's statement and the future of the Mitchell Freeway system?

Mr. JAMIESON replied:

(1) Information has been forwarded to the Bureau of Roads on the the effect of curtailing freeway construction in the Perth metropolitan region.

(2) No result to date.

(3) The Australian Government's policy on these matters has not yet been advised.

(4) The information forwarded to the Bureau of Roads presented argument which emphasised the need to continue with the Mitchell Freeway as planned.

17. TRADES HALL BUILDING PROJECT

Tabling of Papers

Sir CHARLES COURT, to the Premier:

(1) Will he table all papers in relation to the involvement of the Government, Government Departments, State instrumentalities (including the Rural & Industries Bank) in the financing of the new Perth Trades Hall project?

(2) Will he also table all lease documents involving the Government, Government Departments and State instrumentalities (including the Rural & Industries Bank) for this project?

(3) If he is not prepared to table these papers, will he table a comprehensive statement of the financial and leasing involvement of the Government, Government Departments and State instrumentalities (including the Rural & Industries Bank) in the financing and leasing of the Trades Hall project?

Mr. J. T. TONKIN replied:

(1) Details of the Government's financial involvement in the Perth Trades Hall project are set out in documents registered at the Companies Registration Office under the Bills of Sale Act, and at the Lands Titles Office under the Transfer of Land Act.

(2) A copy of an agreement between the Minister for Works and Perth Trades Hall Incorporated to enter into a lease, is hereby tabled.

(3) Answered by (1) and (2).

The papers were tabled (see paper No. 271).

18. TEACHING HOSPITALS

Outpatients: Cost of Attendance

Dr. DADOUR, to the Minister for Health:

What was the cost per outpatient attendance at each of the teaching hospitals as at 30th June for the years 1969, 1970, 1971, 1972 and 1973?

Mr. DAVIES replied:

Estimated cost per outpatient attendance for teaching hospitals for the following years:

Hospital	30 June 1969	30 June 1970	30 June 1971	30 June 1972	30 June 1973
	$	$	$	$	$
R.P.H.	8.41	9.37	9.85	12.40	14.00
P.M.H.	6.83	7.52	8.88	11.99	12.94
Fremantle	5.49	5.73	6.14	7.62	8.31
S.C.G.H.	9.41	10.17	10.88	11.92	12.85
K.E.M.H.	6.73	6.95	7.27	8.33	8.76

The method used to assess the figures could mean that the charges shown might vary a few cents, one way or the other. However, they are as accurate as possible.

19. TRAFFIC

Accidents: Marihuana Blood Test

Mr. A. R. TONKIN, to the Minister representing the Minister for Police:

(1) Does the Minister believe there is any value in introducing the recently developed marihuana blood test (the detection of T.H.C.) for road accident victims so as to ascertain the incidence of marihuana indulgence as a factor in the causation of road accidents?

(2) If "No" what is the reason for this decision?

Mr. BICKERTON replied:

(1) and (2) The department has no official documentation and no knowledge of this matter, other than what has appeared in the Press.

If the technique was proved to be sufficiently accurate, it would be of value. However, present legislation only provides for blood tests for the alcoholic content.

Developments in the drug field are being watched and will be properly estimated when sufficient information is available.

20. ALBANY HIGHWAY

Armadale: Entries

Mr. RUSHTON, to the Minister for Works:

As the jobs of a number of employees of the B.P. service station, Albany Highway, Armadale, are under threat through declining business due to the recent cut off of vehicle entry into the south bound highway and the economic viability and service to the public is also severely damaged, will he—

(a) approve the request by many petitioners for a permanent one-way entry into the south bound traffic; or

(b) approve the construction of a temporary one-way entry into the south bound traffic until such time as Streich Avenue is completed into Armadale allowing at least some convenient return for Armadale residents using this B.P. service station?

Mr. JAMIESON replied:

(a) and (b) It is not a simple matter to provide a median break at this location as requested. In the interests of road safety median breaks should be confined to side road junctions or intersections and the number of breaks should be limited. In answer to the Member's recent request to me, I hope to be able to advise him shortly.

21. STATE FINANCE

Budget Deficits and Surpluses

Mr. R. L. YOUNG, to the Treasurer:

When the Treasurer's answer to part (3) of my question 26 of 7th August was that it was hypothetical, and his subsequent answers to questions without notice on that day specifically indicated that he did not understand the question or that it could not be answered; and

the Treasurer in answer to my question 3 of 9th August, 1973 indicates—

(a) that expenditure in the year ended 30th June, 1972 was $3,037,288 below the Budget; and

(b) he considers that answer to be in agreement with his answers of 7th August—

how can he justify such a statement?

Mr. J. T. TONKIN replied:

By the simple application of logic in which the Member is obviously deficient.

22. WHEAT

Estimate of Production

Mr. THOMPSON, to the Minister for Agriculture:

(1) Has an estimate been made of the wheat production in Western Australia for the coming harvest?

(2) If so, what is the amount and how does it compare with the State's quota?

Mr. H. D. EVANS replied:

(1) and (2) No official estimate has yet been made by the Department of Agriculture, Co-operative Bulk Handling Limited, Australian Wheat Board or Bureau of Census and Statistics.

23. WELSHPOOL ROAD

Declaration as Main Road

Mr. THOMPSON, to the Minister for Works:

As Welshpool Road is one of only two direct routes to the Kalamunda district urban development, will he declare it a main road and thus more directly involve the Main Roads Department in its upgrading?

Mr. JAMIESON replied:

No. The section of Welshpool Road westwards from Station Street will eventually be relegated by the construction of a controlled access connection to Orrong Road. The new controlled access road will run parallel to Welshpool Road for a considerable distance.

24. PRINCESS MARGARET HOSPITAL

Accommodation

Mr. THOMPSON, to the Minister for Health:

(1) How many children can be accommodated at Princess Margaret Hospital?

(2) What is the present occupancy?

(3) Is it a fact that fewer beds would be needed if the mothers of children suffering from less serious complaints kept their children at home?

(4) Would he agree that social and economic pressures are responsible for a lot of mothers having to work and so render them unable to care for a child who but for prevailing circumstances could be kept at home?

Mr. DAVIES replied:

(1) There are 294 beds normally available but extra can be provided in an emergency.

(2) 250 average daily occupancy.

(3) It is the policy of the hospital to admit patients only when they need hospital inpatient treatment. Clearly a factor which is considered when deciding whether or not to admit a patient is the home situation.

(4) I understand that women work for a variety of reasons, among which are social and economic pressures. Whatever the reason for working, the result is the same as to care of children; there is less time available.

25. KWINANA-BALGA POWER LINE

Land Acquisition and Progress

Mr. THOMPSON, to the Minister for Electricity:

(1) Has the State Electricity Commission now secured all land in the form of purchase or easement necessary for the Kwinana-Balga 330 kV power line?

(2) If not, when is it expected that acquisition will be complete?

(3) Is the construction programme on schedule, and, if not, to what extent is it delayed?

Mr. MAY replied:

(1) No.

(2) Due to a number of processes involved an estimate is not possible.

(3) Construction schedules are being maintained.

26. ROAD MAINTENANCE TAX

Nonpayment: Relief

Mr. SIBSON, to the Premier:

Does he still intend to stand by his previous statement that no action will be taken against persons contravening the Road Maintenance (Contribution) Act by not paying dues, owing to financial hardship, providing such persons leave the transport industry?

Mr. J. T. TONKIN replied:

The statement made, by which I still abide, was—

(1) If an operator in arrears with road maintenance charges can demonstrate that he is unable

to meet his liability, consideration will be given to accepting an offer of time payment consistent with his financial position.

(2) If it is shown that an operator is not likely to be able to pay the arrears of charges due, action for recovery will not be proceeded with provided the operator leaves the transport industry.

QUESTIONS (9): WITHOUT NOTICE

1. SEWERAGE

Commonwealth Unprecedented Grant

Sir CHARLES COURT, to the Premier:

I refer to a reply given to me by the Attorney-General on behalf of the Premier last Thursday. The Attorney-General said he regretted he was not able to reply but he would acquaint the Premier of the question I had asked.

My question concerned the "unprecedented grant" for sewerage works, and I now ask whether the Premier is in a position to answer the question?

Mr. J. T. TONKIN replied:

When the Leader of the Opposition forwarded a few minutes ago a copy of the question he intended to ask, as I had not seen any reference to me I asked the Attorney-General what had happened in this matter. He advised me he had sent the question to my office on Friday. It has not yet come before me, so I regret I am not able to answer the question.

2. NATURAL GAS

Alternative Sources and Price

Mr. O'NEIL, to the Minister for Electricity:

(1) Are there any alternative competitive sources from which the S.E.C. can obtain supplies of natural gas?

(2) If not, will he list the reasons why the public should not be told the price paid by the S.E.C. for this fuel, in view of the previous attitude of the Government, when in Opposition, in the matter of the cost of fuel oil?

Mr. MAY replied:

(1) Not at the moment but clearly this could change.

(2) The Gas Sales Contract negotiated by the previous Government between the S.E.C. and the participants in WAPET contains a confidentiality clause which requires that strict confidential treatment be maintained on the whole of the agreement. Distribution is restricted to responsible Government agencies required by law to have this information. The participants of WAPET have been approached to release the S.E.C. from this clause of the agreement but have requested that there be no abrogation of the conditions of the agreement.

3. GOVERNOR OF WESTERN AUSTRALIA

Appointment

Mr. RUSHTON, to the Premier:

(1) Has the appointment of a person as Governor of Western Australia been recommended to The Queen?

(2) Has The Queen approved the recommendation?

(3) Is it a fact the appointment of our next Governor will depend upon the decision of the State Executive or State Conference of the Labor Party?

(4) If "No" to (3), why is the appointment being delayed?

Mr. J. T. TONKIN replied:

(1) No.

(2) Answered by (1).

(3) No.

(4) The appointment is not being delayed.

4. STATE FINANCE

Budget Deficits and Surpluses

Mr. R. L. YOUNG, to the Treasurer:

Further to the response, as distinct from an answer, he gave to my question 21 today, will it be his policy in the future, if he is wrong or unable to answer questions, to continue to reply to them with insults instead of proper answers?

Mr. J. T. TONKIN replied:

I consider the honourable member's question to be highly improper. Nevertheless, I ask him to put it on the notice paper and I will give him a considered reply.

5. LAND LEGISLATION

Deferment

Sir CHARLES COURT, to the Premier:

Arising out of the answer to question 21 asked by the member for Dale on Thursday last, in which he advised that debate would be deferred until the later stages of

the session: In view of the practical problems of members in preparing their speeches and the amount of information and representations they are receiving from various quarters, could he clarify what he means by "the later stages of the session"? For instance, does he mean after the Royal Show break?

Mr. J. T. TONKIN replied:

When the reply was given it was intended to convey that a reasonable time would be provided before those Bills would be brought on. When they will be brought on will depend to a very large extent upon the urgency of other business and the circumstances at the time. The spirit of the answer will be fully observed but I am quite unable to indicate at this stage the exact date.

6. NATURAL GAS

Loss through Leakage

Mr. O'NEIL, to the Minister for Electricity:

(1) Is there any evidence of untoward gas leakage in the WANG natural gas pipeline between the source of supply and the point of delivery to the S.E.C.?

(2) Is there any evidence of untoward gas leakage between the point in the supply line where the S.E.C. takes delivery of natural gas and—

(a) the Pinjarra Alumina Refinery; and

(b) S.E.C. power stations using gas?

(3) Of what material are the gas supply lines referred to in (1) and (2) composed?

(4) Can it be concluded that any significant gas loss is confined to older reticulated areas where gas pipes are of a different material?

Mr. MAY replied:

I appreciate the notice of this question given by the Deputy Leader of the Opposition, but parts (3) and (4) of it do not appear on the question I received in my office. The answers to parts (1) and (2) are—

(1) No.

(2) The question is not clear. The S.E.C. takes delivery of gas at six offtakes from which there is no untoward leakage. The company has advised that there is no untoward gas leakage in the transmission system owned and controlled by W.A. Natural Gas Pty. Ltd.

With your permission, Mr. Speaker, I would like to clarify the position further. I think it would be of interest to the House if I read out the information I have and then, with your permission, table it for the benefit of members of the House.

The SPEAKER: It can either be tabled or become part of the answer.

Mr. MAY: In that case, I would like to read it out. The information I have received is as follows—

The supply of gas from the gas wells in Dongara to the consumer in Perth consists of several separate parts.

The main transmission pipeline from Dongara through Perth to Pinjarra is owned and operated by W.A. Natural Gas Pty. Ltd., and is a modern high pressure fully welded steel pipeline. Gas leakage from this pipe is negligible and is in fact within the accuracy of metering.

W.A. Natural Gas Pty. Ltd. sell to the S.E.C. at a number of places, and also several other consumers from this pipeline and the gas is separately metered at these offtakes.

The S.E.C. has installed a new pipework system for the transmission of this high pressure gas to various points where the pressure is reduced and gas enters the normal distribution network. This new network consists of high pressure, fully welded steel pipeline which likewise has negligible leakage.

The normal gas distribution network has grown over the years, and is constructed with materials which were appropriate at the time of installation. Consequently these mains consist of approximately 50% hemp and lead jointed cast iron, 10% welded steel, and 40% P.V.C. plastic.

Generally, the steel and P.V.C. mains contribute very little to gas leakage which is mainly associated with the older lead and hemp jointed cast iron mains.

In all distribution systems, and this is not restricted to gas, leakage must occur and the accepted world approach to this problem is to balance the cost of this leakage with the cost of its repair so that the cost of the commodity to the consumer is a minimum consistent with normal safety standards.

This is done in Perth by the S.E.C., and the gas leakage here is normal and accepted by Australian and world standards.

The consumer has always paid for gas losses but with the town gas previously distributed just under 5% of the domestic consumer's bill was needed to pay for this whereas with natural gas this has now reduced to under 4% in spite of an 8% reduction in the price of gas.

The reason for this is that although the actual losses of natural gas are greater the cost is slightly less because of the relatively high cost of manufacturing town gas.

If, however, a major effort was made to immediately replace the older cast iron mains the result to the consumer would be an increase in his bill of more than 10%.

The reasons for the increased leakage with natural gas are as follows:

(1) The heating value of natural gas is twice that of town gas hence the same leak will now lose twice the heat value.

(2) The conversion process required an increase in gas pressure in the street mains by about 50% which reflects directly the rate of loss through existing leaks.

(3) Natural gas is a very dry gas which has the effect of drying out and shrinking the joints in the cast iron pipes and increasing the rate of leakage that previously existed.

These problems naturally were fully understood by the S.E.C. and were allowed for in the overall planning for the change to natural gas.

The results are almost identical to those calculated and are considered satisfactory at this stage. The planned approach of the S.E.C. to the problem involved a complete survey of the 1,300 miles of gas mains and the recording of all points of leakage. This work commenced as soon as possible after natural gas was available and is continuing at a satisfactory rate. The survey of all the old pipe work was completed some months ago and the repair of significant leaks is well advanced.

This work will continue to the present plan which is designed to give the best result for the consumer consistent with accepted standards of safety and with available capital resources. The opinion of the Australian gas industry is highly regarded on the world scene particularly in the manner in which it has handled the change to natural gas, and Western Australia is well to the fore in Australia because it was able to benefit from the experience in other States.

In summary—

(1) The level of gas losses is normal by Australian and world standards and was allowed for by the S.E.C. in its initial planning for natural gas.

(2) The cost to the consumer for gas lost is slightly less than they have paid over the years with town gas.

(3) The planned approach of the S.E.C. to maintain control over this problem is the accepted one throughout the world, and is designed to maintain a safe system and the best price to the consumer.

7. LAND LEGISLATION

Deferment

Sir CHARLES COURT, to the Premier:

Arising out of the answer he gave me regarding the introduction of land legislation, I am not seeking that he pinpoint the date; I am seeking only a general clarification so that members will know when they can expect the matter to come on. As I understand it, we have the balance of this week and next week before there is a two-week break, and then the House will be sitting for two weeks before the break for Show week. It would be helpful if he could say there will be no debate on these Bills before the August-early September break, even if he is not prepared to go as far as Show week.

Mr. J. T. TONKIN replied:

I can give the assurance that the Bills will not be brought on before the recess.

8. FLUORIDATION OF WATER SUPPLIES

Repealing Legislation

Mr. HUTCHINSON, to the Premier:

(1) Does his appearance and speech at the A.N.Z.A.A.S. Congress on the topic "To fluoridate or not to

fluoridate" indicate that he intends to introduce this session legislation to repeal the fluoridation legislation which is on the Statute book?

(2) As he was told his time was up, could he not obtain an extension?

Mr. J. T. TONKIN replied:

(1) and (2) This question is interesting from two points of view. I thought we were to be forced to a general election, which would preclude our introducing any legislation.

Mr. Hutchinson: Setting that aside.

Mr. J. T. TONKIN: That is one point.

Mr. O'Neil: E. & O. E.

Mr. Thompson: If I were you, I would get out in the electorate now.

The SPEAKER: Order!

Mr. J. T. TONKIN: But the honourable member is not me. The other point is that I endeavour to play the game according to the rules.

Mr. O'Connor: Rafferty's rules at times.

Mr. J. T. TONKIN: It is up to the honourable member to show that I do not.

Mr. O'Connor: I certainly will.

Mr. J. T. TONKIN: He might be sorry, too.

Mr. O'Connor: Will I?

Mr. J. T. TONKIN: Yes.

The SPEAKER: Order!

Mr. O'Connor: You have said that before.

Mr. J. T. TONKIN: After those pleasantries, I advise that I was asked to chair the meeting and a timetable was set, giving me five minutes for the purpose. Dr. Segal was not prepared to let me run over the five minutes, and I had to agree that I had already signified that that would be satisfactory, so I simply stopped. I would point out that some of the delegates at the meeting asked subsequently whether I would be permitted to continue, and I said, "Dearly as I would love to continue, I regret that I have to observe the rules." I think that answers both sections of the question.

Mr. Hutchinson: No, it does not—not the first part.

Mr. J. T. TONKIN: I think it does.

The SPEAKER: Order!

Mr. J. T. TONKIN: I will elaborate further, Mr. Speaker, if you will permit me. The Government has a heavy legislative programme of important measures which it desires to proceed with. I am nothing if not a realist, and I am not prepared to waste time debating a measure in this House which I know has no chance of being passed in the Legislative Council.

Sir Charles Court: I would love to be in Caucus the day you try to get it through.

Several members interjected.

The SPEAKER: Order!

9. AMBULANCES

Government Financial Assistance

Mr. RUSHTON, to the Premier:

I wish to seek clarification of the answer to part (2) of question 1 on today's notice paper. The figures given to me were something like 87 permanent employees and 2,400 volunteers. These seem to be amazing figures, but they were the figures I was given. I wonder whether the Premier will confirm the figures for me and, when the figures are confirmed, will he then project the value of the volunteer service in wages, etc., to our State?

Mr. J. T. TONKIN replied:

It seems to me that there is no great urgency about this question. As I do not have the answers I gave in front of me, I feel it is not unreasonable to suggest to the honourable member that he place the question on the notice paper and I will do my best to supply the information.

JURIES ACT AMENDMENT BILL

Second Reading

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [5.17 p.m.]: I move—

That the Bill be now read a second time.

The Juries Act enacted during 1957 came into operation on the 1st July, 1960. The experience since then has shown that a number of minor amendments to the machinery provisions are desirable to meet changed conditions. I will seek to elaborate on some of these later with specific reference to one particular amendment.

The sheriff is required to send copies of the draft jury roll prepared annually to clerks of petty sessions, police stations, and town clerks, to be made available for inspection by the public. No useful purpose is served by this requirement which entails the office in unnecessary work and

expense. There should be no objection to the section being repealed as a notice is sent to each person whose name is recorded on the draft jury roll.

It is proposed that there should be power to remove a person's name from the draft jury roll if it appears to the sheriff that the person is dead, no longer resides in the district, or his address is unknown. The sheriff is already empowered to remove the name of any person who is disqualified or exempt.

Certificates of permanent exemption are issued to persons who are permanently disabled or who are disqualified or exempt because of their age. Similar certificates are proposed in respect of persons convicted of a crime or misdemeanour who are also subject to statutory disqualification as a juror unless granted a pardon. Cases have occurred, with embarrassment to the persons concerned, where names removed from the roll on the ground of conviction one year have appeared again in subsequent years. In the event of a pardon the certificate of exemption is to be cancelled.

At present the summoning officer has power to omit a person's name from the panel and excuse him from attendance at a criminal trial on evidence or by affidavit or statutory declaration. This discretion is exercised on settled lines and is not exercised lightly. It often appears from the application that the juror will have to be excused. Therefore it is proposed that a juror may be excused on such evidence as the summoning officer deems sufficient. This will overcome objections raised when applications for exemption have been supported by medical certificates.

Presently a juror's ticket is required to be returned to the box marked "jurors in use" when a juror cannot be served with a summons or does not attend when summoned.

It is often not possible to serve a juror's summons for a good reason such as the juror having left the district. No good purpose is served by returning the ticket to the box as it would be possible for it to be drawn again when a subsequent panel is being selected. In future the ticket will be placed in the box marked "jurors in reserve" which box is not used until all other tickets in the box "jurors in use" have been exhausted. This position is unlikely to occur as jury rolls are prepared to include sufficient names to enable a wide margin of selection.

In order to overcome problems which could arise in the selection of a jury for a civil matter, the panel is to be increased by two to provide a reserve in the event of any juror being excused or not served.

A summons may be served either personally or by being left with another person at the juror's place of abode. The latter means of service, which is unsatisfactory, in fact has not been used. Therefore it is to be deleted from the section.

Service of summons is currently undertaken by police officers. Objection has been taken from time to time by jurors or prospective jurors as it is thought, or it could be reasonably thought, the officers were calling at that person's home in connection with an offence. The power to have service effected by either police officers or a sheriff's officer will overcome this situation when it is practical to use the services of the latter. A consequential amendment to the third schedule to the Act will be required. As there is no good reason why this form could not be prescribed by regulation, the Act will be amended accordingly with the approval of Parliament.

Consideration has been given also to the number of jurors which parties may challenge and the right of the Crown to stand jurors aside. This is the amendment to which I referred previously and I indicated that it had some significance. As a result it is proposed that the number which the Crown can stand aside shall be limited to four, and that an accused and the Crown each have the right peremptorily to challenge eight jurors. A further provision is that where two or more accused are put on trial together, each will have the right peremptorily to challenge six jurors. The right to challenge for cause shown will be available and will be preserved for both the Crown and the defence.

The right to challenge must be exercised before the officer of the court who is administering the oath has begun to recite the words of the oath. The present practice is for the juror to read the oath from a card. It is necessary to provide also for the challenge to be exercised before the juror has begun to recite the oath.

The second schedule prescribes persons who are exempt from jury service. Part 1 has been enlarged to include chiropractors registered as such according to law, if actually practising.

The Commonwealth has now proclaimed the Jury Exemption Act and promulgated the necessary regulations setting out those Commonwealth employees who are exempt from serving as jurors in State courts. As it is preferable for the exemption to be regulated entirely by the law of the Commonwealth, part II of the second schedule is to be amended to achieve this purpose.

The Bill contains also a number of minor amendments consequent on the establishment of the District Court.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Mensaros.

BROKEN HILL PROPRIETARY COMPANY'S INTEGRATED STEEL WORKS AGREEMENT ACT AMENDMENT BILL

Second Reading

MR. TAYLOR (Cockburn—Minister for Development and Decentralisation) [5.27 p.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill before us is to ratify an agreement reached between the Government, the Broken Hill Proprietary Company Limited, and its wholly owned subsidiary, Dampier Mining Company Limited, in regard to the inclusion within the terms of the B.H.P. 1960 agreement of a temporary reserve situated to the south of Dampier Mining's Koolyanobbing lease.

In 1961 B.H.P. was granted Mineral Lease No. 2SA, pursuant to clause 7 of the Broken Hill Proprietary Company's Integrated Steel Works Agreement Act. The lease was in two parts, covering both the Koolyanobbing and Bungalbin iron ore deposits in the Yilgarn Goldfields, as shown in appendix "A" to that agreement.

In 1966, with the State's approval, the company transferred the lease to its subsidiary, Dampier Mining Company Limited, pursuant to clause 28 of the agreement. The mine was developed and in 1967 the company commenced railing ore to Kwinana.

At about the same time, in 1961, when Mineral Lease No. 2SA was granted, B.H.P. was granted the rights of occupancy for iron ore over Temporary Reserve No. 2045H. This reserve is situated to the south of the Koolyanobbing portion of Mineral Lease No. 2SA and adjoins it. I table a copy of the plan showing the location of the area in relation to the lease.

The plan was tabled (see paper No. 272).

The rights of occupancy, like the lease, were subsequently transferred to Dampier Mining, and while they have been considered as being, in effect, held in conjunction with the Koolyanobbing project, they have never been included under the umbrella of the agreement.

The occupancy rights expired on the 12th March, 1971, and, like many other rights of occupancy for iron ore, were not renewed beyond that date until on the 30th December, 1971, an offer was made to Dampier Mining for the issue of new rights under the new conditions of rights of occupancy then adopted by the State.

These new conditions require an exploration programme to be undertaken to the satisfaction of the State. The company responded to the offer by saying that it had proved 6,000,000 to 12,000,000 tons of ore of a grade approximating 57 per cent. Fe and no further meaningful proving work could be done. The company then sought either the protection of the terms of the agreement over the temporary reserve by including it within Mineral Lease No. 2SA or, alternatively, it sought a mineral lease under the Mining Act, but exempt from labour covenants. The State accepted the company's request for inclusion under the agreement as being reasonable and practical, for three reasons—

firstly, that the company had carried out its responsibilities in regard to an adequate research programme;

secondly, that the deposit of 6,000,000 to 12,000,000 tons of 57 per cent. Fe ore is too small to be worked independently on an economic basis and if it is to be mined at all it will have to be mined in conjunction with another deposit; and

thirdly, that its close proximity to the Koolyanobbing mine makes it obvious it should be developed in conjunction with that project and thus extend its life.

Clearly, this was the State's intent in granting B.H.P. rights of occupancy in the first place and approval to include the area in Mineral Lease 2SA is the only logical conclusion that could have been reached in regard to this iron ore deposit.

The State's approval of the request has led to the execution of the amendment agreement scheduled to the Bill before the House. Although it is obvious that this particular approval is of a relatively routine nature, it is also obvious that the allocation of additional resources to a project the subject of an agreement with the State is a significant matter, and one that demands the approval of Parliament.

In negotiating the terms of the agreement the opportunity was taken to amend the rate of rent payable on the old area of Mineral Lease 2SA from slightly over 19c per acre to 20c per acre for the whole of the old and new areas of the lease, thus arriving at the figure of $5,662 per year quoted in clause 5 (1) of the amendment agreement. This new charge accrues from the 1st January, 1973.

Under clause 5 (1) it has also been agreed that the company should pay $1,104 within a month of the amendment agreement coming into operation. This charge is in the nature of a holding fee for the period the 1st February, 1972, to the 31st December, 1972, the former date being that from which the ground would have been held under rights of occupancy were it not for the decision to include it in the lease. The charge has been based on rights of occupancy fees.

The agreement also makes a minor correction to clause 8 of the principal agreement. I commend the Bill to the House.

Debate adjourned, on motion by Sir Charles Court (Leader of the Opposition).

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL

In Committee

Resumed from the 9th August. The Chairman of Committees (Mr. Bateman) in the Chair; Mr. Harman (Minister for Labour) in charge of the Bill.

Progress was reported after clause 7 had been agreed to.

Clause 8: Amendment to section 9—

Mr. O'NEIL: We, in the Opposition, do not propose to oppose this clause which seeks to amend section 9 of the principal Act and relates to some of the procedures which are necessary and to some of the conditions which must be fulfilled in order to register a society. We have indicated quite clearly that there are many provisions in the parent Act which inhibit the free flow and operation of union activities whether they be employee or employer unions, and therefore we agree to assist in making them operate properly.

Clause put and passed.

Clause 9: Section 9A repealed—

Mr. O'NEIL: This clause proposes to repeal section 9A of the principal Act which is entirely concerned with matters relating to the certifying solicitor. We have conceded that there is no need for such a person and therefore we have no objection to clause 9.

Clause put and passed.

Clause 10: Amendment to section 9B—

Mr. O'NEIL: Two amendments in regard to this clause appear in my name on the notice paper. In essence, one seeks to delete paragraph (b) and the second seeks to delete paragraph (d) of this clause and therefore it follows that there are some parts of it with which we do not disagree. Consequently, perhaps I had better confine myself to comment generally on the parts that we do not agree with and then at a later stage I will move for the deletion of the objectionable paragraphs.

Paragraph (b) of the clause seeks to delete paragraph (b) of subsection (2) of section 9B, and if one reads that carefully this is what the paragraph provides—

> (b) no part of the funds or property of the society shall be paid or applied for in connection with or to aid or assist any person engaged in any strike or lockout in this State;

I must point out that the provision applies to both strikes and lock-outs. Therefore it applies equally to management and labour. However, since it is not our belief that strikes should be legal *ab initio*, it follows that this provision must remain in the Act. If the Government were to have its way and be permitted to declare all strikes to be legal, one could say, quite clearly, that this part of the Act should not prevail. But it is our desire that strikes should not be legal *ab initio*, and so at a later stage I will move to have that provision retained.

The provision contained in section 10 (c) in the Act seems to be a little vague to me, but I will not ask the Minister to explain it. It refers to an honorary member of a society and I notice that whilst the clause seeks to remove the paragraph from the position in which it now lies in the parent Act, in fact there is a new subsection (2a) which replaces the provision in a different position. I will not embarrass the Minister by asking him to explain what it means because, quite frankly, I am not too certain about it either.

Paragraph (d) of clause 10 relates to the appointment of shop stewards. It seeks to add after the word "election" certain words, but the provision contained in this subsection does not apply to the election of a shop steward. Another provision places a shop steward on a different level, and certainly with more rights, than those who are currently embraced by the term of elected and paid officers of a union.

We do not object to the use of shop stewards in assisting with industrial matters, but as we oppose the principle of giving shop stewards this statutory recognition, we propose to disagree with that amendment. Therefore, I move an amendment—

> Page 5, lines 28 and 29—Delete paragraph (b).

Mr. HARMAN: Our argument, of course, is exactly the opposite.

Mr. O'Neil: I cannot understand that.

Mr. O'Connor: Is that all you have to say?

Mr. HARMAN: I heard enough from the honourable member the other night.

Mr. O'Connor: Did you?

Mr. HARMAN: I have uttered only one sentence and immediately the honourable member makes an interjection.

Mr. O'Connor: I am allowed to interject am I not?

Mr. HARMAN: I do not mind; the honourable member can go for his life.

The CHAIRMAN: Order!

Mr. HARMAN: What we are seeking to do is to make a strike legal in certain circumstances, and therefore it is necessary to delete paragraph (b) of section 9B (2). The other reason, of course, is that we do not believe that a union should be subject to being told what it ought to do with its own organisation or its funds; because this could be regarded as

being an intrusion into its rules. In attempting to be consistent with our intention in other parts of the measure to have strikes and lock-outs made legal, it is necessary to have this provision in the Bill. I therefore ask the Committee to disagree with the amendment.

Amendment put and a division taken with the following result—

Ayes—22

Mr. Blaikie	Mr. Naider
Sir David Brand	Mr. O'Connor
Sir Charles Court	Mr. O'Neil
Mr. Gayfer	Mr. Ridge
Mr. Grayden	Mr. Runciman
Mr. Hutchinson	Mr. Rushton
Mr. A. A. Lewis	Mr. Sibson
Mr. E. H. M. Lewis	Mr. Thompson
Mr. W. A. Manning	Mr. R. L. Young
Mr. McPharlin	Mr. W. G. Young
Mr. Mensaros	Mr. I. W. Manning *(Teller)*

Noes—22

Mr. Bickerton	Mr. Harman
Mr. Brady	Mr. Hartrey
Mr. Brown	Mr. Jamieson
Mr. Bryce	Mr. Jones
Mr. B. T. Burke	Mr. May
Mr. T. J. Burke	Mr. Norton
Mr. Cook	Mr. Sewell
Mr. Davies	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. Stephens	Mr. Bertram
Mr. Coyne	Mr. McIver
Dr. Dadour	Mr. Lapham

The CHAIRMAN: The voting being equal, I give my casting vote with the Noes.

Amendment thus negatived.

Mr. O'NEIL: In accordance with the remarks I made previously, I move an amendment—

Page 6, lines 8 to 12—Delete paragraph (d).

This is the provision which exempts shop stewards from certain provisions of elections which apply at present to recognised authorised executive officers of unions.

Mr. HARMAN: I ask the Committee to vote against the amendment. The whole question of shop stewards has been canvassed in recent days and I have no intention of repeating what has already been said. Suffice to say that the Government believes shop stewards should be given legal recognition and for that reason I oppose the amendment.

Mr. RUSHTON: The Minister's explanation is incredible in view of the remarks of a senior member of the union organisation, Mr. Coleman, upon his return from a trip overseas. On that occasion he said that the shop stewards of Great Britain were wrecking the economy of that country and also its union organisation.

Mr. Jones: When did he say that?

Mr. RUSHTON: He said it on television. The present Deputy Premier acquiesced on this point when I put a question to him on an earlier occasion.

Mr. H. D. Evans: Quote the question and answer.

Mr. Jones: Talking hot air again!

The CHAIRMAN: Order!

Mr. Harman: Do you believe in shop stewards?

Mr. RUSHTON: From what I have observed of them I would say they are against good union relations.

Mr. Harman: You do not believe in them?

Mr. RUSHTON: I believe they are against good union relations.

Mr. Jones: You would not know what they are.

Mr. RUSHTON: This Government wishes to give them—

Mr. Harman: The International Convention in Geneva recognises them.

Mr. RUSHTON: Then why did Mr. Coleman say what he did—

Mr. A. R. Tonkin: Substantiate your statement.

Mr. RUSHTON: —when he returned from his overseas trip through Russia, Germany, and Britain?

Mr. Jones: What TV station was it, and what night? Be more specific.

Mr. RUSHTON: The information is not difficult to find and the honourable member knows this. Reference has been made to the matter before. Members opposite rely on the unions for their election, but they should recognise the realities. This Government is weakening the very structure of our union system by some of its proposals of which this is one. I support the amendment.

Amendment put and negatived.

Clause put and passed.

Clause 11: Amendment to section 10—

Mr. O'NEIL: Once more in a spirit of co-operation, we have no objection to the provisions in this clause. To a great extent the clause simply makes corrections in the names of chiefs of unions. However, I suggest the Government looks very carefully at paragraph (d) which proposes to add a further subsection. I am not too sure the Government will achieve what it desires under this provision, but with those remarks I will let the Government stew in its own juice.

Clause put and passed.

Clause 12: Amendment to section 11—

Mr. O'NEIL: We do not oppose the first group of amendments in this clause. However, we do raise objection to paragraph (e). What the Government proposes by deleting certain provisions relating to employers is to deny employer bodies the right even to apply to the registrar for permission to be heard in a case involving a proposed amalgamation of two unions.

Very good reasons can exist for an employer body to be asked to appear. It could well be in fact that one of the unions concerned would like the employer body to make representations on its behalf to prevent the swallowing up of its union by a larger one, and the employer body should have the right to be heard in the event of an application for amalgamation. I therefore move an amendment—

Page 7—Delete paragraph (e).

Mr. HARMAN: I again ask the Committee to vote against the amendment. The whole intention of the Bill is to introduce a framework under which parties in the industrial scene will have the opportunity to overcome any difficulties which may arise in the light of what is occurring in the 1970s. Some of these niggling little provisions in the Act are upsetting a number of unions, and for that reason the Government believes they should be removed.

Mr. Rushton: Is that the only basis on which you work—if it upsets the unions?

Mr. HARMAN: It is not a bad basis.

Mr. Rushton: There are two sides to the deal.

Mr. HARMAN: If it is desired to improve the legislation, the niggling areas of dispute should be removed.

Mr. Rushton: What about the other party?

Mr. HARMAN: The Deputy Leader of the Opposition has not presented a case as to why, where, and how employers should have the right to intervene. He has just said that when it comes to an amalgamation the employer might wish to be heard. The Government believes that if some of the dead wood in the legislation is removed the parties will have a better framework under which to operate, thus creating improved industrial relations. By deleting this provision we remove what is claimed to be an unwarranted intrusion into a union's application for registration. Because we desire to improve the industrial relations generally, and also because we wish to overcome what is believed to be an unfair intrusion into the unions' activities, we wish the amendment to be defeated.

Mr. O'NEIL: I am afraid I have misled the Committee a little and the Minister has helped me on this aspect. I thought that this provision dealt with amalgamation of unions, but in fact it is a provision permitting the establishment of new unions. When a group of workers decide to establish themselves as a new union, certain notices must be sent to unions which in fact would be covering those workers at the time. When the matter is before the Commission in Court Session the registrar must advise any unions which may be concerned or which may believe they already give cover for the workers involved.

It is also provided that the employer interested in the matter may make his submissions before the Commission in Court Session, and this is fair enough because frequently many unions object to the establishment of a new union as they will lose some of their membership. Many unions claim that certain workers ought to be members of their unions rather than members of another union. A great deal of disruption has occurred on the demarcation issue. Consequently whenever a new union is formed those unions which consider they already cover the area of work involved are given the right to appear.

The employer is just as vitally concerned. What the Government proposes is to cancel any right of the employer to state a case before the Commission in Court Session. This is denying the employer something which does not interfere with the ordinary operations of unions. In fact, as with amalgamations, quite frequently the union covering the workers involved would dearly love to have the employer on its side to prevent some other union being formed to swallow up the workers it already covers.

No rhyme or reason at all exists for denying the employer the right to appear when the commission has before it an application to register a new union.

Mr. Harman: What about the other way around? If an employer wishes to establish a new organisation a union does not intervene.

Mr. O'NEIL: There is the right. I do not know whether the Employers Federation is regarded as an association of employers and is registered with the Industrial Commission.

Mr. Harman: Probably not.

Mr. O'NEIL: I do not think it is and, consequently, the situation does not arise. There could be many occasions when workers in a plant or factory—and the union covering those workers—would welcome intervention by their employer to prevent some other proposed union from taking over the coverage of those workers. The Minister is, in fact, denying that right.

Mr. Harman: Intrusion!

Mr. O'NEIL: It is not a matter of intruding at all. At the moment section 11 (4) reads in part—

> . . . any employer who employs or usually employs or is likely to employ members of the applicant society or any union of employers of which that employer is a member or any association on which that union of employers is represented, may, upon

giving the Registrar and the applicant society notice in the prescribed form, be heard in objection to the application.

The provision simply gives the employer the opportunity to state his case. For some reason or other the Government proposes to remove that provision and the Opposition seriously objects to this.

Mr. JONES: I disagree completely with the views advanced by the Deputy Leader of the Opposition.

Sir Charles Court: That amazes us.

Mr. JONES: At least members in this place are allowed their own opinions, thank God!

In my view, this is a union matter. Why should employers have the right to intervene when a union is seeking registration?

Mr. O'Neil: You mean that in your view it is an employee-union matter. Employers have unions, too.

Mr. Taylor: Unions cannot intervene when there is an amalgamation of two companies.

Mr. O'Neil: I corrected myself on that point.

Mr. JONES: As the Deputy Leader of the Opposition said, all unions are notified of the intention to form a new union when it is thought that there may be some argument on demarcation. The registrar's prime function is to determine, in the light of the submission, whether or not the union should be registered. What right has the employer to intervene?

Mr. Rushton: The employer may have built up the conditions.

Mr. JONES: In my opinion, the member for Dale's knowledge of this matter is on a par with his knowledge of other matters. When a union wishes to amend its rules it does not call in the Employers Federation to express an opinion as to whether they should be amended. The Deputy Leader of the Opposition would not deny this. If a union wishes to amend its rules it does so by notification in a local newspaper and a meeting is called. The registrar then determines, in the light of the information and arguments submitted by the union, whether amendments should be made to the union rules. The registrar does not approach the Employers Federation for its opinion as to whether the rules should be amended.

My thinking is that the same should apply in respect of this matter which is one for the union itself to decide. The registrar has his responsibilities and I am certain he has the ability to look at the questions of whether an argument on demarcation is involved and whether the workers, who are seeking the registration of a union, are already covered. In the first place, it is a matter for the unions themselves and, in the second place, for the registrar to determine the issue after hearing submissions on behalf of the parties.

Mr. O'NEIL: Let us get this perfectly clear, because the member for Collie is confused. Section 11 of the Act reads, in part—

> An application for registration shall be made to the Commission in Court Session . . .

It is not the registrar who decides this but the Commission in Court Session. Any application must be accompanied by a number of documents, some of which have been dealt with by the amendments. For example, we have agreed that the certification by a certifying solicitor is not necessary.

Mr. Jones: The registrar comes into it under subsection (2).

Mr. O'NEIL: The registrar has certain responsibilities to ensure that the various interested parties are notified and he shall supply to the applicant a list of the unions to be served with the notice; in other words, to the unions considered to be interested in the formation of a new union. The registrar carries out the machinery of the measure.

Currently, any union, which has been advised about the proposed registration of a new union, is given the opportunity to be heard before the Commission in Court Session as is any employer group which may be interested in the formation of a new union.

Mr. Jones: That is right.

Mr. O'NEIL: The Government proposes to take away from the employer the right even to present a case before the Commission in Court Session.

Mr. Jones: Why should the employer be permitted to do this?

Mr. O'NEIL: It is fair enough. It is possible that an employer in a factory or shop has a number of union members working for him. Suppose he is on good terms with the union and there is no major problem. He could be quite satisfied with the negotiations which take place between union executives and his management. The situation could arise whereby somebody outside decides he will form a union and persuades a number of these people that they should belong to the new union and have it registered. In fact, many of the men may not want to belong.

Surely the Commission in Court Session should have all the facts before it when determining the registration of a new union. If the workers are entitled to be heard why should not the employer be heard if he so desires? Of course, an employer may

not wish to be heard but may welcome the formation of a new union to cover the majority of his workers.

Mr. Jones: It is not his business.

Mr. O'NEIL: Members on the Government side often make the point that decisions are made without a full knowledge of the facts. Why deny anyone making a statement of the facts, as he sees them, before a court of record which is what the Industrial Commission is? This does not mean the commission will find in favour of the employer or in favour of one union against other unions. In fact, six or eight unions could object to the registration of a new union.

Mr. Harman: Do you know of cases where this has occurred?

Mr. O'NEIL: I am not sure. However, the Act provides that all parties who could, in any way, be involved or interested have an opportunity to present their case when a new union makes application to be registered.

The registrar makes no decisions at all but simply conveys the decision of the Commission in Court Session. He also registers the union if the Commission in Court Session determines that it should be registered. I can see no reason at all for not allowing all parties who are interested in the registration of a new union to be given the opportunity to be heard before the commission. I therefore press the amendment which I have already moved.

Mr. RUSHTON: We have heard some incredible reasoning from the Minister and the member for Collie. The way in which the member for Collie reasons is that nobody, other than employees, has a part to play in a business. Nothing could be more destructive than the demarcation strikes we have witnessed in the country for a long time.

Mr. Jones: What strikes?

Mr. RUSHTON: On the member for Collie's reasoning, it is almost as if a mythical body has provided the conditions which employees enjoy and which I certainly enjoyed when I was an employee.

Mr. Jones: We are not talking about demarcation but about registration of a union.

Mr. RUSHTON: The member for Collie was alluding to this.

Mr. Jones: I was not.

Mr. RUSHTON: The Minister should be striving for balance in the legislation so that there would be harmony in industrial relations.

Mr. Harman: There is Harman-y all right.

Mr. RUSHTON: The Minister wants the position to be completely lopsided.

Mr. Harman: The Opposition has not shown me any occasion on which this provision has operated previously.

Mr. RUSHTON: The point is that the Minister wants to delete the provision because he thinks employers should have no say in what takes place within their business on the basis of employer-employee relationships. Happy relationships often exist because of the attitude of employers. We certainly hope that in future there will be a closer integration between employers and employees.

Mr. Jones: One would not think so with the Opposition's attitude to mediation.

Mr. RUSHTON: The Deputy Premier has talked about this for a number of years and we all hoped that it would be apparent in the legislation which was brought forward.

Mr. H. D. Evans: We were inundated with it during the period of the previous Government!

Mr. RUSHTON: The Deputy Premier would not have a bar of this judging from the way he spoke when he first came to Parliament. Surely he could not have changed so quickly. This is a complete sellout of reasonable relationships. Surely now is the time to ensure that the Government practises what it preaches and brings about the opportunity for better relationships between employers and employees.

I cannot accept for one moment that the position is one-sided, one way or the other. There must be a complete relationship between employers and employees. In this way we would steadily work towards better conditions and the employers would be able to go about their business without being subjected to abuse. We do not want to see internal, destructive conflict between unions.

Surely, an employer should have the right to put forward his views. As a matter of fact, in most cases an employer would put forward the views of his workers. Often he would be defending his own employees against an intruder and he would do this because of the good relationships which had existed between him and his employees over the years. This right should be preserved and I support the amendment moved by the Deputy Leader of the Opposition.

Amendment put and a division taken with the following result—

Ayes—20

Mr. Blaikie	Mr. Mensaros
Sir David Brand	Mr. O'Neil
Sir Charles Court	Mr. Ridge
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Hutchinson	Mr. Sibson
Mr. A. A. Lewis	Mr. Thompson
Mr. E. H. M. Lewis	Mr. R. L. Young
Mr. W. A. Manning	Mr. W. G. Young
Mr. McPharlin	Mr. I. W. Manning

(Teller)

Noes—21

Mr. Bickerton	Mr. Harman
Mr. Brady	Mr. Hartrey
Mr. Brown	Mr. Jamieson
Mr. Bryce	Mr. Jones
Mr. B. T. Burke	Mr. May
Mr. T. J. Burke	Mr. Norton
Mr. Cook	Mr. Sewell
Mr. Davies	Mr. Taylor
Mr. H. D. Evans	Mr. A. R. Tonkin
Mr. T. D. Evans	Mr. Moller
Mr. Fletcher	*(Teller)*

Pairs

Ayes	Noes
Mr. Stephens	Mr. Bertram
Mr. Coyne	Mr. McIver
Dr. Dadour	Mr. Lapham
Mr. O'Connor	Mr. J. T. Tonkin

Amendment thus negatived.

Clause put and passed.

Sitting suspended from 6.17 to 7.30 p.m.

Clause 13: Amendment to section 15—

Mr. O'NEIL: We do not object to this clause which simply substitutes the word "president" for the word "chairman" in respect of the title of the chief executive officer of the union.

Clause put and passed.

Clause 14: Amendment to section 23—

Mr. O'NEIL: Once again this clause relates to matters concerned with the administration of unions. It deletes any reference to the necessity for a certifying solicitor to certify that the union rules are in fact within the prescription of the Act.

The clause also makes provision for varying the cost of union rules which currently are something like 10c a copy and provides that the cost be the cost of production. We have no objection to this.

There is also a matter related to the alteration of union rules; and in respect of certain rules which do not deal with the qualification of members it is deemed unnecessary for much of the red tape to ensue to enable this to be done. We have no objection to this aspect. We believe that some of the administrative matters are in fact pernickety and inclined to the application of red tape. Also certain matters in respect of these rules would have to be referred to the Commission in Court Session. Provision is made for this to be considered by a single commissioner, and we have no objection.

Clause put and passed.

Clause 15: Section 23A added—

Mr. O'NEIL: This again deals with union rules and goes a little further. It relates to the powers to make certain alterations. There are certain requirements now which are cumbersome and we believe are not absolutely necessary. Accordingly we do not object to the clause.

Clause put and passed.

Clause 16 put and passed.

Clause 17: Amendment to section 25—

Mr. O'NEIL: We propose to recommen the deletion of paragraphs (a) and (b) o this clause. The two proposals to whic we object are those relating to the con tentious position of shop steward.

There are various provisions relative t the details which have to be kept b unions, and this clause refers to section 2 of the principal Act which lays down cer tain records which an industrial unio must keep—quite a deal of which is super fluous. We have no objection except tha included in this are requirements tha unions shall file with the registrar in suc manner and within such time informatio prescribed notifying all changes and th holding of offices.

The Government, however, proposes t exempt the office of the shop steward. S in one part all the privileges are given t the shop steward while the rest of th amendment relieves him from any of th responsibilities which devolve upon othe elected members of the union.

I do not think the Government wante this to happen but if one checks throug the proposal one finds the shop stewar is put in a privileged position which i not accorded to the union secretary or t the elected officers of the union. Wher under this requirement it is necessary fo organisers and unions to keep the com mission advised as to the elected offic operators it is not necessary to keep th commission advised as to who is the sho steward.

Accordingly there are two parts of thi provision to which we object, each o which relates to the shop stewards. Afte the Minister has spoken I propose to mov to delete paragraph (a) on page 9.

Mr. HARMAN: I ask the Committee t oppose the amendment which the Deput Leader of the Opposition seeks to move. do not wish to canvass the argument o the shop steward. We must bear in min that a shop steward can act only i accordance with the rules of his union.

He is not being placed in a privilege position as has been suggested by the De puty Leader of the Opposition because h can operate only in so far as the rules o the union allow.

Sir Charles Court: You have you tongue in your cheek when you say that

Mr. HARMAN: If one holds a positio in an organisation one is governed by th rules of that organisation.

Mr. O'Neil: If everybody obeyed th rules we would not need the Act.

Mr. HARMAN: The point I was makin last Thursday is that shop stewards leav one industry or one plant and go to an other. This is necessary because of the ex pansion of industry in Western Australia

and because of the lines of communication as a result of plants and factories being scattered all over the State.

Mr. Rushton: They went from Kwinana to Welshpool.

Mr. HARMAN: It is suggested that it will be difficult to keep up the register in connection with shop stewards and for that reason I ask the Committee to oppose the proposed amendment so that the task which really is not necessary should not be made a part of the law of the State.

Another point is that in this clause we are dealing with officials of the unions and it is fair enough that those officials should be listed with the commission. Shop stewards operate under the register of their own union. Because of the transfers that occur in many plants in Western Australia this would place an onerous task on the unions. I ask the Committee to oppose the proposed amendment.

Mr. RUSHTON: Last Thursday we hoped the Minister would give a clear understanding of why we should agree to these principles. He did not put forward one reason then; nor has he put forward now a reason that might be acceptable. He is creating a new power structure.

Mr. Harman: Do you believe in shop stewards or not?

Mr. RUSHTON: Not from what I have seen.

Mr. Harman: I believe in shop stewards. You do not believe in employees in plants having somebody to represent their interests.

Mr. O'Neil: I do not believe in a person having a privileged position.

Sir Charles Court: You are trying to create a privileged position above the law.

Mr. Taylor: How can the commission deal with one when it is not mentioned in the Act?

Mr. T. D. Evans: We are trying to place him within the law.

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

Mr. RUSHTON: The Minister is, of course, only acting for his Government. He has taken over the role from another Minister and is placing shop stewards in a privileged position for which there is no necessity.

Mr. Harman: The shop steward would stop many of the disputes.

Mr. RUSHTON: The Minister knows that one shop steward created a dispute at Kwinana. He then shifted to Welshpool where he created a real beauty.

Mr. Jones: We are not arguing the merits of shop stewards.

Mr. Taylor: They do exist and you cannot shut your eyes to it.

Mr. RUSHTON: It is not a question of the shop steward being in the position in which he should be. We have a union structure now and there is no necessity for anybody to usurp the functions of those who hold office and carry out the duties involved.

Mr. O'NEIL: Section 25 of the Act, which this clause seeks to amend, lays down the records which must be kept by industrial unions to the satisfaction of the Industrial Commission. It also seeks to alter certain returns which must be made. An attempt is made to streamline these returns and reduce the number of submissions made and the methods of keeping records which will assist the union. We do not disagree with this.

By interjection I said that in recognising shop stewards in this Act the Government has gone beyond that and placed them in a position of privilege above that enjoyed by the union secretary. For example, the Act says that an industrial union shall keep certain records—and the part to which I am objecting is the list of names, personal addresses and occupations of the persons holding office in industrial unions. Clause 17 (a), which I propose to move to delete, adds the words "other than the office of shop steward". The union is required to keep records of elected officers of the union, but not to keep records of shop stewards.

Whoever drafted the Bill missed out here because we have had so much objection to penal provisions in industrial law, and yet the penalty for not keeping those records still remains in the Act. It is $10 a week for each week of default. So often we hear complaints in this place about penal provisions in this law, and so often we hear it is the intention of the Government to remove all the enforcement provisions. In fact, the Government, I am glad to say, has not succumbed to that. I do not think any of the penal provisions are to be changed, apart from those which call for a term of imprisonment, as distinct from a fine—and we do not object to that. However, the draftsman has certainly left in the law the teeth which enable it to be enforced.

In this matter of shop stewards once again we point out to the Government that at the behest of someone—I could probably name who it is—it is statutorily creating a position of shop steward, and placing that shop steward in a position of privilege far above that of a union secretary. I am sure that is not what the Government intended; but I am sure those who drafted the Bill intended it. I believe the great bulk of unions would not accept the proposition. There may be differences of opinion regarding whether or not shop stewards are necessary, but if the union concerned is a responsible one, then having

a representative of workers on the floor will certainly help to maintain peace, order, and harmony in industry.

Mr. Harman: That is right.

Mr. O'NEIL: However, as the member for Dale said, it has been clearly stated on a number of occasions by management and labour that some of the major problems which have occurred in industry have been generated in the shops by shop stewards who come from a different industrial arena, and whose knowledge of our industrial law is such that they create rather than solve problems.

I have said before that credit must be given to the proposition of training lower level executive officers to act as foremen and shop stewards. I am certain that it is not in the best interests of industrial harmony to grant shop stewards statutory acknowledgment, and at the same time to exempt them from certain requirements which apply to union secretaries and the like. Certainly this was initiated by someone who has lived in an industrial scene different from that in which we have lived for a number of years.

Mr. R. L. YOUNG: A few days ago, in respect of clause 7, I pointed out the dangers of the appointment of a shop steward as a union officer. In this clause we are asked to approve a situation whereby records are required to be kept of all officers of a union except in the case of an officer to whom extra privileges are to be given by virtue of the fact that he cannot be removed from office simply because he holds that office. I think the Deputy Leader of the Opposition has already been into great detail about that. I also pointed out the dangers of clause 79 under which this union member, who will of necessity become very involved in industrial disputes if they occur, will be exempt under the law for actions for which otherwise he would be liable under the law. We now have the situation where he can be a completely faceless man. I know that has been overdone in times gone by.

Let us imagine a situation in which someone asks who is the officer who caused a breach of the law. The officer is not required to be registered in the books of the union, so who is to say who he is? It is difficult to understand the thinking of the Minister when his Bill says on the one hand that a shop steward shall become an officer of a union within the meaning of the Act; that the shop steward, by virtue of the fact that he will become an officer, cannot be removed from his position simply because of the duties he undertakes in that position; and on the other hand he does not even have to be registered. Obviously the duties he undertakes will require him to move around the shop and to do certain things. If the employer is required to continue to employ him, despite the fact that he will spend a great deal of his time on union business, then I think the Bill goes beyond the requirements we expect in normal industrial relations.

If a shop steward, who is now to become an officer within the meaning of the legislation, is not even required to be registered or named, then who on earth are we talking about? I think the Minister has an obligation to explain to us exactly why this part of the clause is necessary, and why shop stewards should be exempt from being registered along with the other officers of a union—if, in fact, they become officers under the Bill.

Mr. FLETCHER: I did not intend to intervene again on this subject. As a matter of fact, a member on the other side told me I have been very quiet on this issue. I have been quiet simply because we are merely shadow-sparring here; all the Opposition wishes to achieve in respect of this Bill will not be achieved here, but can be achieved in minutes in another place. So this is a futile argument.

Let me put the record straight. I suppose apart from the member for Collie I would be the only member of this Chamber who has been a shop steward. The Minister for Housing reminds me that he has been a shop steward for this Chamber; but that is beside the point. Although I did not want the job, my own mates elected me shop steward at a lunch-time meeting. Despite all the fears of members opposite, I could have been removed from office just as easily at another lunch-time meeting. After I was elected by the rank and file the union was notified of my appointment. I received from the union a small blue card which mentioned my name and said I was authorised to be a shop steward on the site on behalf of the Amalgamated Engineering Union—of which I am still a member—and that gave me authority not to wander at will around the site or to bludge, but to set an example to those who worked alongside me and to do a decent day's work. I did just that.

If a dispute arose a meeting was convened. I would go to the site of the dispute and say that a meeting would be held at lunch time. If a majority of members at a properly constituted meeting said a case was to be submitted to the management, I would then go to the management—not alone, because I would not want my mates to suspect me of saying things of which they were not aware to the management, but with other members—and the matter would be discussed around the table.

If there was an impasse and nothing could be achieved at the level of shop steward, I would say, "Very well, if it cannot be settled at this level it will be settled at the level of the paid officials." As I pointed out previously, shop stewards were unpaid. They had plenty of headaches, but they had the satisfaction of

being mediators. I am sure my experience must have been repeated many thousands of times throughout the State.

Mr. McPharlin: Are they paid now?

Mr. FLETCHER: I assume that it is sheer prejudice that motivates those who do not wish these very decent fellows to receive the status they deserve. I am not patting myself on the back; I am saying these people have a responsible job to do and they deserve the status which will be given to them by this legislation.

I repeat that if shop stewards are cranky and are inclined to foment strikes for the sheer devilment of doing so, then they can be removed by the rank and file just as easily as they were elected. My last word on the subject of shop stewards is that I would like to see them receive statutory recognition as well as union recognition for the splendid job which, in the main, they perform.

Mr. JONES: I made my position quite clear during the second reading debate, and subsequently when we were discussing the functions of shop stewards. It appears that the Opposition is overplaying the matter. I think the appointment of shop stewards is in the interests of all parties; but the Opposition is concerned about what they will do.

Mr. R. L. Young: I agreed with you previously, and so did the Deputy Leader of the Opposition.

Mr. JONES: Two matters should be considered. Firstly, shop stewards are appointed with powers to bring disputes to an early settlement. That is their prime function. They have some power to act on behalf of the union. In fact, they could be termed "job representatives". Shop stewards simply represent the men at a particular site. Surely that cannot hurt anybody.

I do not think whether or not they are bona fide officials of unions is a matter of concern. In the trade union movement we often find a branch of a union in one town, and another branch in another town. These branches have men who are not recognised but who have the same powers as shop stewards have. The Opposition is frightened of the words "shop steward"; but I do not know why.

Mr. R. L. Young: We have admitted to you that we agree the provision should be there.

Mr. JONES: The member sitting next to the member for Wembley does not agree. He is frightened of shop stewards and does not agree with them. There is a tendency on the part of members opposite to oppose the provisions of the clause.

Mr. R. L. Young: You are misleading the Chamber again.

Mr. JONES: Members opposite ought to give this provision a trial. If they do time will tell who is right and who is wrong. I am talking from some practical experience as a trade unionist.

Sir Charles Court: You are referring to the old order of shop stewards; but this provision seeks to rewrite the law governing shop stewards and will make them more powerful than union secretaries.

Mr. JONES: Of course not. That is the thinking of the honourable member. Persons holding positions as shop stewards could be replaced from time to time, and there could be a number of different shop stewards in a year.

Sir Charles Court: Have you ever tried to get rid of them under the provisions set out in this Bill?

Mr. JONES: That is the fear of the Leader of the Opposition, but once again he is drawing red herrings across the trail.

Mr. R. L. YOUNG: The Deputy Leader of the Opposition and I have made it quite clear that we have no objection to the appointment of shop stewards, and the member for Dale claims he has no objection either. If the member for Fremantle happened to be my shop steward and I worked on the floor of the establishment of which he was an employee I would have great faith in him; but that is not what we are talking about. We believe in the genuine and the honest shop steward, but the Bill proposes more than this.

Mr. Jones: Are you suggesting shop stewards are not genuine?

Mr. R. L. YOUNG: I am pointing out that with the implementation of the provisions of this Bill the shop steward will not maintain the status which he now holds. He used to be a go-between between the employer and the employee, and he used to be a bona fide representative to ensure that the workers received the highest possible pay per week and did the work which they and the employer considered to be fair.

Under these circumstances the shop steward played a worthy role. If that is what the shop steward proposed under the Bill is to do then his role would also be a worthy one. However, if shop stewards become officers of unions, then they will, under this Bill, be privileged persons. The shop steward, in being granted the privileges prescribed under the provisions of the Bill, will take on a completely different status compared with the shop steward in the past and that of today, because this legislation prescribes that a shop steward may do certain things beyond what he may now do. Surely the member for Collie agrees that some officers or shop stewards of unions will take advantage of loopholes.

Mr. Jones: Why not give this a trial?

Mr. R. L. YOUNG: Surely the member for Collie agrees that certain employers take advantage of loopholes in legislation and use them against employees. However, what the honourable member says is that a shop steward will not do the same thing. At least I am prepared to concede there are employers who will take advantage of loopholes in Acts, but the member for Collie does not concede that employees will do the same thing. He seems to think that shop stewards, who are to be granted certain powers under the Bill, will not take advantage of the monumental loopholes which the Government is trying to build into the legislation. I am not saying the Government is doing that deliberately.

Mr. Jones: You are a suspicious man.

Mr. R. L. YOUNG: I have trust in people like the member for Fremantle and others who hold positions as shop stewards.

Mr. Jones: All you are doing is looking for problems.

Mr. R. L. YOUNG: It is the duty of members to look at problems which might arise. If the member for Collie is not prepared to do that then he is not doing his job as a member of Parliament.

Mr. Jones: My electors will decide that.

Mr. R. L. YOUNG: It is our duty to examine the Act, the amending Bill, and the problems that might arise; and if the honourable member is not prepared to do the same he does not deserve to remain in the Chamber.

Mr. Jones: That is your opinion.

Mr. R. L. YOUNG: The honourable member must believe in Father Christmas if he thinks what I have said will not happen.

Mr. Harman: You want to ban shop stewards generally for the reason that you claim they may do the things you say.

Mr. R. L. YOUNG: The things they may do not only in respect of what is prescribed in the clause under discussion, but also other clauses.

Mr. Harman: Do you not agree that the shop steward is subject to the rules of his union?

Mr. R. L. YOUNG: The rules of his union are not written into the Act; but the provisions of the Bill, if passed, will be written into the Act. The statement of the Minister that certain things will not happen under the rules of the union, over which we have no control, is of no significance to the Bill.

Mr. Harman: You are talking about the authority which the shop steward will have under the Act.

Mr. R. L. YOUNG: Under the existing Act he has not that authority. If the shop steward is to become an officer of the union under the legislation then he will become a privileged person.

Mr. Harman: Will you demonstrate that?

Mr. R. L. YOUNG: I can do that by repeating what I said last Thursday, but I shall not. I dealt with the provision in clause 79 at that time. Let us take the provision which prescribes that an officer of a union cannot be dismissed from his employment, by virtue of the fact that he is an officer and is carrying out his duties as such.

Mr. Harman: Are you aware that a shop steward can be appointed under the existing Act?

Mr. R. L. YOUNG: Under the existing Act a shop steward is not an officer of the union.

The CHAIRMAN: The honourable member has two more minutes.

Mr. R. L. YOUNG: For that reason he does not become a privileged person under the Act, whereby he is exempt from dismissal if he pursues an objective not related to his employment. Under the Bill it is possible for a shop steward to spend his time on the activities of the union, and not on the job for which he is paid by his employer.

Mr. Jones: You oppose mediation and do not want any change at all. You condemn the unions for stoppages.

Mr. R. L. YOUNG: I want employees to do the job for which they are paid. I do not believe that a person who is employed by an employer to work on the shop floor should be carrying out the duties at the employer's expense as a liaison officer between the shop floor and the employer. If the member for Collie were to move an amendment to provide that such a person's salary be paid by the employer and the union in equal proportions, then I might agree.

Mr. Jones: What about when an employer wants to talk to the union? Does he pay the union representative for that?

Mr. O'NEIL: We are discussing clause 17 and two specific parts which require that a register of the elected officers of the union be kept, and that any alteration to the positions of the elected officers be notified to the Industrial Registrar.

It is passing strange that the member for Fremantle said he was proud to be given possession of a ticket which authorised him to act as shop steward for the men on the floor. He regarded that as some form of recognition. In the Committee stage members passed a provision which gives the shop steward statutory recognition. This has become part of the Bill despite opposition from members on this side. The member for Fremantle is happy to have some statutory recognition of the shop steward. However, what this clause proposes to do is to exempt a person

appointed as a shop steward from registration as an officer of the union. If members opposite believe that a shop steward is an important person and ought to be recognised statutorily, what is wrong with his name appearing on the list of elected officers of the union? The shop steward ought to be proud of that. The arguments which have been put forward by members opposite are groundless, and they are putting the arguments up just for the sake of argument.

I move an amendment—

Page 9—Delete paragraph (a).

Amendment put and a division taken with the following result—

Ayes—22

Mr. Blaikie	Mr. Mensaros
Sir David Brand	Mr. Nalder
Sir Charles Court	Mr. O'Neil
Mr. Coyne	Mr. Ridge
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Hutchinson	Mr. Sibson
Mr. A. A. Lewis	Mr. Thompson
Mr. E. H. M. Lewis	Mr. R. L. Young
Mr. W. A. Manning	Mr. W. G. Young
Mr. McPharlin	Mr. I. W. Manning
	(Teller)

Noes—22

Mr. Bickerton	Mr. Harman
Mr. Brady	Mr. Hartrey
Mr. Brown	Mr. Jamieson
Mr. Bryce	Mr. Jones
Mr. B. T. Burke	Mr. Lapham
Mr. T. J. Burke	Mr. May
Mr. Cook	Mr. Norton
Mr. Davies	Mr. Sewell
Mr. H. D. Evans	Mr. Taylor
Mr. T. D. Evans	Mr. A. R. Tonkin
Mr. Fletcher	Mr. Moiler
	(Teller)

Pairs

Ayes	Noes
Mr. Stephens	Mr. Bertram
Dr. Dadour	Mr. McIver
Mr. O'Connor	Mr. J. T. Tonkin

The CHAIRMAN: The voting being equal, I give my casting vote with the Noes.

Amendment thus negatived.

Mr. O'NEIL: The second amendment I propose to move relates purely to the requirement to keep the registrar advised of the changes of names of officers of the unions. Once again, there is no requirement to do so in respect of shop stewards, and for that reason I move an amendment—

Page 9—Delete paragraph (f).

Mr. HARMAN: This amendment is very similar to the previous one, on which we divided. To be brief, as was the Deputy Leader of the Opposition, we oppose this amendment for the reasons previously expressed.

Amendment put and negatived.

Clause put and passed.

Clause 18: Section 26 repealed and re-enacted—

Mr. O'NEIL: We do not intend to oppose clause 18 but the Committee is deserving of an explanation of its content. It is proposed to repeal section 26 of the principal Act and replace it with a new section which relates to the method of keeping the register of union members and, virtually, keeping the electoral roll up to date. I think it is necessary because of the requirements attached to a court-conducted ballot. Apparently the registrar has to issue a certificate to the effect that the membership of the union is accurate and financially stable. If the registrar is not satisfied he can cancel the certificate of satisfaction and the union then has a period of one month during which to rectify the situation. If the union does not carry out the wish of the registrar it is subject to a fine of $10 for each week it remains in default.

The new arrangement, to which we do not object, is simply that the registrar may order rectification so that the register is kept in order, which is a reversal of responsibility. However, it is interesting to note that a penalty of $20 is imposed for default so once again the Governnment has not gone so far as to remove the enforcement provisions from the Act.

It appears that the main reason for keeping a register in proper form is to have it available on the fairly rare occasion when a court-conducted ballot is held. We do not object to the clause.

Clause put and passed.

Clause 19: Amendment to section 36A—

Mr. O'NEIL: We intend to oppose clause 19 which proposes to amend section 36A of the principal Act. Those who are familiar with the Act will realise that this section is the first of three which are related to disputed elections.

At present, when a member of an industrial union, or a number of members consider that there has been an irregularity in the conduct of a union ballot at an election for office they may lodge an application for an inquiry by the Industrial Appeal Court. The application has to be in the prescribed form and lodged with the registrar at the appropriate time, and naming the election and the office concerned.

Currently, such an application has to be accompanied by a statutory declaration by the applicant declaring that, to the best of his knowledge, the facts are true. It is intended to remove the provision relating to a statutory declaration and in its place will be a provision to the effect that an application must be accompanied by a statutory declaration from the president or the secretary of the industrial union concerned. It must be remembered that one of those two officers could have been in the election to which objection is raised. The proposed new paragraph reads as follows—

(d) be accompanied by a statutory declaration by the president or secretary of the industrial union

> declaring that at a general meeting of the industrial union specially called for the purpose, a majority of the members of the industrial union present and voting at that general meeting approved the making of the application.

An individual who is concerned that some irregularity has occurred in respect of an election will be denied the right to support his application with his own statutory declaration. Under the proposal in the Bill a complainant will have to go to a special meeting of the union and persuade those present that he has a claim for an inquiry, and the statutory declaration has to be signed by either the president or the secretary of the union.

I want to know why an individual, or a group of individuals, has to go to the very body in which the irregularity is alleged to have occurred before the claim can be lodged. The person lodging the complaint has to stand up before a special meeting and put his case. He has to win the case and then the president or the secretary must approve of that individual making an application for an inquiry. What sort of justice is that?

There could well be a single reason and there could be one case where some litigant in this field has needed some assistance. I know of one such case, but only one. Why should each and every member of a union have to go through that procedure to have an inquiry conducted into what he believes could have been an irregularity in an election? I think the Minister will be hard put indeed to justify that sort of thing.

A complainant is already subject to the rules and regulations relative to the time, method, and form in which he lodges an application and his application must be accompanied by a statutory declaration. Surely that is enough so that the registrar can initiate an inquiry. It could be a cursory examination of ballot papers, or it could be a request for a recount, which is done frequently even in respect of ordinary elections.

I ask the Minister, and those who have been involved in union matters, to justify the proposed amendment.

Mr. MENSAROS: I think the fact that the usual objective, knowledgable, and low tone of the argument put forward by the Deputy Leader of the Opposition has somewhat changed emotionally indicates this is one of the most objectionable and unfair clauses in the Bill. I consider the provision to be purely window dressing because the same result would have been achieved had the original provision simply been deleted. Surely, the proposed new procedure would not be used.

At present, any individual, or group of individuals who are of the opinion that some irregularity has occurred can complain by affidavit. However, under the proposed amendment a complaint regarding an irregularity will have to be approved by those against whom the complaint is made. I consider the provision to be illogical. The situation would be similar to the question of whether a criminal should be tried by a group of other criminals. I cannot imagine that a group of people who have been charged with breaching rules will decide, by a majority, that they have been irregular.

I do not know what the member for Collie thinks about this. Irregularities will be allowed to occur. The Government should be frank and say that it does not like to interfere with the actions of unions. That would be a better attitude for the Government to adopt than the window-dressing procedure of saying that an individual, or a group of individuals, cannot complain until a majority of those who may have committed an irregularity agree. I know that you, Mr. Chairman, do not agree with that attitude and I look forward to hearing what the Minister has to say in reply.

One conceivable argument is that a troublesome fellow would be entitled to make an affidavit saying that something happened when nothing did happen. If this was in the mind of the Government in inserting this clause, it could have done several things. First of all, it need not have amended the appropriate section of the Act by this window-dressing, as I call it. Secondly, it could have said if the same individual complains twice he is not entitled to apply for an inquiry, unless he is supported by a number of other people, or something like that.

When introducing the Bill the Minister did not cite one example of a person causing trouble. If such a person has a personal feud with some of the union officers or his mates, an inquiry will be held and it will be found nothing wrong has happened; and that is that. If the union has nothing to hide, why does it object to being subject to an inquiry when someone feels strongly that an inquiry should be held?

I wonder whether the Government would bring in some such provision in connection with other bodies. I wonder whether the Government would bring in a provision in connection with companies that one shareholder can make a complaint only if he is supported by a majority of shareholders. That is exactly the same thing. If I, as a minority shareholder, objected to the conduct of a company meeting, I could not complain unless the majority of shareholders agreed. How ridiculous!

I think it would be advisable for the Minister to withdraw this clause or ask the Chamber to vote against it. If because he

has recently taken over the portfolio he maintains that what is in the Bill is holy scripture and cannot be changed, he will surely lose respect.

Mr. O'NEIL: I go a little further, and I invite the attention of the member for Boulder-Dundas to the proposition I am about to put forward. It relates to the matter of lodging a request for an inquiry into what is regarded as an irregularity in a ballot.

The provision at present in the Act is that in the proper form, accompanied by a statutory declaration to the effect that the complaining party believes the facts contained in the declaration to be true, and in the time specified a person may apply for an inquiry to be held. All those requirements having been met, if the registrar is satisfied that there are reasonable grounds for an inquiry and that in the circumstances the matter justifies an inquiry by the court, he shall grant the application and refer the matter to the court. So he is just a cog in the machine, but he must be satisfied only that there are sufficient grounds for an inquiry, and the court conducts the inquiry. If he is not satisfied, he shall refuse the application and inform the applicant, and he may award costs against the applicant if he considers the application is frivolous or vexatious. To my mind, that is reasonable, fair, and equitable.

We are now proposing to remove that right from the applicant. The applicant must persuade a special meeting of the union that he has grounds to complain about an election within that union.

Mr. Jones: What is wrong with that?

Mr. O'NEIL: Then the secretary of the union must sign a declaration that the union approves of the fellow making the application. So he has difficulty in getting the matter to the barrier.

Mr. Jones: Not if he has a good case.

Mr. O'NEIL: What of the secretary or president of the union about whom he is complaining? If the matter relates to an inquiry about an irregularity in a union election, all the people in the union were involved in the election. The complainant has to go before them and have a majority of them approve his right to make an application for an inquiry. Firstly, I do not believe that is fair, and I am sure the member for Boulder-Dundas would not go along with it, either.

That having been done, the further proposal is to repeal all the discretion of the registrar to be satisfied about certain things. That will go because the union will do that at the specially arranged meeting. The union will go into the whys and wherefores of the matter, so the registrar will have no power because further down we repeal the provision which gives him the right to make preliminary inquiries and satisfy himself that an inquiry is warranted. The Government proposes to take away the registrar's discretion and say that where an application is made in accordance with the new provision of the Act the registrar shall grant the application and refer the matter to the court. He just becomes a rubber stamp. In fact, he need not buy a rubber stamp, because in my view no application will ever receive the approval of a specially convened meeting of the union.

Mr. Jones: You have no faith in unions.

Mr. O'NEIL: Be fair about this. If I am a candidate in a State election, I have the right to ask for a recount, to lodge a protest with the court of disputed returns, or something like that. I do not have to go back to the electorate and have another general election in which more than half the people give me authority to make a complaint. That is in fact what will happen under these proposals.

Mr. Jones: He can ask for a recount, can he not?

Mr. O'NEIL: Let us say I believe there has been an irregularity in the election for the seat of East Melville, which I would do only if I were beaten. Surely I do not have to go back to the electorate and have more than half the people support me before an inquiry can be held into the irregularity.

There may be a few irregularities in union elections, but some individual may sign a statutory declaration stating, "I believe these facts to be true and that there has been an irregularity in the conduct of this election. I would therefore like an inquiry to be held." He can now do that before an entirely independent body; firstly the registrar, and then, if the inquiry proceeds, the Commission in Court Session.

Under the proposals in the Bill, if a person or a group of people believe there has been an irregularity, that action cannot be taken. A special meeting of the union must be convened for this purpose. The poor fellow or fellows have to put a case to that meeting and an affidavit must be signed by the president or secretary of the union stating that the general meeting approved of the right to make the application. What sort of justice is that?

Divorce the matter from the union scene altogether and look at it coldly in another field—that of making appeals or protests against irregularities in connection with football matches or horse races. Do not tell me that is fairness as Australians believe it to be.

I notice the member for Boulder-Dundas has listened carefully and not said a word. I hope he will give us the benefit of his thoughts about the justice of that situation.

Mr. HARTREY: I have listened with great attention to the remarks of the Deputy Leader of the Opposition and,

prima facie, they sound quite reasonable, but he must bear this in mind; that it is the object of the exercise to dispose of industrial "narks". They are as much trouble to employers as they are to employees. Quarrels between members of unions are disruptive of industry generally and cause losses to employers and employees. Yet in any large gathering of men—whether they be ardent followers of a particular football club or members of a particular union—there are a certain number of narks who, if they do not get their own way, want to start trouble. I should say it would be to the benefit of the employers as well as the employees that before they are allowed to disrupt industry those narks should have to pass through some kind of examination at the hands of those who know them best. That is the effect of this clause, and I think it is a good one.

I speak so strongly on this subject because in the last couple of days I have read a report in the *All England Reports* of a case which occurred quite a long time ago and has only just been reported. It is the case of Cory Lighterage *v.* The General Transport Workers' Union in England. One solitary man caused a tremendous amount of trouble to the lighterage industry, both the employers and the employees, and the matter went through the law courts until it got to the second highest court—the Court of Appeal. That man caused an immense amount of disturbance to industry and loss to his fellow workers as well as to his employers.

The provision we are discussing will serve admirably to get a nark like him out of the way. I am surprised that a gentleman who has the acumen and knowledge of industrial matters that the Deputy Leader of the Opposition has should not see that point.

Mr. E. H. M. Lewis: In the case you quoted, could the registrar consider him to be vexatious?

Mr. HARTREY: This man, who had been a union member for years, suddenly refused to pay his union dues. That simply illustrates that he was a crank and was trying to make himself obnoxious. Another man could decide to make himself obnoxious by challenging an election or putting forward a false accusation that the president should not hold that office in the union because he had scabbed on the men 25 years earlier. Some stupid fool who has a bee in his bonnet can cause a tremendous amount of trouble to the union and also to the employers.

Mr. E. H. M. Lewis: He could not do things like that under our Act.

Mr. HARTREY: Of course he could!

Mr. Taylor: There was an instance in the hotel caterers union two or three years ago.

Mr. HARTREY: The illustration I give is a reminder that one often finds a lot of discontented unionists, football barrackers, or even members of a church committee who may spread horrible stories about the parson. The clause we are discussing will have the effect of making a crank like that put up a "fair dinkum" case to his mates, who know him best, before he wastes the time of the registrar and disrupts industry.

Mr. O'NEIL: For the first time, I did not appreciate the comments of the member for Boulder-Dundas. I think he went a little off the track. He mentioned the case of a vexatious litigant, and there is already provision in the Act to cater for that type of person. The provision says that if the registrar is dissatisfied that there is reason for conducting an inquiry, he shall refuse the application and may impose costs upon the applicant if the application is considered frivolous or vexatious.

I know of only one case—and the Deputy Premier mentioned across the floor of the Chamber the name of the union involved in it—which occurred during the period I was Minister for Labour.

If members look at the provisions of section 36B of the parent Act they will notice it was amended by Act No. 66 of 1966. It could well be that the provisions relate to the power of the registrar to stop this type of action. The provision is in the Act at the moment because of one case, and it is bad law to cater for a case which may occur only once in a lifetime. It is significant that the particular amendment giving power to the registrar to dismiss an application if it is regarded as frivolous was included because of the one and only case of this type. I admit it is not a very strong provision but it enables the registrar to control the very case the honourable member was thinking of.

When a person wishes to complain about something in an organisation to which he belongs, I do not believe it is fair and reasonable he should have to obtain permission from that organisation to make a complaint about it. If I wished to complain about an election at a local bowling club, I would have to go to the members and ask whether I can make a complaint. I will certainly vote against the clause.

Mr. MENSAROS: I anticipated the theme of the speech given by the member for Boulder-Dundas. Skilled debater that he is, this is probably the only argument he could bring up in defence of his Minister. In fact, I said in advance this would be the only argument. However, through you, Mr. Chairman, I ask the member for Boulder-Dundas does he think that it is justice to prevent someone from complaining about an irregularity even though there

might be an occasional misuse? The honourable member could not find an example in Western Australia—he had to go to the United Kingdom to find such a case.

What the member for Boulder-Dundas said amounts to the same thing. Because undoubtedly there will be troublesome litigants he would ban people from litigating, or someone in the community would have to decide whether or not a particular person can litigate.

Would the member for Boulder-Dundas carry the argument further and say that because a person owning a single share may make a nuisance of himself at a shareholders' meeting no shareholder may then say anything at such a meeting? Because of such a person, all shareholders would be debarred from exercising their rights. Where is the justice in such a proposition? Because of one imaginary case, why should we take away everyone's right? Surely that is not an argument in support of the provision.

We are still left with the fact that had the Government felt so strongly about this, it could have overcome the problem by strengthening the provision referred to by the Deputy Leader of the Opposition. The registrar could be given the right to reject a recurring application. Surely if a person is making a nuisance of himself, he will do so on more than one occasion. If this is the Government's contention, the problem could have been solved in an equitable and just way. However, the circumstances show that undoubtedly this was not the contention. We come back again to the old theme of the unions, and I expect interjections about this aspect. The Government just did as it was told by union leaders. We have heard no other reason put forward by Government members. The member for Boulder-Dundas employed all his skill to help his Minister, but he is aware that the example he gave was not a good one.

Mr. JONES: I must say something in regard to this clause. Naturally I take a different view from that of members on the other side. I know of the general suspicion about the trade unions, and I believe members opposite feel suspicious of the unions because of their upbringing. No-one can deny that the unions are democratic in their approach to any issue. I know that the organisation of which I was a member was the most democratic organisation I have ever been associated with.

We must look at the role of the trade unions and the work they accomplish in other directions. It may be decided by majority vote to present a trophy at a sports meeting. Perhaps a quarter of the rank and file members of the union may say, "I have no time for bowls and I want nothing to do with it. I am against my union presenting a trophy to the bowling club." However, the democratic principle is applied and the union makes the presentation and it is accepted.

The unions make their own domestic rules and these rules are put into operation. The domestic rules contain provisions for penalties, and the unions can then apply fines. I was secretary of a union for 17 years and I have seen these rules in operation.

If a member is fined under a board of management decision for breaking a union rule, he has a right of appeal. Under this provision the union must then consider his appeal, and I believe that the unions are big enough to give every man the opportunity to present his case. The role of the trade union is often clouded by suspicions.

Mr. O'Neil: This is about the election of officers.

Mr. JONES: The officers make decisions in relation to the welfare of the unions. The unions make decisions in relation to the welfare of their members.

Mr. Mensaros: Do you think this is the way to dispel suspicion? I think you are strengthening it.

Mr. JONES: Personally I do not see the need for the provision. When the matter came before this Chamber originally I was a trade unionist and I opposed it. I do not think the Opposition has made a case. I am open to correction if I am wrong, but I feel the provision has been used on only a very few occasions. I raise the question: Is there any need for it in this measure?

Mr. RUSHTON: Apparently we are not to hear the Minister take part in the debate.

Mr. Taylor: He has taken part in the debate repeatedly for two nights. Give him a go.

Mr. RUSHTON: He is the only Minister on the other side who has taken part in the debate.

Mr. T. D. Evans: We can't get a word in because of you fellows.

Mr. RUSHTON: The position would be different were we dealing with a voluntary union system. This is not the case of a person who has a choice and then participates in undemocratic practices and subjects himself to this type of lawlessness—these sorts of bushranger tactics. A person who voluntarily put himself into such a situation would have only himself to blame. I would say that is fair enough.

However, we are talking about compulsory unionism. The Government wishes to impose this provision on people who cannot make a free choice about entering the union. The Government has the temerity to insist that not only should

people be forced to join the union but also they should be subjected to this type of injustice.

We are being asked to deny the individual the right to appeal against a decision. As the Deputy Leader of the Opposition very clearly indicated, redress is available under the present legislation and it is reasonable redress. The unions wish to remove every provision which places responsibility upon them to comply with certain conditions. Surely this is warning enough of what the legislation intends. There is no reason whatsoever to agree to this clause. As the member for Floreat said, such a provision would create suspicion—it does not remove it. We were told earlier that the legislation was introduced to bring about harmonious relationships. It does just the opposite. I support the move to vote against the clause.

Clause put and a division taken with the following result—

Ayes—22

Mr. Bickerton	Mr. Harman
Mr. Brady	Mr. Hartrey
Mr. Brown	Mr. Jamieson
Mr. Bryce	Mr. Jones
Mr. B. T. Burke	Mr. Lapham
Mr. T. J. Burke	Mr. May
Mr. Cook	Mr. Norton
Mr. Davies	Mr. Sewell
Mr. H. D. Evans	Mr. Taylor
Mr. T. D. Evans	Mr. A. R. Tonkin
Mr. Fletcher	Mr. Moiler
	(Teller)

Noes—22

Mr. Blaikie	Mr. Mensaros
Sir David Brand	Mr. Nalder
Sir Charles Court	Mr. O'Neil
Mr. Coyne	Mr. Ridge
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Hutchinson	Mr. Sibson
Mr. A. A. Lewis	Mr. Thompson
Mr. E. H. M. Lewis	Mr. R. L. Young
Mr. W. A. Manning	Mr. W. G. Young
Mr. McPharlin	Mr. I. W. Manning
	(Teller)

Pairs

Ayes	Noes
Mr. Bertram	Mr. Stephens
Mr. McIver	Dr. Dadour
Mr. J. T. Tonkin	Mr. O'Connor

The CHAIRMAN: The voting being equal, I give my casting vote with the Ayes.

Clause thus passed.

Progress

Progress reported and leave given to sit again, on motion by Mr. Moiler.

DAIRY INDUSTRY BILL

In Committee

Resumed from the 9th May. The Chairman of Committees (Mr. Bateman) in the Chair; Mr. H. D. Evans (Minister for Agriculture) in charge of the Bill.

Clause 3: Arrangement of Act—

Progress was reported after the clause had been partly considered.

Mr. I. W. MANNING: The last time we debated this clause we were dealing with an amendment which related to the prices tribunal of the dairying industry. Therefore there is no point in moving the first amendment set out on the notice paper; the principle involved in that amendment was decided. The next principle relates to the part the Department of Agriculture is to play. Therefore I move an amendment—

Page 2, line 27—Delete the words "Department of Agriculture".

We have before us a most remarkable piece of legislation. I say it is remarkable because when this Bill was presented to the Chamber the Minister stated that he was restructuring the dairying industry. This is quite correct, but in campaigning for support for the measure the Minister and many of the leaders in the dairying industry claimed that its far-reaching provisions which seek to bring about some dramatic changes in the structure of the industry were acceptable because the representation on the new authority would include three farmers, and the farmers have staked the whole of their future on who their representatives on the authority will be. They believe that the success or failure of the legislation lies in the strength of their representation.

However I point out to the Committee and the people engaged in the industry that this provision in the legislation defines the duties of the authority. Part II of the legislation is to be administered by the dairy industry authority and Part III is to be administered by the Department of Agriculture. Part III is designed to control the quality, and the supervision of the supply, production, and distribution of milk and dairy produce. This section of the dairying industry does not in any way come under the jurisdiction of the proposed authority on which there will be farmer representation. Thus the purpose in having three farmers on the authority is completely nullified, because the duties with which the farmers will be associated lie in that part of the industry which in no way affects the production of milk. I repeat that this is a most remarkable state of affairs.

We are seeking to pass legislation which, we were given to understand, would produce a more sophisticated type of milk board—a stronger milk board—and this board and the dairying section of the industry were to be combined, with farmers being given adequate representation on the combined authority. However the farmer has no influence over the production side of the industry in which he is most interested, because that is to be administered by the Department of Agriculture. On those grounds I take strong exception to this provision in the Bill.

I also object to it on the ground that the Department of Agriculture is now entering a commercial enterprise whereas, in my

view, the department's activities should be confined to playing its traditional role of acting as adviser and giving an extension of such services by disseminating knowledge from the professional people to the practising farmer. To my mind this role fully occupies the time and the resources of the Department of Agriculture and why it should seek to involve professional people by acting as inspectors going around sniffing dairies I would not know.

Mr. H. D. Evans: They are doing that now in the section which actually manufactures dairy products.

Mr. I. W. MANNING: In the structuring of this authority it is high time the activities were undertaken by people who qualify more as health inspectors than as extension officers in the Department of Agriculture, because today that department is seeking to recruit university graduates. There is no point in an inspector of dairies under the Milk Act possessing a university degree. Therefore I take strong exception to the role the Department of Agriculture will play under the provisions of this legislation.

To structure an authority to operate a particular industry where half the activities are denied to the authority is a remarkable state of affairs. If an authority is established to administer an industry the first thing the authority would be expected to do would be to organise the production and distribution of the product. Why elect three farmers to an authority when they cannot bring any influence to bear in regard to that side of the industry?

Mr. H. D. EVANS: I lost a little respect for the member for Wellington after hearing the rather poor dissertation he gave on the control within the dairying industry. He is forgetful of a number of things. He is forgetful of the rather chaotic state that exists in the industry at present.

Mr. Nalder: Do you think this Bill will alter that chaotic state of affairs?

Mr. H. D. EVANS: I am sure it will.

Mr. Nalder: You are talking through the back of your neck; I have never heard such rubbish!

Mr. H. D. EVANS: Does the honourable member know the position that exists at present?

Mr. Nalder: Of course I do.

Mr. H. D. EVANS: I doubt it. At present the officers of the dairying section of the Department of Agriculture are connected with the production of milk for dairy produce purposes, and have been for many years. At the same time they are involved in the supervisory aspect. As the former Minister for Agriculture well knows they have been acting in an advisory capacity for some time.

Mr. Nalder: If you did something in regard to the chaotic state of the industry you would be doing some good.

Mr. H. D. EVANS: In the summertime the quality of the milk is in doubt and the officers of the dairying section are called upon to give assistance, and so fragmentation in this instance is most difficult. The inspectors under the Milk Board do not give advice on planning and do not have access to testing laboratories and that type of back-up service which is so essential. When we come to the production and treatment side of the industry we find that under the same roof two separate operations can be going on. In one instance dairy products could be being manufactured, and yet the officers involved with the dairying section of the Department of Agriculture, through the Dairy Products Marketing Regulation Act, have no right to go through both sections of that factory.

Let us have regard for the further point —and I want the ex-Leader of the Country Party to record this point—that a considerable amount of milk for manufacturing purposes is produced with wholemilk funds over which the Department of Agriculture has no control.

Mr. Nalder: It does not have to under the Act, as you know.

Mr. H. D. EVANS: This is the very point. It should have.

Mr. Nalder: Rubbish!

Mr. H. D. EVANS: This fragmentation and diversity of supervision is ludicrous and is the reason for a great number of disadvantages. If the Government's proposal is so repulsive why is it the story in Victoria where the industry is 15 times the size of ours?

The amendment is totally unacceptable. If we look at the structure of the dairy industry and the way in which the supervision and advisory services are presently instituted the need for control under the Department of Agriculture becomes absolutely crystal clear. I oppose the amendment.

Mr. NALDER: I have been in this Chamber for a long time and I have never before heard a responsible Minister talk such tripe in order to try to convince the Committee about the Milk Board. He has practically put the skids under the board by suggesting it is irresponsible.

Mr. H. D. Evans: Rubbish! It has limitations under its present set-up.

Mr. NALDER: The Minister should read what he said.

Mr. H. D. Evans: You are misinterpreting what I said.

Mr. NALDER: I am doing nothing of the sort. The Minister said that the officers of the Milk Board were looking to the—

Mr. H. D. Evans: Tell us what they do.

Mr. NALDER: I will. I am very proud to have been associated with an organisation such as the Milk Board because it is responsible for a product which is 100 per cent. acceptable to the consumers of the State.

Mr. H. D. Evans: And every year there is concern about quality control.

Mr. NALDER: The argument the Minister is using condemns the situation. He is talking about bringing in the Department of Agriculture.

Mr. H. D. Evans: It condemns the situation, not the officers.

Mr. NALDER: What about the present set-up? I have never heard such an argument. As a matter of fact it condemns the very Bill itself.

Mr. H. D. Evans: Rubbish!

Mr. NALDER: I am glad the Premier is here now. He said something this afternoon about wasting time sending Bills to another place where they will not be passed. I hope the other place takes a responsible attitude on this legislation and does not pass it, because it will not do any good whatever. I agree that we should have one authority, but not under the provisions outlined in the Bill. It is just not right to suggest the Department of Agriculture should be responsible. I believe the authority should be responsible, and I appeal to the Premier to allow this legislation to stay on the bottom of the notice paper. The Bill should have been based on what we have at present which has been built up by experience over a long period.

Mr. H. D. Evans: Just tell me—

Mr. NALDER: The Minister does not know what he is talking about.

Mr. H. D. Evans: What does the Milk Board know about manufacturing?

Mr. NALDER: The Minister should deal with a subject about which he knows something.

Mr. H. D. Evans: Like the dairy industry.

Mr. NALDER: It is shocking to think that a Bill of this kind should be introduced into the Chamber. The Government has had three goes at it. It was first introduced 12 months ago; then the subject was dealt with in the autumn session; and now we are being asked to do something more about it. The Bill should be withdrawn and the subject tackled afresh. The legislation should be based on the Milk Board and those organisations which have had 25 years' experience and in regard to which the Premier himself had some authority when he was a Minister in a previous Government.

Why should we throw to the wolves, as the saying is, all the experience gained over the years and start a completely new system which, in my book, is doomed to disappointment? The member for Wellington has hit the nail fair on the head. I have every regard and respect for the officers of the Department of Agriculture and for the work they were instituted to carry out, that work being research and advice, not the running of an industry. Surely the industry can run itself.

Mr. H. D. Evans: Is it not running the manufacturing section now?

Mr. NALDER: The Minister should talk about something he knows.

Mr. H. D. Evans: Is it not running—

The CHAIRMAN: Order!

Mr. H. D. Evans: Is it or is it not running half the industry now?

Mr. NALDER: It is a crying shame that an industry—

Mr. H. D. Evans: It it or is it not?

Mr. NALDER: The Minister is trying to fool himself.

Mr. H. D. Evans: Is it not trying to run half the industry now—the manufacturing section?

Mr. NALDER: I am talking about the Milk Board.

Mr. H. D. Evans: We are talking about the dairy industry.

Mr. NALDER: That is right. I am saying this legislation should be put in the rubbish bin and we should start again. This would render a service to the industry and to the people of Western Australia.

If the Minister wants to talk about chaos let him catch the first plane to Canberra and knock some sense into some of the Ministers over there concerning what they are doing to the industry right now.

The CHAIRMAN: I think the honourable member should stick to the amendment.

Mr. NALDER: The dairy industry has been adversely affected by the Federal Government and as a consequence dairy farmers will be going out of business as fast as they can. The Government should take action in Canberra instead of wasting our time on legislation of this nature.

I am strongly opposed to the Bill and I will use every effort I can to indicate that in my view it will not achieve its objective. The Bill should be withdrawn and we should give the industry an opportunity to thrive as much as is possible in view of the present circumstances. I believe that within a decade we will be unable to satisfy the whole-milk requirements of the population of this State.

I repeat that the department should not be expected to run a portion of the industry, but should be left to carry out its work in research. Heaven knows there is plenty of that to do. The industry should run its own business. Therefore I support the amendment.

Mr. BLAIKIE: I also support the amendment. I take exception to the opening remarks of the Minister when he replied to the amendment. He made some derogatory remarks about the member for Wellington and stated that he was not aware of the state of the industry. The Minister must realise that those remarks were grossly unfair, particularly when he reflects on the stature of the member for Wellington and bears in mind the lifetime of personal experience he has had in the industry.

We have heard of the Gilbert and Sullivan antics of the present inspectorial services of the industry and I agree that the industry is fragmented into two sections. We have the Milk Board with its inspectorial services controlled and conducted by the board and applying to licensed milk producers. On the other hand, we have the manufacturing sector of the industry in which all the inspectorial services are controlled and run by the Department of Agriculture.

Mr. H. D. Evans: Would you repeat that for the benefit of the former speaker?

Mr. BLAIKIE: I fail to see what purpose it would achieve.

Mr. H. D. Evans: You might get through to him.

Mr. BLAIKIE: That has been the situation up to now. I gave the amendment deep and earnest consideration because, unlike the Minister, I have been a practical dairy farmer. I have experienced the situation and I am positive that the future role of the department is not one of policing. Its proper role is one of advice and extension services. I say quite categorically that the Minister's reasoning is wrong. Under the legislation we will create another bureaucratic monster.

I am not suggesting that the departmental officers have not been efficient in the past. I have known many of them and have worked with and under them and I have the greatest admiration for them. We are trying to create legislation which will work for the benefit of the industry for many years ahead. So, as far as I am concerned, the remarks of the member for Wellington are quite pertinent and relevant and I believe he was right on the mark in what he said. I cannot agree with the Minister's comments and therefore I support the amendment.

Mr. H. D. EVANS: For the benefit of several members I would like to point out that the situation as it exists at the moment has been distorted. The department has been involved with virtually half the total area of the operation.

Mr. Blaikie: Did I distort that?

Mr. H. D. EVANS: I omit the member for Vasse on that score and refer to those who spoke before him. The Department of Agriculture has been totally involved with the manufacturing side of the industry and I think some members must divorce their thinking from the whole-milk industry and look at the entire industry in its proper perspective.

This must be the case, if there is to be a solution to enable it to survive. This has become a matter of great urgency at the present time. The Health Act is currently involved in that it prescribes the standards for dairy and milk products. The model by-laws cover the production of milk and cream for manufacturing purposes and butterfat in dairying areas. Consequently, when we talk about inspection systems and the demands upon them, we are talking about quality control which necessarily presupposes the existence of an advisory service to ensure that the quality can be remedied if needs be.

When we talk about the field of operation of milk treatment plants and dairy products manufacturing plants we must realise that great confusion exists in this area. Multi-purpose plants have developed and will increase in number in the future. This must be the position to enable them to meet the exigencies of the industry and to maintain economies. There is now a dual inspectorial system and, to say the least, this is undesirable. Economies can be effected and quality supervision made available only if there is close attachment to the Department of Agriculture. A straight-out levy for services—as the Milk Board would have to impose—would necessarily increase expenses. These expenses can be obviated to a large extent.

Under the existing system milk inspectors go onto properties and are treated as such. They do not have the opportunity to give advice in all spheres of production. Consequently they are not playing the full role of which they are capable.

Single control of a single industry will obviate the artificiality which exists at the moment in a split industry. This is something which must be overcome. If members opposite give it more thought than they have up to date I am sure that even they will be convinced of the absolute need for this. This has been shown in Victoria over many years. I oppose the amendment.

Mr. I. W. MANNING: I am disturbed at the comments which the Minister has made. I see a marked conflict between the provisions in the measure and the Minister's comments. When he introduced the measure he said that it was designed to unify the industry and he talked about two sections, the whole-milk and the butterfat sections. He said the purpose was to set up a single authority to unify the industry and place it under one authority. Part II of the measure deals with the duties of the authority, the quota appeals committee, and the prices tribunal. The single authority now plays a

very minor role in the dairying industry. The major role is played by the Department of Agriculture.

Farmers have been told that their future lies in their representation on this single authority. Three farmers are to be appointed to an authority which, very largely, will look after the retail side of the industry. The farmers will have no jurisdiction whatsoever over the production and quality side of the industry which is of major concern to them. Therefore, farmer representation on the authority will be completely nullified because farmers will have no influence over the side of the industry which touches them. They will have influence on the retail—or secondary side—of the industry but not on the primary side.

Mr. H. D. Evans: Organisation, licensing, and transport will still be under their control.

Mr. I. W. MANNING: How can there be unification of the industry? The Minister has highlighted a division within that industry.

Mr. H. D. Evans: It is certainly less of a division than that which occurs at the moment. It will be unified to the extent that it will be a single industry.

Mr. I. W. MANNING: We should set out to unify the industry with this legislation. The Minister has not done that but has merely changed the emphasis on the divisions between whole milk and manufacturing milk to those between the primary and secondary side of the industry.

There is no confusion between the primary and the secondary sides. The Minister intends to give the Department of Agriculture the whole of the primary side and to give the authority the secondary side which, of course, is the minor role in the industry. This cannot be denied and a careful reading of the legislation confirms what I am saying.

I consider that the quota appeals committee is a good idea. However, I feel that there should not be a prices tribunal. We debated this matter on the last occasion the measure was discussed in Committee. I consider that this power should be given to the single authority to which farmer representatives will be appointed. All sections of the industry will be represented on the authority. Surely when we contemplate structuring a board or committee the representatives on it should have the opportunity to bring their influence to bear.

So divided is the measure that it is beyond my comprehension. Many people, including the Minister, have told farmers that their future will be safeguarded by the strong representation of farmers on the single authority. However, they will have no representatives whatsoever on the primary side of the industry, which is their sole concern.

Mr. A. A. LEWIS: The Minister has told us how chaotic the industry is. He has also told us that the department inspects the manufacturing side of the industry and the board inspects the whole milk side. In fact, he has gone on *ad nauseam* on these subjects. What the Minister has not told us is why the single authority cannot take over what the department is doing in respect of the inspection of the manufacturing side of the industry. I believe that the producer, especially, wants this to be left to a single authority. The staff of the Department of Agriculture are not the only persons who can carry out this inspection work. The authority could employ trained people to do this work even if they were taken initially from the Department of Agriculture. Instead, the Minister is starting to build another empire. He has gone on and on about the Department of Agriculture. On several occasions in the last few days the Minister has accused me of not having any brains or of not thinking. I ask him to sit back, not to interject, and to think what will be good for the industry. It seems he is completely sold on the idea of the department having such a complete say.

Mr. H. D. Evans: Does not the fact that the department already has trained personnel such as biologists, agronomists, and the like in its employ mean something? Would it not be far better to use them? You are suggesting duplication.

The CHAIRMAN: Order!

Mr. A. A. LEWIS: Certainly the department has these people and I do not deny it. Today, this kind of person is not hard to find. Further, why could not people be seconded from the department to the new authority so that we would allow the authority to run its own affairs?

The Minister is rapt with his Department of Agriculture. I admit that my suggestion involves a new line of thought and, obviously, the Minister has given no consideration to this. When the members for Wellington, Vasse, and Katanning spoke the Minister was interested only in defending his department. He is not interested in creating an effective single authority for dairy farmers or for the industry in this State. Apparently his thinking is so narrow that he is not open to ideas. The measure has been before the Chamber for a long time now.

The Minister said that an inspector could give advice to a farmer when he came onto the property. The Minister does not like one person doing one job of inspecting dairies but he now wants to give an officer of the Department of Agriculture the dual role of inspecting and

giving advice. I think inspectors should be completely removed from the people who give advice because inspectors must create the controls. An inspector could come to a dairy and suggest that something be cemented, or something else galvanised. The farmer could do it but the inspector, or a fellow inspector, could come back, in his inspectorial role, and say that the work was not good enough. It could be suggested that the farmer should spend $100, $500, or $1,500 in bringing something to the inspector's standards.

Consequently, this would place these people in an extremely unenviable position and I do not believe that staff members of the Department of Agriculture should be placed in such a position. Their purpose should be to help farmers expand and not to inspect and sniff about.

The Minister needs to look at his Bill. I agree entirely with the member for Katanning. The sensible course of action would be to withdraw the measure and have it redrafted. The Minister cannot say he has not had the benefit of the experience of members on this side of the Chamber. We have all tried to help and up to date nobody except the Minister has become really excited or upset over the measure.

We only want to see a single authority which will work. In other words, we want one authority and not an authority which would delegate its powers. It seems that under the present Government we see a continuing delegation of powers or else the Government obtains its advice from Canberra.

Mr. NALDER: Two points made by the Minister cannot be allowed to pass without some comment. Firstly, the Minister said that an inspector could give other advice when he went onto a farm. I should think the Minister would know by now that not one staff member of the Department of Agriculture will take on a dual advisory role. He will not inspect a dairy and, in the next breath, tell the farmer to buy two hundredweight of superphosphate, advise him about insecticides, or about the breed of cattle he should have. This is exactly what the department will not do.

When the Minister introduced the legislation he said that all of the officers of the Milk Board would be transferred to the Department of Agriculture when the authority was established. I think I am correct in saying this. What will happen to the inspectorial staff of the Milk Board? Will they advise farmers about the breed of cattle which gives the best milk or about the best type of fertiliser to use on the pastures? They will not. Instead, they will advise the farmer in exactly the same way as they now do. There will be no difference whatsoever.

I think the Minister has confused members who do not know anything about the situation with his suggestion that the officers will play a dual role. They will not. They will still be inspectors and will carry out the same work with the Department of Agriculture as they now do with the Milk Board.

The Minister implied that costs to the farmer could possibly be reduced under this system. The Minister has said that some charges will be levied by the Department of Agriculture for services rendered. We do not know what they will be because the Minister has not told us.

Mr. H. D. Evans: I did not say that. The member for Katanning is confused.

Mr. NALDER: No, I am not. The Minister implied that charges will be levied by the department; I think he used those words.

Mr. H. D. Evans. There would have to be a charge if the Milk Board used the services of the Department of Agriculture. If this service is under the control of the Department of Agriculture this will not occur. The situation will be quite different and it will be a far more economical approach. Without overlapping and with the more effective use of manufacturing, communication, and everything else the operation would be cheaper overall.

Mr. NALDER: Members of the dairying industry would be pleased to know this because everybody to whom I have spoken has been fearful that charges will increase.

Mr. H. D. Evans: They will decrease.

Mr. NALDER: Dairy farmers believe they will increase. They cannot see how costs could be reduced in the situation which would exist under this legislation. I am sure that costs would not be reduced. The Minister has not even told us what the charges are likely to be. It is said that the department can charge for services rendered, or words to that effect. The legislation itself states this.

We have no idea what the position is. I certainly cannot see that costs would be reduced when we consider the increases in costs which not only the dairy industry but other industries, too, are facing at the present time.

Mr. H. D. Evans: You are still missing the point.

Mr. NALDER: I am not missing the point.

Mr. H. D. Evans: If it is separate, the department would have to make a charge.

Mr. NALDER: The legislation says that the department can charge for services rendered.

Mr. H. D. Evans: That is perfectly correct.

Mr. NALDER: The Minister should have outlined this when he introduced the Bill. He did not give any indication which charges the department would make and for what purposes.

Mr. H. D. Evans: They would not have to make a charge if they were operating it.

Mr. NALDER: Why was this included in the Bill? If the provision is deleted, we will then support the clause. I can assure the Minister that we will support it if the reference to charges made by the Department of Agriculture for services rendered is deleted.

Mr. H. D. Evans: The charges will depend upon the services.

Mr. NALDER: How airy fairy!

Mr. H. D. Evans: If the department is running it, it would not make a charge. Surely this is obvious.

Sir Charles Court: The Minister had better not let the Treasurer hear him say that!

Mr. NALDER: It is right that the Opposition should make these points. The Minister now tells us that the charges will not be anywhere near as high as they are under the present system. Why did he not tell us that in the first place when he introduced the Bill? He did not say a word about it. Under the provisions of the legislation, the Department of Agriculture can make charges for services rendered. This is one of the points which those in the dairying industry have been endeavouring to ascertain.

I will hazard a guess that the charges will be higher than they are at the present time. I believe it would be in the best interests of the industry if we were to continue the present system in regard to the Milk Board, but perhaps on a broader basis. For that reason I continue to support the amendment moved by the member for Wellington.

Sir CHARLES COURT: I want briefly to comment to let the Minister know—if he is not already aware of the point—that we, on this side, are very strongly in favour of what the member for Wellington is advocating. Tonight the Minister has let the cat out of the bag because the inclusion of the Department of Agriculture is obviously one of the cornerstones of the whole project so far as he is concerned. I am absolutely amazed at the Minister's comments by way of interjection to the member for Katanning regarding the cost structure, because clause 85 of the Bill is very specific. There is nothing extraordinary in the provision, but I do not wish members to get the idea that there is a Father Christmas because the Department of Agriculture is named in the provision. Nothing the department will do will be for love and affection.

Mr. H. D. Evans: The point is that there will be far greater co-ordination with the resulting economy.

Sir CHARLES COURT: I draw the attention of the Minister to clause 101 of the Bill. The department would be able to recover its charges against the authority at law because the constitutional existence of the authority is very clearly set out within the Bill itself—it can sue and be sued.

The Minister keeps speaking of a total authority. This was the whole concept put forward—we were to have a single authority. Now we are to fragment it. There is no hiding the fact that the department has certain ambitions in respect of rural industries. It wishes to gain more control over all rural industries, regardless of what they produce.

Mr. H. D. Evans: Absolute rubbish.

Sir CHARLES COURT: It is not rubbish and the farmers are beginning to realise that the department's ambition is to get a stranglehold on the industries. This provision is a technique to commence the process. The Minister has not intruded the department into this particular authority just for the sake of continuing something which was done in connection with the butterfat industry. He is attempting to give the impression of intruding something already in existence into the total industry. We understood that he wished to set up an authority to make the industry more efficient and to permit it to expand on a secure basis. We hoped that the milk supply of the State would be more assured, and also the future of the farmers. However, when we get behind the scenes and realise the real significance of the Bill, we start to see the milk in the coconut. Obviously the officers of the department have convinced the Minister and he is now enthusiastic about the scheme—it has almost become an obsession.

Mr. H. D. Evans: They have also convinced members of the industry. You should mention that.

Sir CHARLES COURT: I defy the Minister to produce proof to the Chamber that the industry wants it this way. The industry believed it would be given an authority to co-ordinate and achieve co-operation in all sections of the industry; that is, those producing milk, and those involved in its transportation and manufacturing processes and retail and wholesale distribution.

The Minister is aware of the problem of the fragmentation of the industry. I believe that the principles which have intruded into the Bill defeat the original purpose, and the intention is to give the Department of Agriculture a very special position.

Mr. H. D. Evans: If we do what you are suggesting we would have to duplicate a large proportion of the department.

Sir CHARLES COURT: I do not accept that for one second. I would accept the viewpoint of the member for Katanning before I would accept that of the Minister. Of course the facilities of the department will be used, but they should be employed at the bidding of the authority.

Mr. H. D. Evans: Do you know the cost of duplicating these facilities? It would be astronomical.

Sir CHARLES COURT: There is no Father Christmas. Whether a scientist works in the Department of Agriculture or in the authority, someone has to pay him. We do not dispute that but we believe these operations can be carried out more efficiently and cheaply by the authority.

Mr. H. D. Evans: It will cost a small fortune.

Sir CHARLES COURT: The department is equipped to do specialised operations. As the member for Katanning said, these facilities can be used when highly specialised work needs to be undertaken. However, the actual operation of the industry should be kept within the authority.

I believe the member for Wellington is doing a desirable thing in trying to direct the attention of the industry to the serious situation which will develop if we allow the intrusion of the department into this part of the legislation. Of course, the services of the department will be available so far as they are needed. We are attempting to build up a complete authority. The industry said it wanted a single authority, and we are trying to help to achieve it. The Minister knows in his heart that the department has some very great ambitions; ambitions which are starting to strike fear into many people involved in the rural industry. I support the amendment.

Mr. McPHARLIN: I rise to express my support for the amendment moved by the member for Wellington. When the Dairy Industry Bill first came before us we had many dealings with members of the dairying industry. We examined the Bill in detail. The result of our inquiries suggested that certain amendments to the legislation were desirable. We decided to support the amendment which has now been moved by the member for Wellington.

The aim of the Bill was to establish a single authority, and we were also led to believe it was to assist the farmers in the industry. Throughout the measure we see this mention of the department and it clearly indicates that the department wishes to exercise more control than we, on this side of the Chamber, are prepared to give it. If one looks at the Bill, the Department of Agriculture is mentioned time and time again.

The Senate recently passed the Grants Commission Bill, and I believe there is some connection between the Grants Commission Bill and the measure presently before us.

Mr. H. D. Evans: What has this to do with the Bill?

The CHAIRMAN: The honourable member must confine the debate to the amendment before the Chair.

Mr. McPHARLIN: The Government's aim is to gain control of many sections of industry. Certain members of departments are being placed in certain sections in order that the Government may gain control of the industry. This tactic is objectionable to us.

Mr. H. D. Evans: How does that come into this Bill?

Mr. McPHARLIN: The Minister wishes to give the department more authority. We object to this move.

Since the Bill first came before us we have seen an announcement by the Minister for Primary Industry that the Government intends to phase out the bounties on butter and cheese. The dairy industry in this State received that news with dismay. It was certainly not anticipated.

The CHAIRMAN: I do not really think this has anything to do with the amendment.

Mr. McPHARLIN: It definitely has. I come back to the comments made by my former leader, the member for Katanning, that in view of the fact the subsidies are to be phased out, the Bill before us should be withdrawn, redrafted in the light of the announcement made by the Minister for Primary Industry, and presented to us again. The dairying industry of Western Australia would welcome a revision of the legislation under the threat of the withdrawal of the subsidies. We want to stabilise production and stop the exodus from the industry; we want farmers to stay in the industry because we believe the production of the State should cater for the State. We do not want to see butterfat farmers continuing to leave the industry at the rate they are leaving it at present.

I support the suggestion of the member for Katanning that the Bill be withdrawn and the situation be reviewed in the light of the announcements made by the Minister for Primary Industry.

Mr. BLAIKIE: The amendment of the member for Wellington involves a most important principle. I sincerely hope the Minister will not be bigoted, but will be prepared to acknowledge the reasons we have advanced. I believe we have proven our case to the satisfaction of any reasonable person. I would ask members on the Government side to realise that members

on this side have a wealth of experience in the dairy industry. Surely that is of vital importance.

With your indulgence, Mr. Chairman, let me refer to the Apple and Pear Industry Bill. Who was right on that occasion? The principle we are enunciating in regard to the Bill before us is that the Department of Agriculture should continue to act in an advisory capacity and to provide extension services. But the Government proposes that the department should now become involved as a major decision-maker in marketing, and also in policing.

Mr. H. D. Evans: How in marketing?

Mr. BLAIKIE: Because of the influence it will have over the authority, and the empire that will be built if this measure is passed. The Minister has said the Bill will allow for the co-ordination of services already available within the department. I fail to see how it will achieve that. This is a theoretical possibility; it is possible in theory, but in practice it just cannot work. As I see it, the proposition of the Government is that the co-ordination which has been spoken of will cut costs to the industry, even though under clause 85 the industry will be responsible for any cost incurred by the department, and if necessary the authority will be subject to litigation to recover costs.

In the first instance we are proposing that the authority provide inspectorial services. Therefore, there would be no on-the-farm services provided by the Department of Agriculture, so there would be no duplication in that respect. The counter argument of the Minister is that of co-ordination; that the departmental inspectors can assist farmers in other ways. I fail to see how that can happen.

Let us follow this through in a practical manner. The inspector would visit a dairy and, assuming the farmer was at home, he would tell the inspector that he wanted someone to help him with a veterinary, irrigation, or agronomy problem. In practical application this would happen in only about 1 per cent. of all cases, if at all. On the other hand, it is said that departmental officers who are not presently involved in inspectorial services will become involved in other aspects. This is a complete impossibility. Veterinary and agronomy officers certainly will not inspect dairies; nor will soil technologists and so on. The Minister's argument is based purely on theory and is not capable of practical application.

We believe that the role of the department is to act in an advisory capacity and to provide extension services regarding new techniques. There will be no goodwill in the industry if the department becomes involved in policing the provisions of this Bill. It is in regard to this principle that we differ from the Government.

Mr. H. D. Evans: Should the department be withdrawn from its present supervisory activities?

Mr. A. A. LEWIS: On the first occasion I rose I asked the Minister to consider the propositions presented from this side; but from his interjections I am afraid he has not done that. My leader put the proposition that X number of people—whether they be biologists, technicians, or whatever—would be needed to police or inspect the scheme. The Minister, by interjection, said, "enormous cost". I have yet to hear him say how the cost would be any more enormous than that incurred by the Department of Agriculture. If X number of people carry out these services either under a single authority or under the department, where does the great difference in cost arise? The Minister is trying to make the department the controlling body of the dairy industry.

It appears to me that under this legislation the dairy industry will have no control over its future. With regard to cost, if we are to have one authority and we are to have co-ordination—and probably this is only in the mind of the Minister—with the Department of Agriculture, the cost of the co-ordination would be far greater than if the services were provided by the authority and the industry controlled its own destiny. Surely the economics of this have got through to the Minister by now. It has been pointed out to him many times and he has had sufficient time to study it. I hope the Bill is withdrawn and reconsidered in the light of the comments of the member for Katanning, and that the dairy industry is given a single authority which will be useful to it, rather than an authority controlled by an empire-building department.

Mr. W. G. YOUNG: I support the amendment moved by the member for Wellington, and the argument presented by the member for Blackwood. The authority is to be set up to unify the industry, and to give the producers a voice, thus enabling them to assist in controlling their own destinies.

I ask the Minister to look at clauses 62, 63, and 64 in which any control the authority might have over the industry is completely removed. Clause 62(2) says that the authority shall cancel a license on the written advice of the department. What control has the authority over that? Then clause 63(2) states that where the authority receives a written notification from the department that the registration of premises in respect of which a license is issued has been suspended, the authority shall suspend that license. It does not say that the license "may" be suspended, but "shall" be suspended. There is no option. If an inspectorial report is received from the Department of Agriculture the authority must cancel the license.

Mr. H. D. Evans: Yes, if it is substandard.

Mr. W. G. YOUNG: The same applies if the authority suspends a license; it must write to the department saying it has done so. The authority will have absolutely no control in regard to quality or inspectorial facilities. Why have members of the industry on the board if they are to have no say? The Minister is laughing about this; I hope he has at last realised the stupidity of this Bill, which will split the industry down the middle. We will have members of the authority fighting the department because the producer members will be looking after the interests of producers, and if notification comes from the department that a license is to be cancelled, then they must cancel the license.

Mr. H. D. Evans: Yes, if the standard of the milk or of the premises is down. Isn't the supervisor the one who should make the report?

Mr. W. G. YOUNG: Yes, but he should be part of and subject to the control of the authority. If the inspectorial staff were part of the authority it would be under the control of the authority and, therefore, the producer members would have some say. There would be no need for the authority to write to the department, or for the department to write to the authority. All these communications will only increase costs.

I think the three clauses to which I have referred clearly indicate that the authority will have no control over its own destiny. The department will have the say. Why not set up the authority within the department and forget about the Bill? Let us have a unified, organised dairy authority which can control its own industry, and leave the department to carry out advisory services as it has in the past.

Mr. I. W. MANNING: I am bitterly disappointed that the Minister sees no merit in the case presented by the Opposition. I would like to introduce a couple of new points. The industry has waited a long time for a single authority, and a great deal of work has been put into the proposal.

There was no doubt in the minds of the people who initiated and brought forward the idea of a single authority. It was to be an authority with strong producer representation which would run the industry. The Minister disappoints me when he refuses to accept the fact that under this legislation the major role in the running of this industry will rest in the Department of Agriculture, and not in the authority.

The member for Roe highlighted several very important points: one is that the portion of the industry, over which the authority through producer representation is to have control, represents less than 50 per cent., because of the duties with which the Department of Agriculture is charged. If the legislation is put into operation in its present form then I am sure the dairy farmers will be very disappointed.

Mr. H. D. Evans: This is the form in which they want it, and the dairy farmers have discussed the legislation right from its evolution.

Mr. I. W. MANNING: They have been misled, or they misunderstand or have failed to grasp the full implications of the Bill. I do not think the majority of the producers have misunderstood; I think they are well aware of the role of the Department of Agriculture. All this talk of protection through strong producer representation is of no avail, because we find the producer will have no voice on the primary side of the industry.

Sir David Brand: The Minister has given no reply to the points that have been raised.

Mr. I. W. MANNING: I am disappointed with the comments of the Minister for Agriculture. We have put a lot of thought and work into these amendments. They touch on a most important part of the legislation, and in turn affect the industry as a whole.

The claim is that the single authority will run the dairying industry, but it will not do that at all because the activities of the authority will be confined to a small section. The story of the single authority being the means to amalgamate and unify the industry is not correct. It merely changes the industry from the butterfat and whole-milk sections to the primary and secondary sections. I am sure many of the dairy farmers believed they would see arising from the legislation a more sophisticated and a stronger Milk Board, but in reality the activities of the authority will be similar to the activities of the existing Milk Board.

Mr. NALDER: The aspect which I wish to emphasise has been touched on by several speakers; that is, the powers of the single authority. The amendment before us is designed to give the authority the powers we think it should have. I refer to the position of the Egg Marketing Board which has been established to look after the marketing of eggs. The Department of Agriculture does not run it, and there is no provision in that legislation which gives the Department of Agriculture any authority to run that industry. The same can be said of the Potato Marketing Board and the abattoirs board, as well as a number of other boards. In each case the Department of Agriculture has no active role to play.

Mr. W. G. Young: It still advises.

Mr. NALDER: Yes it does. It is well known that the services of every section of the Department of Agriculture are available to any board. All that a board has to do to obtain the services is to ask

the department to send an officer out. Invariably the department makes one available to give advice on the aspect in question.

That is the very point we are emphasising now, but the Minister does not accept our representations. The fact is the single authority will not have the power that it should have. The proposal in the Bill departs from the principle which this Parliament has acted upon for a long time. When the Milk Board was established in 1946 the purpose was to assist the industry, and the same applied to other industries. All we are seeking now is to have the principle applied to the dairying industry.

The Minister is determined to have the Department of Agriculture running the industry. If it does what will happen to the proposed authority? I say that it will be meeting once a month, and its members will have little to do but discuss the weather!

Mr. I. W. Manning: They might talk about the return of milk bottles, because that is the only thing left to them to determine.

Mr. NALDER: It will be lucky if there is any milk available to put into the bottles! The single authority should be given the powers to run the industry, but the Bill does not provide for that at all. Unless the Minister is prepared to look into this aspect then I shall fight every inch of the way to oppose the Bill. The legislation if passed should be workable. The fact is that the Bill in its present form will not achieve this. Unless we are successful in taking out the powers which the Bill proposes to repose in the Department of Agriculture we will be introducing a system which will disintegrate the industry.

The Minister cannot claim that the proposals in the Bill will not require more money than is at present required. Probably more members will have to be appointed, and they will have to be paid for their services. Such a system will tend to grow and grow, and result in increased costs to the industry. I contend that the authority should be the master of the industry; the master should not be some other body such as the Department of Agriculture.

I have the greatest regard for the officers of the Department of Agriculture. I am sure they make a valuable contribution to agriculture, but in this case they should remain in their own backyard, and should give advice to the authority when invited to do so. They should not tell the authority what the authority should do. I support the amendment.

Mr. H. D. EVANS: I refer to the major aspect that has been steadily overlooked or ignored; that is the fact that the department has been involved with manufacturing milk ever since the inception of the dairying industry in this State.

If we look at the Milk Board we find it has no background in this regard. Through its charter it has been orientated to the production of whole milk. I agree it has done a good job. If we look at the situation which will confront the entire industry as a unified whole, we find there will be a need for supervisory services to be made available, outside those which the board can provide.

While some members are thinking in terms of the existing Milk Board I suggest that they look at this as a unified and integrated industry. We should bear in mind that the services which the Department of Agriculture provides take in pastoral management, the physical facilities required by the industry, disease prevention and control, and other aspects. There is a need for continuous testing to maintain standards. The essential point is that there should be contact within the industry. If we are to achieve this through a Milk Board or a similar organisation we should develop what exists in the Department of Agriculture.

Mr. A. A. Lewis: Why?

Mr. H. D. EVANS: Otherwise we would not have the required services. Nobody has pointed out that a similar system has worked in Victoria.

Mr. RUSHTON: The Minister's comments reveal what is missing in the Bill. He has a grand concept of an integrated industry.

Mr. H. D. Evans: Why did the industry accept the legislation?

Mr. RUSHTON: It has not accepted what the Minister has produced.

Mr. H. D. Evans: It has. It has been very closely associated with the drafting of the Bill and with discussions on the provisions.

Mr. RUSHTON: The contention that the authority should have control has been fully justified. The authority should be given the powers which the Minister speaks of. It should not be fragmented, and it should be given the opportunity to coordinate the effort referred to by the Minister so that there will be a unified industry.

In the past the Minister has been very caustic about the fragmentation of the industry. By introducing this legislation he is supporting the fragmentation of it. He should give a little more thought to the amendment before us and be prepared to support progress. All the Minister needs to do is to adopt a rational approach to this industry, and to implement his theme of an integrated industry.

The remarks of the Minister show how much he is out of touch with the issues which he is presenting. His proposals will not assist an industry which he is earnestly seeking to help.

Mr. A. A. LEWIS: The Minister has said that the Department of Agriculture comes into this legislation because of the supervisory services it can provide beyond those which the board can provide.

The Minister will not change his mind mainly because his ideas are purely theoretical. His lack of knowledge of types of organisations is clear. When schemes such as this are introduced by theorists the result is empire building. The Minister has said that the Department of Agriculture can inspect the manufacturing side of the milk industry, and the Milk Board can inspect the whole milk side. We have suggested that the board should take over the manufacturing side but the Minister has given no answer at all to that proposition. He has ignored the request because he does not have an answer, and because the proposition is the logical method of incorporating a single authority for the dairying industry.

Mr. H. D. Evans: It is not.

Mr. A. A. LEWIS: That may be so in the mind of the Minister. The Minister said that the dairying industry was in a chaotic state but I think his mind is in chaos. He has not attempted to look into the proposition or answer one suggestion put to him.

No members from the Government side have supported the Minister and that is probably because they do not understand the Bill and the reason for the inclusion of the Department of Agriculture. Members from this side of the Chamber have explained the situation.

It seems to me that the work done by the Department of Agriculture over the years could be jeopardised by turning the department into another Police Force. The officers of the department have helped the practical farmers—not the theorists—and the Minister now wants to turn them into inspectors.

Mr. H. D. Evans: Do they not have a supervisory role now?

Mr. A. A. LEWIS: One authority should run the industry in a sensible manner; it should not be done from within a department which is already set up for a different purpose altogether. The Minister does not consider that the dairying industry includes the producers, the manufacturers, and the consumers. If the Minister were to report progress and examine this position again I am sure he would change his mind.

Many farmers are not sure of the contents of the Bill. They have been given an assurance that something will happen and they accepted that assurance in good faith. I consider that the Department of Agriculture should have an advisory role, and it should not be drawn in as another Police Force and so undermine the work it has done over many years.

Mr. BLAIKIE: I am quite disappointed with the reply given by the Minister. He has not answered any of the recommendations or arguments advanced from this side of the Chamber. The Bill is most important but the amendment we are now discussing is equally important because it will have a major effect on the proper function and the operation of the Bill. On a more personal basis, probably I, more than the Minister, know that the industry is in a chaotic situation.

The recent announcement regarding the discontinuance of the dairy bounty, made at a critical time of the year, will send many farmers out of the industry.

Mr. J. T. Tonkin: The member for Vasse would not be stonewalling, would he?

Mr. BLAIKIE: I take that as an indictment from the Premier.

Mr. J. T. Tonkin: I only made a suggestion.

Mr. BLAIKIE: I suggest the Premier should take charge of the Bill. Time and time again we have been critical of the role which the Department of Agriculture will be called upon to play and if I am to be accused of stonewalling because of that, I would probably have to agree.

Mr. J. T. Tonkin: I was not accusing the honourable member.

Mr. BLAIKIE: I am defending the people in my electorate because they do not want the department to have this type of control. If I am to be accused of stonewalling on that account then I must agree, but surely the Premier must realise that the Minister has been just as adamantly stonewalling in not answering the arguments raised. I am disappointed with the attitude of the Minister. The Department of Agriculture has an important role to play in this State.

I will be tremendously disappointed if the Government does not proceed with this Bill because I believe it is most important. I again ask the Minister to take cognisance of what has been said by members from this side of the Chamber. I support the amendment.

Amendment put and a division taken with the following result—

Ayes—22

Mr. Blaikie	Mr. Mensaros
Sir David Brand	Mr. Nalder
Sir Charles Court	Mr. O'Connor
Mr. Coyne	Mr. O'Neil
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Hutchinson	Mr. Sibson
Mr. A. A. Lewis	Mr. Thompson
Mr. E. H. M. Lewis	Mr. R. L. Young
Mr. W. A. Manning	Mr. W. G. Young
Mr. McPharlin	Mr. I. W. Manning

(Teller)

Noes—22

Mr. Brady	Mr. Hartrey
Mr. Brown	Mr. Jamieson
Mr. Bryce	Mr. Jones
Mr. B. T. Burke	Mr. Lapham
Mr. T. J. Burke	Mr. May
Mr. Cook	Mr. Norton
Mr. Davies	Mr. Sewell
Mr. H. D. Evans	Mr. Taylor
Mr. T. D. Evans	Mr. A. R. Tonkin
Mr. Fletcher	Mr. J. T. Tonkin
Mr. Harman	Mr. Moller

(Teller)

Pairs

Ayes	Noes
Mr. Stephens	Mr. Bertram
Dr. Dadour	Mr. McIver
Mr. Ridge	Mr. Bickerton

The CHAIRMAN: The voting being equal, I give my casting vote with the Noes.

Amendment thus negatived.

Clause put and passed.

Clause 4 put and passed.

Clause 5: Definitions—

Mr. I. W. MANNING: On the notice paper appears an amendment to page 3, line 35, which was consequential upon the passing of the previous amendment. As that amendment did not succeed, I will not now move the other one, and I will proceed to my next amendment. I move an amendment—

> Page 4, line 33—Delete all words in the definition of "dairy produce" after the word "substance" in line 33 and substitute the words "declared to be dairy produce for the purpose of this Act".

The definition of "dairy produce" in the Bill reads—

> "dairy produce" means any substance, not being milk, in the production or manufacture of which—
>
> (a) milk is used; or
>
> (b) any substance produced or manufactured from milk is used, and which is ordinarily used as a food for humans;

My purpose in seeking to amend the definition is to enable any type of product made from milk to be regarded as dairy produce. I think there is a good deal of merit in this proposition because it will provide the opportunity to declare any substance as dairy produce. I think that is clear for all to see.

Mr. H. D. EVANS: The member for Wellington is quite correct, in that his amendment achieves greater clarity and, together with the new clause 6 which is to be inserted, will make for better legislation. I agree to the amendment.

Amendment put and passed.

Mr. I. W. MANNING: I want to test the definition of "Tribunal". We debated earlier the principle of the dairy industry prices tribunal. I do not know whether the Minister has had second thoughts on this matter in the meantime, but I have some very strong views about it and I would like to test the Committee again as regards this principle.

As I said earlier, when speaking about the role of the Department of Agriculture and the representation on the single dairy authority, the proposition contained in this legislation is that there be strong sectional representation on the authority. The Milk Board of Western Australia as at present constituted recommends prices in every section of the whole-milk industry, and it has the necessary qualifications and expertise within its ranks to deal with that matter adequately.

In my view, the dairy industry authority should be given the right to recommend prices and margins within the industry. I see no virtue whatever in having a dairy industry prices tribunal. I think it would duplicate work which can be done by the authority. The tribunal can only make a recommendation to the authority. The authority cannot fix prices; it can only accept or reject prices put forward by the tribunal. To my mind, members of the tribunal will not be able to give such expert advice as members of the authority itself could give, judging by the experience of the Milk Board.

I move an amendment—

> Page 7—Delete the definition "Tribunal".

Mr. H. D. EVANS: This principle was debated at some length some time ago, and the reasons put forward at that time in connection with the tribunal are still valid. I oppose the amendment.

Mr. NALDER: I support the amendment moved by the member for Wellington. It is obvious that if we have the authority the Minister will try to lessen its power and curtail its activities.

I still have ringing in my ears the words of the Minister when he spoke to clause 3 and said a reduction in cost would result from having the Department of Agriculture running part of this industry. Here is a very vivid illustration of the cost being increased. Another body will be appointed to look after part of the industry which should be under the control of the authority. Why is this necessary? Surely the workings of the milk industry are known to the authority. I understood the Minister to say the position of manager of the authority would be offered to the manager of the Milk Board. He is fully informed about the industry and will be advising the authority; yet the Minister thinks it necessary to burden the industry with another group of people who will sit down and collate another lot of information which the authority should already have. I cannot see the value in cluttering

up the industry and imposing upon it extra weight and costs which it cannot afford to bear.

Mr. H. D. Evans: It might take away political considerations in price fixing.

Mr. NALDER: A little further on in the Bill we come to another proposal whereby the Minister is given complete control. As I see it, we are taking away from the authority the power it should have. On that basis, I support the amendment.

Mr. McPHARLIN: This matter was debated when the Bill was previously before the Chamber. Reference was made to the constitution of the dairy industry prices tribunal. One objection raised at that time was that the third member of the tribunal would be "a person appointed by the Minister who shall represent consumers of milk and dairy produce". There is no knowing who that will be. It could be anybody the Minister desired to have appointed, and perhaps some of the people who have been mentioned would not be acceptable.

Subclause (4) of clause 52 of the Bill, which relates to the power of the tribunal to make recommendations to the authority, reads—

> Where the Tribunal has made a recommendation under this section, the Tribunal shall forward it as soon as practicable thereafter to the Authority.

Subclause (5) of that clause reads—

> The Authority may, after considering the recommendation of the Tribunal, approve or reject the recommendation.

Why have the tribunal when the authority is given power to approve or reject a recommendation made by it? I think the tribunal is unnecessary and I support the amendment moved by the member for Wellington.

Mr. BLAIKIE: I also support the amendment. Along with other speakers to a previous amendment, I spoke against the appointment of a dairy industry prices tribunal, and the comments I make now will be similar to those I made then.

This is a Bill to establish an authority giving producers representation for the purpose of making decisions on the activities within their industry. While producers will not have total voting rights on the authority, they will have a definite role to play on policy-making. The Minister and many other members have said how important their role will be; that, in fact, they will be able to make decisions regarding their own industry. They will, of course, be able to make a decision on prices.

No sooner have we agreed on one principle than another is written into the Bill to take away some of the powers of the authority we are now attempting to establish. It is quite right that members object—and I certainly object—to the establishment of a tribunal. I take exception to the Government taking unto itself the sole right to appoint members to this committee. Those engaged in the industry object to the Government having a sole right to appoint members to this committee, because no-one but the Minister knows who those members will be. The Government could appoint people who are totally divorced from the industry and who have no consideration for it whatsoever.

We are now debating the deletion of the definition of the word "Tribunal". The functions of the committee of the dairy authority are quite clear and specific, being set out in clause 22 (2) on page 20 of the Bill, and it is intended that the authority shall make these deliberations.

Of course, built into another clause of the Bill is the terminology—as the Leader of the Country Party so rightly said when reading from the Act—that the authority may approve or reject a recommendation made by the tribunal. Thus, if the authority agrees to a price rise, I fail to see how it can make that decision unless the tribunal has recommended accordingly. If the tribunal recommends to the authority that a price rise is not justified, on what grounds can the authority approve a rise in the prices of dairy products?

The point raised by the member for Wellington is quite valid. I know those engaged in the industry do not want any mention of a tribunal in this Bill, and I believe the Government should, once again, take some notice of the representations we are making. I support the amendment moved by the member for Wellington.

Progress

Progress reported and leave given to sit again, on motion by Mr. Moiler.

House adjourned at 11.06 p.m.

Legislative Council

Wednesday, the 15th August, 1973

The DEPUTY PRESIDENT (The Hon. N. E. Baxter) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (7): ON NOTICE.

1. CORAL BAY HOLIDAY RESORT

Finance

The Hon. G. W. BERRY, to the Leader of the House:

What is the present financial position regarding the Coral Bay holiday resort?