Legislative Assembly

Wednesday, the 3rd October, 1973

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

ENVIRONMENTAL PROTECTION

Pollution: Statement by Member for Mirrabooka

MR. A. R. TONKIN (Mirrabooka) [2.18 p.m.]: I desire to make a brief statement relating to some erroneous impressions given in the Press.

Mr. O'Connor: On a point of order, is not the permission of the House required for this purpose?

Mr. A. R. TONKIN: I was going to ask for leave.

The SPEAKER: Order! The member for Mirrabooka must seek leave.

Mr. A. R. TONKIN: I wish to make—

The SPEAKER: The honourable member should seek leave to make a statement.

Mr. A. R. TONKIN: I seek leave to make a brief statement relating to some erroneous impressions given in the Press.

The SPEAKER: If there is a dissentient voice leave will not be granted. Is there a dissentient voice? There being none, leave is granted.

Mr. A. R. TONKIN: I thank the House for granting me leave, and for extending to me its indulgence. I refer to some questions on today's notice paper, which are being asked about my conduct. They relate to a newspaper article which appeared in *The West Australian* of the 27th September, and to advertisements apparently placed with *The Sound Advertiser* of the 26th September, which I have not seen.

I want to make it quite clear to the House that at no time did I claim to be a member of the Western Australian Conservation Council, or to speak for the Government.

At the meeting at Rockingham on Wednesday, the 26th September, I was introduced simply as Mr. A. R. Tonkin, the member for Mirrabooka. I spoke to the reporter from *The West Australian* after the meeting and asked her if she wanted to check on anything I had said and she replied in the negative.

There were two serious errors in the article published in *The West Australian* on the following day. My comments as to the undesirability of comparisons with American standards of sulphur dioxide emission because they did not allow for the synergistic effect of the deposition of particulate matter were completely overlooked and therefore my statement was distorted as I was reported as saying that the emissions in the Coogee area were higher than those in the United States.

The article also said that a Government authority was being established to examine the creation of a central point for rubbish disposal, when in actual fact I had said that it was now the policy of the State branch of the A.L.P. that such a central point be established.

To correct these erroneous and quite misleading impressions, I wrote to the editor of *The West Australian* on the 28th September, as follows—

> As was not made clear in your report of my speech at Rockingham, I was particular to stress that comparison with American standards are not particularly helpful because there is no allowance in their sulphur dioxide ratings for the level of particulate matter. This is particularly relevant because of the very low level of particulate matter in the Coogee Air Pollution Study Area. To exclude that is to alter the sense of the whole statement.
>
> Also, I did not say that "a Government authority was being established to examine the creation of a central point for rubbish disposal". I did say that it is the policy of the State Branch of the Australian Labor Party that such an "authority" should be established.
>
> I trust that in the interests of veracity and fairness, you will correct these wrong impressions.

I received a phone call last night from a reporter from *The West Australian* who indicated that it was intended to publish an article along the lines of my letter. He discussed the wording with me and an article appeared in the paper this morning, but it contained no reference to the article published last Thursday, so it was not a correction so that people reading it today would know that it corrected an erroneous impression gained last Thursday. The article in the paper this morning reads—

> Comparisons 'not helpful'
>
> Local comparison with American pollution standards was not particularly helpful, the MLA for Mirrabooka, Mr Arthur Tonkin, said yesterday.
>
> The Americans made no allowance in their sulphur dioxide ratings for the level of particulate matter. This was particularly relevant because of the very low level of particulate matter in the Coogee air pollution study area.
>
> He did not believe in using landfill methods to dispose of rubbish, a plan that had been suggested for Rockingham. It was the policy of the State

branch of the Australian Labor Party to establish a central point for rubbish disposal.

I believe, therefore, that there has been some quite bad misrepresentation in this case and for that reason I considered that the House should hear the story.

BILLS (8): INTRODUCTION AND FIRST READING

1. Appropriation Bill (Consolidated Revenue Fund).

2. Appropriation Bill (General Loan Fund).

   Bills introduced, on motions by Mr. J. T. Tonkin (Treasurer), and read a first time.

3. Maritime Archaeology Bill.

4. Museum Act Amendment Bill.

   Bills introduced, on motions by Mr. J. T. Tonkin (Minister for Cultural Affairs), and read a first time.

5. Perth Medical Centre Act Amendment Bill.

   Bill introduced, on motion by Mr. Davies (Minister for Health), and read a first time.

6. Building Industry Contractors Licensing Bill.

   Bill introduced, on motion by Mr. Jamieson (Minister for Works), and read a first time.

7. Industrial and Commercial Employees' Housing Bill.

   Bill introduced, on motion by Mr. Bickerton (Minister for Housing), and read a first time.

8. Wheat Products (Prices Fixation) Act Amendment Bill.

   Bill introduced, on motion by Mr. Harman (Minister for Labour), and read a first time.

BILLS (2): THIRD READING

1. Firearms Bill.

   Bill read a third time, on motion by Mr. Bickerton (Minister for Housing, and returned to the Council with amendments.

2. Mental Health Act Amendment Bill.

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

WORKERS' COMPENSATION ACT AMENDMENT BILL (2ND.)

Report

Report of Committee adopted.

SHIRE OF ARMADALE-KELMSCOTT

Disallowance of Health By-law: Motion

MR. THOMPSON (Darling Range) [2.33 p.m.]: Before I come to the serious subject of moving my motion, may I say there is no truth in the rumour that I strapped gelignite to an S.E.C. tower in Helena Valley.

Mr. O'Neil: You did a good job!

Mr. THOMPSON: I move—

> That by-law 19 (3) made under the provisions of the Health Act, 1911, and adopted as amended by the Shire of Armadale-Kelmscott, published in the *Government Gazette*, 20th July, 1973 and tabled in the Legislative Assembly on 7th August, 1973, be and is hereby disallowed.

Before I give my reasons for believing that the motion ought to be supported I would like to read the by-law which is proposed by the Shire of Armadale-Kelmscott. The by-law states—

> (a) It shall be the builder's responsibility to ensure that an adequate rubbish disposal bin approved by the Local Authority, is provided on all building sites during the period of construction.
>
> (b) It shall be the builder's responsibility at all times during construction to ensure that the building site is maintained free from waste building materials, by having the waste building materials deposited in the rubbish bin provided by the builder on the building site.
>
> (c) It shall be the builder's responsibility to ensure that any loose building materials are not permitted to be blown from the building site on to any road verges or other properties.
>
> (d) It shall be the builder's responsibility to ensure that on completion of construction the building site is completely cleared of all waste building materials to the satisfaction of the Local Authority
>
> (e) At the completion of construction it shall be the builder's responsibility to ensure that the rubbish disposal bin is removed from the site and the contents disposed of in accordance with the requirements of the Local Authority.

I heartily support the endeavours of the Armadale-Kelmscott Shire to ensure that areas adjacent to building sites are not littered, but I believe the by-law which has been introduced by the local authority will make no impact whatsoever on the problem.

It is well known that in the building trade today most of the work, particularly on house construction, is done under a subcontract system, and no one subcontractor is prepared to accept the responsibility for cleaning up the site. The responsibility clearly rests with the builder. Even though a bin may be placed on the building site, the brickies' labourers and other tradesmen who dispose of waste material will not put it in the bin, any more than they put it in the bins now provided by some builders.

I have had some experience in this regard. I have actually placed 44-gallon drums adjacent to where bricklayers have been emptying cement bags in the course of producing mortar, and unless I stand and watch the bricklayer's labourer as he empties each bag the bag will not go into the 44-gallon drum. He just throws the bag down and carries on filling the cement mixer with sand and cement. I therefore believe the problem is not one of providing a six or 10 cubic yard bin on the site but of making sure bins which are provided are used by the various tradesmen on the job.

One of the bones of contention which have arisen in connection with this by-law is that the builders who are engaged in the Shire of Armadale-Kelmscott object to having to provide a detachable bin on their building sites during the full course of the construction of the house or building. It is an added cost which will be passed on to the home buyer. Certainly, the building contractor will not accept the cost. He cannot absorb it. There is not a sufficient margin in house building these days to enable a builder to accept that cost.

Therefore, the endeavours of the Armadale-Kelmscott Shire to ensure clean building sites will force up the cost of housing in the area—only minutely in some cases but it will have the effect of increasing the cost of housing—and they will have no significant effect in keeping the building sites clean. I believe the by-law will discriminate against the clients of builders who are responsible in this regard, and there are many contractors who act responsibly and ensure their sites are clean.

Unfortunately other builders do not keep their sites clean and it is these people who are causing concern. Some builders do not need to remove any rubbish from the sites. Combustible material, such as cement bags, plastic wraps used for joinery, and cartons used for tiles, are burnt on the site. The noncombustible waste, such as broken bricks, waste from plastering and ceiling fixing operations, are used for filling. On some sites this can save the builder having to bring filling material to the job.

Mr. O'Neil: They usually bury it where you want to plant a tree.

Mr. THOMPSON: That happens too, but it is not always the case. If the waste is used responsibly, it can assist in reducing costs as the builder does not need to bring filling material to the site.

I believe local authorities have adequate power under the present law to ensure that no nuisance is caused by building operations. I would like to quote from section 665A of the Local Government Act as follows—

> (1) Any person who—
>
> (a) breaks, or causes to be broken, any glass, metal or earthenware; or
>
> (b) discards, deposits or leaves, or causes to be discarded, deposited or left, other than in a receptacle provided for the purpose, any refuse or litter,
>
> in or upon any street or public place, in or upon any public reserve vested in or under the control of a council, or in or upon any property of a municipality, commits an offence.
>
> Penalty: Two hundred dollars.

The week before last I asked a question of the Minister for Health seeking to establish just what had caused the Shire of Armadale-Kelmscott to introduce the by-law in question. The Minister became involved when one of the building contractors who was aggrieved by the by-law lodged an appeal against a council decision. The Minister then made a determination on the appeal.

Incidentally, in his reply to my question the Minister made some remarks dealing with the subject generally, but he did not deal with the specific question I had asked. In rejecting an appeal lodged by Plunkett Homes Pty. Ltd., in his letter dated the 10th September, 1973, the Minister gave reasons for his decision. He said this—

> Firstly, the by-law was only adopted after repeated unsuccessful requests to builders to avoid creating a nuisance in areas in which they were operating by littering the area and its surrounds with rubbish.

I will refer now to the question I asked the Minister as follows—

> Adverting to a recent letter he wrote to the building manager of Plunkett Homes Pty. Ltd. on the subject of a health by-law introduced by the Armadale-Kelmscott Shire Council—
>
> (a) (i) Will he advise the names of persons to whom "repeated unsuccessful requests to avoid creating a nuisance in areas in which they were operating by littering the area and its surrounds with rubbish" were made;

(ii) of these, how many were prosecuted under section 665A of the Local Government Act?

(b) Is he aware of any other local authority which has indicated its intention to introduce a similar regulation to the one made by Armadale-Kelmscott?

I wish to refer to the portion of the Minister's letter to Plunkett Homes Pty. Ltd. where he said that repeated requests to builders were made and that these requests had been ignored.

I asked that question on Thursday, the 20th September, 1973; and I followed it up with a question without notice on the same day, to which the Minister replied by suggesting that I should communicate with the Shire of Armadale-Kelmscott to obtain an answer. There is something here that concerns me. The Minister was so sure that repeated requests had been ignored by the builders that he was prepared to use that as the ground for the dismissal of the appeal. I assumed that, acting in his capacity as Minister, he would have determined the number of occasions on which such requests had been ignored; but apparently he did not have the answer. I immediately wrote to the Armadale-Kelmscott Shire Clerk on the 21st September, 1973, and I quote my letter as follows—

> When rejecting an appeal against your regulation requiring builders to place rubbish disposal bins on their building sites, the Minister for Health stated that your Authority had not had the co-operation of builders in keeping building sites clean.
>
> I should be pleased if you would advise me of the names of builders to whom notices have been served, either verbally or written, requiring them to keep their sites tidy.
>
> I should also be pleased if you would advise me if you have prosecuted any person under Section 665A of the Local Government Act.
>
> Further, could you advise me how many building permits have been issued in each month of last year?

In my letter I asked three questions. I asked for the names of the builders who had been notified, because in his reply to my question the Minister clearly stated that orders had been served on builders. Secondly, I asked how many builders were prosecuted under section 665A; and, thirdly, how many buildings were actually under construction in the local authority area. The shire clerk replied to my letter on the 25th September as follows—

> In reply to your letter of the 21st September, 1973, I would advise that numerous requests have been made to builders in this area with regard to the need to maintain a litter-free site.
>
> This has not been satisfactory, there has been no co-operation received, and building sites are generally untidy with large quantities of litter being continually discarded over the site and nearby streets.

That was not a satisfactory reply to my letter. I wanted to know which builders had been notified and which had been prosecuted, but I did not receive that information. So I again wrote to the shire on the 27th September setting out the three questions to which I required answers, and I concluded by saying that I would be pleased if the shire would give specific answers to the questions. I have not yet received a reply.

At about the time I communicated with the local authority I also wrote to the Master Builders' Association of Western Australia. I asked the association to contact those builders who are operating in the area at the present and those who were operating there in the past few months, in order to ascertain from those builders how many of them had been requested by the local authority to clean up their building sites. The association put the following three questions to its members—

(1) Are you currently building in the shire?

(2) On how many sites?

(3) Have you received any verbal or written complaints from the shire that your sites are in an unsatisfactory state?

Those were the questions to which I wanted answers. In addition to those questions the association asked a further question of its members to clarify how many builders had been contacted by the authority and asked to co-operate in keeping sites clean prior to the promulgation of the by-law.

Seven builders replied to the association's communication. They all indicated that they are active in the local authority area in question, and they indicated that between them they are constructing 77 homes in the area at present. However, not any of those builders had received any notification or request to clean up their sites, either verbally or in writing, before or after the promulgation of the by-law.

I ask the House to consider that reply against the background of the statement made by the local authority that there had been complete disregard of orders served on builders.

Mr. Moiler: You said that you had asked a question as to how many streets or building sites were untidy. Did anybody consider they were untidy?

Mr. THOMPSON: That was not the question asked at all.

Mr. Moiler: You asked a question similar to that.

Mr. THOMPSON: The fourth question?

Mr. Moiler: No, the third question.

Mr. THOMPSON: The third question was—

> Have you received any verbal or written complaints from the Shire that your sites are in an unsatisfactory state?

Mr. Moiler: Did not you say that you had asked the builders themselves?

Mr. THOMPSON: I did not ask the builders that question. I wanted to know how many had been told by the shire to look after their sites, and I said that not one of them, either before the promulgation of the by-law or since, had been contacted either verbally or in writing by the local authority requesting him to clean up his site.

I point out to the House that the premise on which this by-law has been passed is not entirely sound, because the local authority advised the Minister—and he accepted that advice—that the builders were not keeping their sites clean, but the local authority was not able to tell me the names of the builders who are not co-operating. On making further inquiries from the builders I have been told categorically that of the seven companies circularised—these seven companies would be performing the highest percentage of building in the area—not one of them had received any complaint from the local authority. So I believe that the principal reason for the introduction of the by-law cannot be sustained.

I contacted Mr. Rasmussen, the Shire Clerk of the Shire of Armadale-Kelmscott, and he said that the shire's concern was in regard to the amount of rubbish blowing onto the street verges. I have already drawn attention to the section of the Local Government Act that gives a local authority the power to act against anyone who litters a street. When I made that comment to Mr. Rasmussen, he said, "Yes, that is correct, but the problem is to catch the person responsible for permitting any piece of material to blow onto the road verge." I do not think there is any doubt that introducing a by-law requiring builders to place a bin on the site will have any effect on keeping the building site clean; because even if a health inspector were to inspect the building site and he found a cement bag, for instance, blowing around the street adjacent to that site, he would have difficulty in proving which builder constructing any particular house was responsible for allowing that to happen, whether or not a bin was on the site.

We reach the situation, particularly in the growing areas on the metropolitan fringe—and Armadale-Kelmscott is one of them—where rows of houses are under construction in street after street, and with the east winds that blow around there at certain times of the year cement bags could be blown from one side of the street to the other and no-one would know who was responsible. Therefore I fail to see that by placing bins on the building sites the local authority will achieve anything except that the cost of home building in the area will be increased quite unnecessarily.

Another aspect of this matter is that the local authority must approve the type of bin. In issuing permits recently the local authority has set down the type of bins which it is prepared to approve.

I draw attention to paragraph (a) of the by-law in question. It states—

> It shall be the builder's responsibility to ensure that an adequate rubbish disposal bin, approved by the Local Authority, is provided on all building sites during the period of construction.

Two aspects stand out; firstly, the bin has to be approved by the local authority and, secondly, it has to be placed on the site during the period of construction.

The local authority has been attaching to each building permit that has been issued since this by-law was gazetted a printed sheet setting out the by-law and describing the disposable rubbish bins approved by it. Incidentally, they are the same types of bins that are supplied by several firms engaged in waste disposal. These are six cubic yard and 10 cubic yard bins. One would be naive in the extreme to think that when the local authority stated these were the size of bins it required it was not referring to the ones supplied by the rubbish disposal firms. Yet, when I discussed the matter with the clerk of the local authority he said that it was not the intention of the council to require detachable bins.

I think that what the local authority is aiming for is a detachable bin. That is obviously what is behind the intention of the by-law. Although the local authority is not prepared to say that is what is required, it is apparent to me that in days to come detachable bins will be required.

I make reference to a letter that has been sent to the Secretary of the Master Builders' Association by the Minister for Local Government. It is dated the 28th September, 1973, and reads as follows—

> Dear Sir,
>
> Your letter of 16th August, 1973, in which you complained concerning the by-law of the Council of the Shire of Armadale-Kelmscott, was referred to the Council and to the Hon. Minister for Health.

The Minister for Local Government went on to quote what the Minister for Health had to say when he rejected the appeal lodged by Plunketts. Then he quoted what was said by the Shire of Armadale-Kelmscott. However, the Minister for Local Government himself gave no opinion at all in that letter. After quoting the Minister for Health and the local authority he appended his signature. He gave no indication of his own thoughts on the matter,

In the submission from the Shire of Armadale-Kelmscott contained in the Minister's letter the following appears—

> The Association appears to have interpreted the by-law to read that a 'Crommelin' or other manufactured receptacle is required to be placed on building sites, and so incur an additional cost of something in the order of $60 to $70 to the client, this is not so and has been made abundantly clear by the Shire's Health Surveyors. The by-law simply asks for a receptacle. This could take the form of an average 6 cubic yard truck or even a smaller vehicle standing by and emptied daily . . .

That is a strange sort of comment. The builders are complaining about the need to supply detachable bins which cost a few cents per day to hire, but several dollars to empty. They are complaining about having to put such bins on building sites; but the Shire of Armadale-Kelmscott submits as an alternative that six cubic yard trucks be placed on building sites all day. Is that a reasonable sort of proposition by the Shire of Armadale-Kelmscott?

In connection with the second part of this particular quotation from the Minister's letter, which deals with a smaller vehicle standing by and must be emptied daily, what will influence magistrates in the case of prosecutions under the by-law is what is in that by-law—that is, that a bin approved by the local authority must be on hand. The local authority has approved of a six or 10 cubic yard bin. However, the local authority, trying to justify its action, has stated that a smaller receptacle will suffice.

Parliament is interested in what the law states and not the intention behind those who draft the law.

The Minister's letter contains the following statement by the Shire of Armadale-Kelmscott—

> Furthermore, the required receptacle and its cubic capacity will be discussed with the builders, is not required to be placed on the building site until the brick work is commenced.

Here again, that is not what the by-law states because that reads—

> (a) It shall be the builder's responsibility to ensure that an adequate rubbish disposal bin, approved by the Local Authority, is provided on all building sites during the period of construction.

I do not know who is responsible for defining the period of construction, but I imagine that a building is under construction from the day a building permit is issued or at least from the day the first profile peg is driven on the site. It is unreasonable to assume the local authority will not in future stipulate that it requires a bin on the site right from the start, despite the fact that at the moment it requires one only when the brick work is commenced. Again, that is not what the by-law states.

I believe that once a by-law like the one under discussion becomes law those who are charged with its administration will require builders to provide the bin on the site for a longer period than appears acceptable to the local authority at present, because this is what the by-law stipulates.

Another point arises from this particular passage in the Minister's letter to the Master Builders' Association. The by-law states quite categorically that all building sites must be provided with this type of receptacle. When the Armadale-Kelmscott Shire Clerk replied to my recent letter in which I inquired concerning the number of building sites actually operative at present, he gave me figures which are not of great importance, but he concluded by saying that the by-law refers to dwellings where a bin would be required but that no bin is required for a carport or shed.

That again is not what the by-law states because the by-law refers to all building sites requiring this form of receptacle, and therefore I suggest that the by-law would apply in practice to a greater number of people than the shire is at present prepared to admit.

The SPEAKER: Order! There is too much talking.

Mr. THOMPSON: I come back to what I said earlier. I agree that we ought to ensure as far as possible that building sites are kept clean. However, this particular by-law is clumsy and it will increase the cost of home building, but will not achieve the objective the local authority has in mind. The local authority has positive power now under the Local Government Act and it could successfully prosecute builders. This is the way to ensure the objective is achieved. The placing of a bin on the site is not a panacea to the problem at all because the builder would still have to rely on his subcontractors using the bin. He cannot ensure that they do this unless he catches them in the act of not doing so.

I suggest that if successful prosecutions under the Local Government Act were brought against builders they would be

more likely to ensure that their subcontractors complied with the required standards. This would be a far better way to ensure that the sites were kept clean. Certainly loading the cost of the bins onto the price of the house will not achieve that end.

When replying to a question I asked, the Minister indicated that although the by-law applies at the present time to the Armadale-Kelmscott Shire only, he believed that other local authorities would also adopt it. Consequently we are not thinking in terms of only the 100 to 300 homes under construction in the Armadale-Kelmscott Shire area. We must realise that the by-law may become universal and therefore increase the cost of homes to all those who desire to build.

On the 20th September this year I asked the Minister—

> (b) Is he aware of any other local authority which has indicated its intention to introduce a similar regulation to the one made by Armadale-Kelmscott?

The Minister replied—

> (b) Although no direct indication has been received so far, it is anticipated that other local authorities will introduce similar by-laws.

In view of the reply to that question, if this by-law is accepted by Parliament now, other local authorities will be able to adopt it as a means of trying to keep sites clean. Pressure will be brought to bear on all councillors in developing areas and some of them will be prepared to give the by-law a try to see whether it will solve the problem. I submit it will not and this is one of the reasons my motion should be supported.

Debate adjourned, on motion by Mr. Taylor (Deputy Premier).

FISHERIES

Release of Taiwanese Boat Captains: Motion

MR. McPHARLIN (Mt. Marshall) [3.09 p.m.]: I move—

> That this House urges the Federal Attorney-General to take all action necessary to enable the imprisoned Taiwanese fishermen to return immediately to their families in Taiwan.

First of all I want to make it clear that I do not condone the intrusion of boats from other countries into our fishing waters. We have a responsibility to protect our fishing industry and all of us agree it is necessary to take action to discourage boats from other countries from fishing in our waters.

However, in this case I believe the debt has been paid. The two boats belonging to the company in Taiwan were confiscated. The captains were arrested on the 3rd May, which means they have been detained now for a period of five months.

The boats were arrested on the 3rd May and escorted to Exmouth, and then brought to Fremantle on the 13th May. The crews numbered 36 in all. The boats were confiscated on the 29th August, as was their catch of fish.

I submit that the confiscation of the two boats, valued at $400,000 each, is surely fair compensation and a fair penalty to pay for the breach of the law which they were supposed to have committed by entering the fishing waters of our State. It appears the matter has gone beyond being a legal problem and has become what we believe is more of a political matter. I will return to this point later.

It is clearly indicated that in recent days the people of Western Australia have become more concerned about the treatment given to the two captains, and the manner in which they are being kept interned. The people are concerned and are becoming more dissatisfied, and this is clearly indicated by the number of Press reports which appear from day to day. A sub-leader which appeared in *The West Australian* on the 26th September reads, in part, as follows—

> The Federal Government appears to be going to extraordinary lengths to extract its pound of flesh from the two Taiwanese trawler skippers convicted in Perth on August 29 of fishing illegally in Australian waters.

The Federal Government certainly seems to have gone to extraordinary lengths. The article further states—

> . . . the Commonwealth is holding the two men to ransom because of legal complications arising from Australia's withdrawal of recognition from Taiwan.

That appears to be the reason for the complex situation which has developed; at the present time there does not seem to be any way by which the fines of $4,000 each can be paid by the company in Taiwan. The company has offered to pay the fines to expedite the release of the two men. However, because the Commonwealth Government has turned its back on Taiwan, and now does not recognise it, there is no diplomatic recognition. Taiwan does not have a consulate in Australia to which the men can turn.

The two captains are experiencing other difficulties, too. They cannot speak English, and they have to be supplied with the type of food to which they are accustomed. I understand that food has been supplied by one of the big stores in Perth.

The people of Western Australia are becoming more and more agitated by the fact that in 1973 people from a country such as Taiwan should be treated in this manner.

Mr. Grayden: This is part of the Government's good neighbour policy!

Mr. McPHARLIN: It is indicative of the policy of the Government and I repeat: It now appears to be a political matter, and it is one which I think we ought to condemn.

Mr. Cook: You are not playing politics, are you?

Sir Charles Court: You should talk over there.

The SPEAKER: Order!

Mr. Hutchinson: What about whales?

The SPEAKER: Order! Members will keep order.

Mr. McPHARLIN: On the 27th September I rang my colleague in the Senate, Senator Tom Drake-Brockman, and requested him to ask the Federal Attorney-General whether he would make inquiries to see what could be done to release the two fishermen. The question was asked on that day, and in reply the Federal Attorney-General did agree to make inquiries. However, further communications with Senator Drake-Brockman revealed that nothing more had been heard.

Yesterday I asked a question of the Premier in order to find out what further information he had received, because it was reported in *The West Australian* of the 28th September that the Premier had also been in touch with the Federal Attorney-General and had asked him to make inquiries to see what could be done. My question, in part, was as follows—

> (4) What further advice or information has Senator Murphy given in reply to your telephone inquiry regarding the release of the two Taiwanese fishing boat captains, as reported in *The West Australian* of the 27th September, 1973?

The Premier replied to that part of my question as follows—

> (4) Since informing me that he would cause inquiries to be made into the release of the two fishing boat captains, no further advice has yet been received from Senator Murphy.

So from the 28th September until yesterday, the 2nd October, no further advice had been received.

I consider that the House should agree to my motion on humanitarian grounds and on compassionate grounds. The House should agree to an approach to the Federal Attorney-General in an endeavour to obtain the release of these two men. An effort should be made to get around the complex legal tangle which appears to be the result of the nonrecognition of Taiwan. These two men should be released so that they can go back to their dependants, who are quite numerous. From information I have received it seems that between them they have 28 dependants, including 12 children.

The two captains have been detained in Western Australia for five months and on compassionate grounds, surely, we should consider urging the Federal Attorney-General to have them released as quickly as possible and repatriated to their families.

Mr. Rushton: The Federal Government does tend to discriminate!

Mr. McPHARLIN: I know that the fishing company in Taiwan has the money available and has offered to pay the fines. However it cannot do so because of the exchange conditions. If the company were to send the money to Australia it would be in trouble with its Government. That is the advice I have received from a solicitor, and that is the reason the money cannot be sent to this country to pay the fines of $4,000 each which have been imposed.

Mr. Rushton: Would the money be confiscated by the Commonwealth Government?

Mr. McPHARLIN: I do not know.

Mr. Grayden: It is a case of positive racial discrimination about which the Federal Government has so much to say.

Mr. McPHARLIN: There must surely be a way around the situation which has developed. Means must be available to the Attorney-General by which this ridiculous situation can be overcome. It is difficult to reconcile this situation with another which was witnessed. We recently saw where our Navy patrol boats escorted 69 Indonesian fishing boats from our north-west waters. Those boats were fishing within the 12-mile limit, and some of them were within half a mile of the Kimberley coast. I ask: Where does the law differentiate? Why is it that the boats belonging to one country can be escorted from our waters while others are arrested?

Mr. Grayden: It is positive Government political discrimination.

The SPEAKER: Order!

Mr. McPHARLIN: A total of 69 fishing boats were escorted from our waters without penalty, but two Taiwanese boats were arrested for fishing within the same limits. The boats which were confiscated have been valued at $400,000 each, yet 69 boats belonging to another country were allowed to go free without any penalty at all.

Mr. Rushton: Racial discrimination!

Mr. McPHARLIN: It is all right to say the Indonesians were fishing only for subsistence—this is the excuse that has been made. I find it difficult to believe that 69 boats would be fishing in those waters only for food for their own crews.

Mr. W. G. Young: They were 1,000 miles from home.

Mr. McPHARLIN: Yes, 1,000 miles—or whatever the distance may be—from home. It is hard to believe that they were fishing only to feed themselves.

Mr. Taylor: Timor is 250 miles from Darwin. Timor is in Indonesia.

Mr. McPHARLIN: The report stated that they were in small groups along the Kimberley coast. It is difficult to understand how the differentiation came about, because the law does not differentiate between boats—the boats of any country other than Australia break the law if they fish within the 12-mile limit. Nevertheless we find that the boats of one country can be escorted out of the 12-mile limit while the boats of the other country are arrested. This, without a doubt, is discrimination. I am inclined to remark again that there appears to be a political bias.

Mr. Bickerton: Surely you are not accusing the Navy of being politically biased.

Mr. W. G. Young: The Navy was obeying orders.

Mr. Bickerton: The same orders on both occasions.

Mr. McPHARLIN: I do not know what the orders were but I should imagine the Navy would obey whatever orders were given.

Sir Charles Court: In one case they were told to arrest and, in the other, to escort to safety.

Mr. McPHARLIN: That is apparently what happened.

Mr. W. G. Young: Soon we will not have a Navy to give orders to.

Mr. McPHARLIN: Day after day this matter is mentioned in the newspapers. In *The Sunday Times* of the 30th September Leslie Anderson made some comments which are pertinent to this motion. Towards the end of one article she said—

> Playing politics can be as much fun as fishing but decent sportsmen always throw the small ones back.

If there is any sense of decent sportsmanship, fair play, and a fair go either the Federal Government or the Attorney-General will expedite the release of these men, and, furthermore, treat it as a matter of urgency.

Mr. Hartrey: You would not be playing politics now?

Mr. O'Neil: We are trying to get the support of this House behind the Premier.

Mr. McPHARLIN: I am doing my best to avoid becoming involved in a political argument but, if the member for Boulder-Dundas keeps provoking me, I certainly will. Furthermore, I will have a good deal of support from members on this side of the House.

Mr. Bickerton: The sergeant-major is coming out again!

Mr. McPHARLIN: The two captains who have been gaoled are seeking aid to assist their families back home. An appeal has been made to the public to contribute funds for them.

Mr. O'Connor: They are providing for their food while they are in gaol.

Mr. Bickerton: Has the Leader of the Country Party put in?

Mr. Rushton: We are all putting in.

Mr. O'Connor: The Minister for Housing does not care.

Mr. Grayden: The ships should be given back to Taiwan.

Mr. O'Neil: It is a personal matter as to whether one puts in.

Mr. McPHARLIN: It is a personal matter as to whether or not any member puts in. Has any member on the Government side dug into his pocket to give them a hand?

Mr. Bickerton: Let the law prevail.

Mr. McPHARLIN: The Minister for Housing says, "Let the law provide."

Mr. Bickerton: I said, "Let the law prevail".

Mr. McPHARLIN: The Minister does not care about these people.

Mr. O'Connor: The Minister allowed the law to be broken at Dampier, in his own electorate.

Mr. McPHARLIN: We hear so much about the humanities, looking after the smaller people, and trying to assist the under-privileged.

Mr. O'Neil: The welfare Government!

Mr. McPHARLIN: We hear this all the time from members on the other side of the House.

Mr. Bickerton: You can see political capital in this and, consequently, you are hopping onto the bandwagon.

Mr. McPHARLIN: We can see the facts as they are.

Sir Charles Court: There is such a thing as compassion.

Mr. O'Neil: We are only asking this Chamber to support the views of the Premier. He is not receiving much support from his own members.

The SPEAKER: Order!

Mr. McPHARLIN: We must at least endeavour to expedite the release of these two men. There should be some urgency in actions which may be taken by the Federal Government or the Attorney-General. I hope the House will agree to the motion this afternoon because the matter is urgent.

Mr. W. G. Young: We are only supporting the views of the Premier.

Mr. McPHARLIN: The Premier has made approaches and is sympathetic towards the men.

Mr. O'Connor: He scrubbed 29 charges against Brockman. Surely he could do something.

Mr. T. D. Evans: Be fair! This is not a State matter. Why bring Brockman into it?

Sir Charles Court: We have touched on a sore point.

The SPEAKER: Order!

Mr. McPHARLIN: Only today *The West Australian* came out in criticism of the Minister for Primary Industry in the Federal Government.

Mr. Brown: It usually applauds him!

Mr. McPHARLIN: The article states—

> The men, who are appealing against convictions for illegal fishing, are languishing in the East Perth lock-up for failing to pay fines totalling $8,000. This, as a deterrent, fades into insignificance beside the confiscation of their trawlers, said to be worth $400,000 each.

Surely the debt has been paid!

Mr. W. G. Young: Plus the catch!

Mr. McPHARLIN: Yes, plus the catch. I do not know the actual value of the catch but surely a figure of $1,000,000, or thereabouts, for the boats ought to be a sufficient payment. The member for Boulder-Dundas seems to be making a joke out of the situation.

Mr. Hartrey: I am not.

Mr. McPHARLIN: I cannot understand a man of his ability and experience being facetious about a matter such as this.

Mr. Brown: He is not facetious.

Mr. McPHARLIN: The matter deserves serious consideration and action.

Mr. Hartrey: Why don't you bring up in the Parliament the matter of the cod war in Iceland?

Mr. O'Neil: These fellows are in gaol in Perth.

Mr. McPHARLIN: As a matter of fact, I have a paper cutting about the cod war in Iceland.

Mr. Hartrey: I thought you would.

The SPEAKER: Order!

Mr. McPHARLIN: It is only an extract from today's paper. The article refers to Britain's readiness to withdraw its Royal Navy frigates and defence tugs from the disputed 50-mile fisheries waters around Iceland on the assumption that Iceland would not take any measures against British trawlers fishing, or which had fished, in the disputed 50-mile area.

Agreement has been reached even over the cod war in Iceland.

Mr. Bickerton: We did not catch enough boats.

Mr. McPHARLIN: There are many aspects which could be brought into the argument. We could perhaps talk about the speed with which an Arab guerilla was deported recently. He was arrested and one week later was secretly deported to his own country. This was done as quickly as the Federal Government could possibly do it.

Mr. H. D. Evans: Was he fishing?

Mr. McPHARLIN: No, he was not fishing, but the Federal Government certainly arranged a quick exit for that gentleman. The Federal Government got rid of him as quickly as it possibly could. If the Federal Attorney-General can do that sort of thing for a guerilla terrorist surely he can do something for people who come from a friendly nation with which we still do a considerable amount of trade.

Mr. Bickerton: The court was simply carrying out its duties.

Mr. McPHARLIN: We are still trading with Taiwan. I had some figures taken out recently and these will confirm what I have said. The figures are for 1972-73 and relate to Australian trade with Taiwan at the present time. The value of Australian exports to Taiwan is greater than the value of Australian exports to mainland China. In 1972-73 Australian exports to Taiwan amounted to nearly $70,000,000 and exports to the People's Republic of China amounted to nearly $63,000,000.

Mr. Bickerton: There is one thing that would make your argument complete. These "friendly people" are only employees of a company. What has happened to the company?

Sir Charles Court: It has lost its ships.

Mr. Bickerton: Has it not made any recompense?

Sir Charles Court: Under the Australian currency regulations it cannot remit the fines.

The SPEAKER: Order!

Mr. McPHARLIN: I have already stated that. The Minister was either not in the House or not listening. The company has the money available and is ready to pay the fines. The company has made the offer but it cannot be accepted because of the laws in relation to exchange and because there is no diplomatic relationship between Taiwan and Australia.

Mr. O'Connor: Will you support the motion now?

Mr. McPHARLIN: That is the advice given to me today.

Mr. Hartrey: What are these exports worth if we cannot be paid for them?

Mr. Brady: They give them the exports for nothing.

Sir Charles Court: You know very well they are paid for.

Mr. McPHARLIN: I would like the member for Boulder-Dundas to tell us where it is indicated that the exports have not been paid for. That is an unfair statement.

Mr. Hartrey: Why cannot the fines be paid?

Sir Charles Court: Because it is a different transaction altogether.

Mr. McPHARLIN: Taiwan is a very friendly nation.

Sir Charles Court: It is because of your people in Canberra that it cannot be done.

The SPEAKER: Order!

Mr. McPHARLIN: Taiwan has never fallen down on its commitments and I do not think it ever would. Only today a newspaper in Perth received a telex message and the reporter was good enough to let me have a copy of it.

Mr. Brady: Inside information.

Mr. McPHARLIN: I have been given permission to use it here if I so desire. The telex message was sent by a newspaper representative in Taipei. It states—

> Many tnx your quick response to fishing captains request . . . Our Taipei buro says that the company who own the boats are ready and willing to pay the fines but they havent received official notification from the Australian Government and until they do they cant apply for foreign exchange to send to Australia. Can you check that angle out for us?
> Thanks and Rgds.

Mr. Hartrey: The company representatives do not even know the captains are in gaol.

Mr. McPHARLIN: Come on!

Sir Charles Court: Talk to your friends in Canberra and see how they can make communication with Taipei.

The SPEAKER: Order!

Mr. McPHARLIN: I did not want this matter to become a controversial political argument. I wanted to keep it out of that arena. However, the indications are that the matter has become political and I am sorry that is so. Reports in the Press suggest that the matter has developed in that way but I hope the motion will receive the support and backing of this House of Parliament. It is not a matter for party politics. Let us—

Mr. Bickerton: Not much!

Mr. McPHARLIN: —press on with representations to the Attorney-General, asking him to expedite the release of these men from prison in order that they may go back to their dependants in Taiwan. I understand from their legal adviser that in the event of an appeal it is not necessary for the captains to be here. On compassionate and humanitarian grounds, let them be released and reunited with their own people and families back in their own country.

None of us would like to be separated from our families for such a length of time, worrying about how they are getting on. It has been reported in the Press that the captains are not well because of nervous tension and upsets. It has also been reported that the wife of one of them is not well, and this would add to their anxiety and suffering.

I think we should all support a move to hasten their release on compassionate and humanitarian grounds. These men have paid their debts; the confiscation of their boats is surely sufficient payment. If it is decided to go ahead with the fine of $8,000, the Attorney-General should expedite arrangements for the company to pay the money.

I am sincere about this matter. I hope the House will endorse the motion. Never mind talking about the political aspect and whether or not Taiwan should be recognised. I do not want to become involved in that argument. The main point is that these men have paid an adequate penalty because of the time they have been here. They were goaled a few days after a radio operator was repatriated, and this has certain implications I will not go into.

I request the House to support the motion and pass it this afternoon because it is extremely urgent that these men receive the justice which we, as Australians, are supposed to observe. We like to see fair play. We do not like to see the underdog being kicked; we like to give him a fair go. I therefore hope the House will agree to the motion this afternoon and request the Attorney-General to move quickly in the matter.

Adjournment of Debate

Mr. BICKERTON: I move—

That the debate be adjourned.

Mr. O'Connor: Fair go! This is urgent.

Mr. O'Neil: It will be next December before we discuss it.

Sir Charles Court: We framed it in deference to you to let you give the answer.

Motion put and a division called for.
Bells rung and the House divided.

Remarks during Division

Mr. O'Neil: This matter will not be discussed until next December.

Mr. Bickerton: Look through your *Hansard*.

Sir Charles Court: Now who is playing politics?

Mr. O'Neil: All we want to do is get the Assembly to support the Premier. If he were here the debate would not be adjourned.

Mr. O'Connor: The Minister was asleep during the debate. He did not know what was going on.

Mr. O'Neil: This matter drops to the bottom of the notice paper and this House does not declare an opinion. A gutless Government!

Mr. Grayden: Discrimination!

Mr. O'Neil: If the Premier were here this debate would not be adjourned and you know it.

The SPEAKER: Order!

Mr. Bickerton: Many private members' motions have been adjourned and you know it.

Sir Charles Court: If they were Peking Chinese they would have been back long ago.

Mr. O'Neil: If they were criminals they would have been deported.

Sir Charles Court: If they were Peking Chinese they would have been back with their boats on some technicality.

Mr. Bickerton: Fancy making political capital out of this!

Sir Charles Court: If they had been from Peking China they would have been on their way.

Mr. Hutchinson: Unfeeling Government!

Mr. Bickerton: The Leader of the Country Party only thought of it yesterday.

Sir Charles Court: That is not true; he initiated this a week ago.

Mr. O'Neil: The Minister had not thought of it at all.

Mr. Bickerton: You know very well that this is a legal matter and that certain processes will take place.

Sir Charles Court: They will not—unless we push.

Mr. O'Neil: The Minister has simply proved that he is not behind his own Premier.

Mr. Bickerton: You blokes want to make political capital out of it.

The SPEAKER: Order! Lock the doors.

Result of Division

Division resulted as follows—

Ayes—22

Mr. Bateman	Mr. Harman
Mr. Bickerton	Mr. Hartrey
Mr. Brady	Mr. Jamieson
Mr. Brown	Mr. Lapham
Mr. B. T. Burke	Mr. May
Mr. T. J. Burke	Mr. McIver
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. Moller
	(Teller)

Noes—21

Mr. Blaikie	Mr. O'Connor
Sir Charles Court	Mr. O'Neil
Mr. Coyne	Mr. Ridge
Dr. Dadour	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Hutchinson	Mr. Sibson
Mr. A. A. Lewis	Mr. Stephens
Mr. E. H. M. Lewis	Mr. Thompson
Mr. W. A. Manning	Mr. W. G. Young
Mr. McPharlin	Mr. I. W. Manning
Mr. Mensaros	*(Teller)*

Pairs

Ayes	Noes
Mr. Bertram	Sir David Brand
Mr. Bryce	Mr. R. L. Young
Mr. Jones	Mr. Nalder

Motion thus passed.

Debate adjourned.

EDUCATION

Boarding Allowances: Motion

Debate resumed, from the 23rd May, on the following motion by Mr. Ridge—

> That in the opinion of this House, the Commonwealth living-away-from-home allowances for isolated students to which a means test is applicable, unfairly discriminates against parents whose incomes are necessarily above the means test in remote areas with high costs of living. This House is also of the opinion that the State should restore its living-away-from-home allowances to supplement those from the Commonwealth until such time as the Federal Government abolishes the means test.

MR. T. D. EVANS (Kalgoorlie—Attorney-General) [3.43 p.m.]: This motion, moved almost six months ago by the member for Kimberley, deals with living-away-from-home allowances. I have been waiting anxiously for the opportunity to reply to the debate. I could even say that perhaps during this long time I have become entitled to a "waiting allowance". However, if we can learn something from the long delay, it could be the importance which private members place upon private members' day because of the new material which is continually flowing in and which did not permit an earlier debate on this motion.

Mr. O'Neil: The Government continues to adjourn the motions.

Mr. T. D. EVANS: On behalf of the Government, I would like to make the following reply to the motion.

Living-away-from-home allowances were introduced many years ago in order to assist students in isolated areas to undertake secondary education. The allowances were intended as assistance to the parent who was expected to accept portion of the cost which would be commensurate with the amount required to maintain the child at home. Under such a policy it is understandable that the amounts paid to parents were subject to some limitation.

Periodically over the years these amounts have been reviewed, and as recently as 1970 the amounts paid in the South-West Land Division were only $100 for students up to third year of high school, and $140 for students in the fourth and fifth years. In other land divisions the amounts were slightly higher but not appreciably so. More recently this Government approved major increases in the

allowances and it has changed the number of zones in the State to simplify the system.

By increasing the allowances in what was previously known as the South-West Land Division to $210 for students up to third year of high school and $252 for fourth and fifth year students, this Government indicated its sincerity in helping parents who are obliged to send their children away from home to obtain an education.

Sitting suspended from 3.46 to 4.05 p.m.

Mr. T. D. EVANS: Before the afternoon tea suspension I was outlining the reasons for and the variations in the levels of past State assistance in the matter of boarding-away-from-home allowances, and dealing generally with the subject of assistance for the isolated child in the field of education.

I would now like to mention that in the north-west a correspondingly large increase in allowances took place by decision of this Government, and the appropriate figures were $261 for pupils up to third year, and $312 for those in the upper secondary years. Our Government has also given special consideration to the payment of a higher allowance to parents who must engage a person to supervise their child's education at home. The amount was previously $200 per annum, and this was increased to $300 per annum in the case of one child; and where two or more children were receiving supervision the amount was doubled from $200 to $400.

Mr. E. H. M. Lewis: Those are not boarding allowances.

Mr. T. D. EVANS: No, I am talking about isolated children as well. The Prime Minister, when introducing the Commonwealth's proposals to assist the parents of children in isolated areas, stated that it was the policy of the Australian Government to accept responsibility for assistance in this field, and that the administration of allowances would be undertaken by the Commonwealth. The Commonwealth office of education in Western Australia has undertaken that administration, and information sheets are available to the public.

The new scale of allowances was outlined by the member for Kimberley, but having regard for the fact that almost six months has elapsed since he spoke, I feel it is appropriate that the figures should again be recorded in *Hansard*. The new scale of allowances under the Commonwealth scheme provides for a basic allowance of $350. I mention here that the uppermost amount available to people in the north-west of Western Australia under our State Government scheme was $312. The basic allowance provided by the Commonwealth is $350, and this is free of any means test and is available to all qualified applicants.

An allowance of a further $350 is available, but this is subject to a means test based on family income; and in the case of particular hardship additional assistance up to a maximum of $304 is available. Thus it will be seen that the scale of allowances is even more generous than the major increases which our Government approved over the last two years. Further, where hardship exists there is provision for still further amounts to be paid, subject to a means test.

The average cost of accommodation in a Government hostel is $594 per annum. It is therefore evident that parents who are receiving only the basic allowance of $350 free of means test are called upon to pay, at a Government hostel, only an average of $242 a year which compares with $6 a week for the school year. The parent who is suffering real hardship and who becomes eligible for the additional amount under the means test will receive not only the basic $350 a year free of means test, but can become eligible for a further $350, subject to a means test, which is $700 in all. This is more than the total average cost per annum at a Government hostel.

Mr. E. H. M. Lewis: How much for the third one?

Mr. T. D. EVANS: There is no third one. The parent will receive a basic $350 a year free of means test and a further $350 a year subject to a means test, plus an additional allowance up to a maximum of $404. In addition the State currently pays to all Government hostels a subsidy of $1.50 per week per student. This makes a total of $60 per student per year. The estimated cost arising from this provision for 1973-74 is $88,000 per year. The State is still continuing to provide this allowance. The fees charged to parents by the hostels are therefore subsidised to the extent of $60 a year by the State. The cost of maintaining a child has been estimated by education officers in all States—and I emphasise education officers in all States—at $7.40 a week. This sum was estimated at a conference of education officers held early in 1973.

Mr. E. H. M. Lewis: Where?

Mr. T. D. EVANS: That was the average cost throughout Australia of maintaining a child living away from home at an orthodox boarding establishment.

Mr. E. H. M. Lewis: What was the average cost?

Mr. T. D. EVANS: The average cost is $7.40 a week. This may not be the cost at all Government hostels; there may be some hostels in Australia receiving a Government subsidy.

Mr. E. H. M. Lewis: How do they arrive at that figure? Have you any idea?

Mr. T. D. EVANS: No, I have not. This figure may be higher now because that was estimated early in 1973. The cost of maintaining a child for the school year at this rate for 40 weeks would therefore be $296, compared with the cost of $296 for boarding the child at home. Judging by these figures it would appear that generally parents are not disadvantaged under the Commonwealth scheme. However, I would point out that there are some qualifications because not every child can attend a Government hostel or a hostel that receives some form of Government subsidy.

Mr. Ridge: Do you know that there are no European children in my area receiving that subsidy; only Aboriginal children?

Mr. T. D. EVANS: I made the qualification that not all children can attend a Government hostel or one that receives a Government subsidy.

Mr. Ridge: None of the people in my area can attend a hostel.

Mr. T. D. EVANS: I am making the point that no person, regardless of whether he lives in the north-west or anywhere else, is disadvantaged under the Commonwealth scheme; in fact the Commonwealth scheme provides greater advantage to every person.

The Western Australian Government has approached the Australian Government to have the means test reviewed, having regard for the high cost of living in the remote areas of the State. We are dealing not only with the north-west but also other parts of the State, because when we were operating a living-away-from-home scheme previously we had A, B, and C zones. We amalgamated zones B and C into B zone, and later we extended the boundaries of zone A to embrace approximately three-quarters of the State. That included all the north-west and the Murchison area. The boundary then followed the shape of a horseshoe around my own electorate of Kalgoorlie and went right down to Eucla to cover practically three-quarters of the State in area.

Although the Federal Minister for Education has been sympathetic, he has advised that the matter has implications for all of the Federal schemes that are subject to a means test and not only in regard to those which affect isolated children. The Federal Minister for Education has said that he recognises the force of arguments advanced by the States and he has asked his department to make a careful investigation of the matter.

At this stage, Mr. Speaker, with your approval, I will quote a brief extract from a letter that I forwarded to the Federal Minister for Education (The Hon. K. E. Beazley, M.H.R.), and the reply to that letter was received by my successor in the Education portfolio. I wrote to the Federal Minister for Education on the 1st May, or so it would appear from this duplicate copy of the letter; the date is hard to read as it has been covered by a rubber stamp. In that letter I said—

> Because of the high cost of living in the areas north of the 26th parallel and in the pastoral areas, the wages of semi-skilled, and even unskilled workmen are high compared to their counterparts in the south. A Public Works Department labourer, for example, receives $5,720 per annum, a fourth year clerk, $6,760. A shire council truck driver is paid $6,500: a grader operator, $6,000. These incomes place such workers beyond the benefits of the means-tested allowance despite the fact that these sums are required to enable the families concerned to live as they should.

The letter went on to give greater detail and to produce further arguments. After receiving that letter the Federal Minister for Education contacted me by telephone and asked whether I could indicate to him any administrative decisions or statutory provisions operating in the State which indicated that some special consideration had been given—because of remoteness and other environmental and climatic factors—to certain areas of the State. We were able to indicate certain provisions in the Public Service Act whereby some officers receive allowances over and above those that were paid to officers performing similar work, but working in other parts of the State. In due course a reply was received from the Federal Minister.

This was subsequent to a further letter which I wrote to the Federal Minister for Education, dated the 15th May, confirming the information I had given him over the telephone. I wrote again to the Minister on the 17th May, 1973, touching upon the same subject, and on the 31st May the Federal Minister wrote a letter addressed to the present Minister for Education. This appears to be the date when the changeover in the Education portfolio took place in Western Australia. In his letter the Federal Minister said—

> I am replying to representations made by your predecessor concerning possible concessions in the means test applied to the additional allowance under the isolated children's scheme. Mr. Evans was concerned that families who receive special allowances because of the high cost of living in the region where their homes are situated may as a result be placed beyond the range of the means test.
>
> I recognise the force of the argument and I am asking my department to make a careful investigation into the matter. However, the issue which Mr. Evans has raised has implications

for all of our means-tested schemes not only for that which covers isolated children.

I conclude my quote from this letter—

I propose therefore that my Department's investigations be directed towards possible changes to be introduced in 1974.

The Federal Minister has indicated that it is possible—I cannot make any promises—there could be changes in 1974, but the matter is being reviewed. I am informed by the Minister for Education that he has not received any advice from the Federal Minister in this regard, more recent than the letter I have just quoted.

It is interesting to note certain figures which relate to the Commonwealth boarding allowance scheme as at the 30th June, 1973. On that date 2,120 students received the basic amount of $350.

Mr. E. H. M. Lewis: Is that overall for Australia?

Mr. T. D. EVANS: These figures were supplied to the Western Australian branch, but it is obvious that they must apply Australia-wide. At that date 250 students received the basic amount of $350 plus amounts varying between $10 and $340, over and above the base; that is, the additional amounts subject to the means test. There were 794 students who received the basic amount of $350, plus a further $350 subject to the means test; that is, the complete amount. This makes a total of 3,164 students who received allowances from the Commonwealth.

Mr. E. H. M. Lewis: This applies to the 794 students you mentioned?

Mr. T. D. EVANS: There were 794 students receiving the basic amount, plus the maximum subject to the means test, with no reference to special allowances beyond the means-tested $350.

Mr. E. H. M. Lewis: Have you any information as to whether any students received that?

Mr. T. D. EVANS: I do not have the figures before me. To date no information is available on the number of applicants for the additional $340 for those in necessitous circumstances. The Commonwealth Department of Education was able to advise that the figures I gave previously as at the 30th June have been updated; and as at the 3rd August, 1973, there were 2,688 families receiving allowances, and of these 1,713 families received the basic allowance, free of any means test, of $350; 263 families received basic allowances, again over and above the basic allowances plus amounts varying between $10 up to the maximum of $350, subject to the means test; and 712 families received the full $350 in one case, and the full $350 in the other case.

The motion expresses the opinion that this House should call upon the State Government to reinstate its living-away-from-home allowances, to operate until such time as the Commonwealth has made certain changes in the application of its means test. I have indicated that the Commonwealth Minister has given an undertaking that a review will be made. It is possible—although I cannot make any promise—that changes will be effected in 1974. However, I do make the point that under the Commonwealth scheme, families—irrespective of where they live in Western Australia—are placed in a more advantageous position than they were under the State scheme; and the State scheme under our Government was far more helpful than the one which operated under the previous State Government.

I understand from the Minister for Education that his department has plans to utilise any moneys which the State will save by devoting these moneys not to any specific areas, such as living-away-from-home allowances, but to improve further the quality of education in rural areas.

At this stage I am not in a position to indicate how far this programme has progressed, but I daresay when the Budget is brought down and the Estimates are examined this information might well be available. At the present time I do not have it available.

I conclude by drawing the attention of members to a news item which appeared in the *Daily News* of the 25th September. I am dealing with the subject of living-away-from-home allowances, and with the general subject of assistance to families with children isolated in the field of education. I am indeed gratified to read that the Commonwealth Government has agreed to meet the cost of the radio changeovers from the broad to the single band in radio transceivers which are being used by isolated families with children.

When I was the Minister for Education I recall long battles with the former Federal Minister for Education, and in this regard I got nowhere. It is gratifying to find that the new Australian Government has seen the justice and the equity of this application.

Sir Charles Court: You mean the Commonwealth Government.

Mr. O'Connor: There is no Australian Government.

Mr. T. D. EVANS: Because of the outline I have given on behalf of the Government, I must point out that at this stage the Government cannot agree to reinstating the living-away-from-home allowance, for the reason that we believe that families—irrespective of where they live—are in a more advantageous position

now than they were previously. Furthermore, with the money that is to be saved by the State, the opportunity is being explored to utilise it to improve the general quality of education in rural areas.

MR. E. H. M. LEWIS (Moore) [4.30 p.m.]: Before I take part in this debate, Mr. Speaker, I seek your guidance. When the member for Kimberley moved his motion 25 weeks ago I secured the adjournment of the debate. Consequently, when the motion was brought on today I rose to make my contribution. However, the Minister rose just about the same time and he received the call.

I now seek your guidance, Mr. Speaker, as to whether I am entitled to speak because Standing Order 153 states—

> The Member upon whose Motion any debate shall be adjourned by the House shall be entitled to pre-audience on the resumption of the debate, but a Member who is granted leave to continue his remarks, if he fail to so continue immediately on resumption of the debate, shall not speak again at any subsequent stage of the debate.

Am I entitled to make my contribution now?

The SPEAKER: Yes, definitely.

Mr. E. H. M. LEWIS: Thank you, Mr. Speaker. I asked the question because it was my understanding that any member who secured the adjournment of a debate was entitled to priority on resumption.

I rise to support the motion of the member for Kimberley, and I also rise—as usual, I hope—out of a sense of responsibility. When the motion was originally moved I did not immediately secure the adjournment because at that time the Minister for Lands made a contribution to the debate. He made his contribution on the 21st May, and he outlined more or less the same grounds as those outlined by the Attorney-General this afternoon, but, naturally, he was not as up to date as was the Attorney-General.

The Minister for Lands commenced his comments by not disputing the contention that because of the higher wage levels paid in the north-west—as a result of the high cost of living—many people would not qualify for the $350 allowance which is paid subject to a means test. The Attorney-General confirmed that contention this afternoon. This was obvious to many people and, in fact, was one of the reasons the member for Kimberley moved his motion.

During his contribution to the debate the Minister for Lands made it quite apparent that he was a little out of touch with events which have occurred since the Commonwealth took over responsibility for this particular allowance. The comments of the Minister for Lands are to be found at page 2097 of *Hansard* No. 10.

The SPEAKER: As that speech was made during this session the member for Moore cannot quote from it verbatim.

Mr. E. H. M. LEWIS: Very well, I will not quote verbatim. The Minister for Lands made it clear the Commonwealth Government expected that its scheme would replace the former scheme conducted by the State. I will come back to that point in a moment. The Minister for Lands also stated that the new scheme favoured the State to the extent of $1,000,000, and that that money would be used by the State to meet other pressing needs. The Attorney-General more or less said the same thing this afternoon, and I will come back to that also at a later stage of my speech.

In the process of the Commonwealth taking over the responsibility of boarding allowances there seems to have been a lack of communication between the Commonwealth and the State. There has been a lack of understanding between the two Governments and they are acting like a poor football team. This lack of communication is not unique; this is not the first time it has occurred.

It was my experience that the former Commonwealth Government did certain things, or arrived at certain decisions which, at times, embarrassed the State Department of Education. Nevertheless, it is quite obvious that there has been a distinct lack of understanding on this occasion. Despite the fact that the Minister for Lands claimed the Federal Government expected the new scheme to replace what the State was doing, on the 27th June *The West Australian* reported Mr. Beazley as saying—

> I again appeal to State Governments to reintroduce aid to isolated children. Commonwealth aid in this area should be additional to State schemes and not a substitute for that assistance.

So it is quite obvious that there was no clear understanding between the two Governments and, to me, that is bad.

The Attorney-General said he found it necessary to write to the Commonwealth Government. He mentioned dates which indicated follow-up letters. Mr. Beazley then phoned the Attorney-General, and there was further communication. Finally the Commonwealth Minister (Mr. Beazley) said this matter would be looked at possibly with a view to—here again, no committal—modifying the scheme in 1974. I suppose we must rest with that hope.

I will go along with what the Attorney-General had to say this afternoon; hostel and boarding allowances in Western Australia have been increased. That was not in dispute. The Attorney-General did not

say why the allowance has always been higher in the Kimberley than anywhere else in the State, and neither could I offer an explanation for the difference despite my inquiries when I was the Minister. The only conclusion we could come to, as a result of research carried out by the then director-general, was that when the scheme was instituted it was intended to encourage people to live "beyond the black stump" and also to encourage decentralisation.

Decentralisation should be encouraged by both the Commonwealth and State Governments yet we find that the Commonwealth is to introduce a blanket scheme to cover the whole of Australia. Perhaps there have been constitutional difficulties preventing the Commonwealth from doing otherwise. However, the proposed blanket scheme will provide the same boarding allowance for children in all parts of the State, and such a scheme will create anomalies where the means test is superimposed.

I do not dispute the argument put forward by the Minister; any reasonable person could not dispute the fact that boarding allowances have been increased. I have already acknowledged that the present State Government further increased boarding allowances. We increased them progressively during the term of the previous Government, and the present Government has increased them further. I have acknowledged that fact on appropriate occasions in the past. However, that does not gainsay the fact that State allowances are now out, and the responsibility rests with the Commonwealth. We do not deny that the level of assistance offered by the Commonwealth is higher than that offered by the State, despite the increases made by State Governments.

The point raised by the member for Kimberley is that because of the imposition of the means test under the Commonwealth scheme the parents in his area of the State are not as well off and do not receive the same advantage as do those in the more favoured parts of the State, and discrimination exists to that extent. The motion is in two parts. First of all, it expresses an unfavourable opinion of the Commonwealth Government because of the application of the means test in remote areas; and secondly, the motion calls upon the State Government to restore its living-away-from-home allowances until the Commonwealth Government abolishes the means test.

I do not know that I go along altogether with the terms of the motion. For instance, I would not suggest that the State allowance should be restored in its entirety. Because of the application of the Commonwealth allowance, perhaps it would be reasonable for the State Government to say it is prepared to go some of the way but not all the way with the system which operated before the Commonwealth came into this field. I think that would be a reasonable proposition and it would be quite open for the State Government to say that, generally speaking, the parents in this State are not disadvantaged by the Commonwealth scheme but in the northern areas where they are disadvantaged the Government would give an allowance to even out the net result to the parents.

The Attorney-General went on to say, as did the Minister for Lands, that the money so saved would be used to assist in other special areas of education. When the Attorney-General introduced yesterday a Bill to amend the University of Western Australia Act, he stated that the State would not be saving any money as a consequence of the Commonwealth Government taking over responsibility for the cost of universities or tertiary education because the amount so saved by the State would be deducted from the Commonwealth grant and we would not be any better off.

In view of the fact that boarding allowances formed part of the Education vote, one wonders how the Commonwealth Government can take over an obligation formerly met by the State without taking it into account in any way when a grant is made to the State in the area of education. It does not seem to be consistent. There seems to be no relationship between tertiary education and other forms of formal education, despite the fact that it is the concern of the Federal Minister for Education, if not the concern of the State Minister for Education.

I think the member for Kimberley was quite justified in raising the matter in the way he did, particularly as the cost of board has increased out of all bounds. Although the Attorney-General waxed eloquent about the increased assistance his Government has given in the way of boarding allowances, I have no doubt that had the previous Government been in office it, too, would have done something about the matter, particularly in view of the greatly increased cost of board. I have some figures which show that the cost of board has gone up very significantly in this State, and I am perturbed about it. We find that in May this year the cost of board at the hostels was around the $600 mark, so it could well be above that by the beginning of 1974. The cost at a number of the hostels is over $600—Katanning $678, Geraldton $600, Merredin $600, Carnarvon $630, and Port Hedland $765.

Boarding fees are becoming quite significant and they are not consistent between hostels. I am not suggesting they should be consistent but I suggest to the Minister it would be of value to recommend to the hostels authority that it hold a conference of the managers of the hostels in the State in an endeavour to sort out their disabilities. Some hostels are able to manage much more economically than others do and I think it would be profitable to hold a seminar.

Mr. T. D. Evans: I will draw the attention of the Minister for Education to your comments.

Mr. E. H. M. LEWIS: Nevertheless, we must reconcile ourselves to the fact that hostel costs are much greater than they were previously and there is therefore justification for a higher allowance than ever before. In remote areas there is equal justification for encouraging decentralisation. As I read the motion moved by the member for Kimberley, the main point of it is that we will never encourage parents to live in the isolated areas of the State unless we do more in a practical way to encourage decentralisation; and one of the ways to encourage them is through the education of their children. People want to know the type of education that is available for their children.

I do not know whether the Attorney-General, as the Minister representing the Minister for Education, has heard of any such complaints but a number of members on this side of the House have received complaints from people who formerly qualified for and received the boarding allowance despite the fact that the conditions were much more stringent than those imposed by the Commonwealth in regard to the distance from a school, a bus service, and so on. People who formerly qualified were suddenly told they did not qualify for the allowance. Appeals have been made to the Commonwealth education office and in some cases the allowance has been restored. I do not know why this situation should exist. Perhaps it is a corollary of dealing with the local branch of a Commonwealth department which is based in Canberra, but there does not seem to be the same measure of understanding and sympathy as was formerly given when the State controlled this allowance.

MR. COYNE (Murchison-Eyre) [4.49 p.m.]: In supporting the motion of the member for Kimberley I will be brief because the subject was very capably handled by the member for Kimberley. However, I want to deal with the motion as it affects the area I represent.

The situation in the far north is much more serious than that existing in the mid-north where people are receiving higher incomes. The people living in the scattered communities and on pastoral properties whom I represent are seriously inconvenienced at the moment by the inadequacies of the living-away-from-home allowance when the means test is applied to it.

In recent years it has become increasingly evident that the allowances are inadequate, and many country people are extremely concerned about the difficulty they experience in trying to provide a better education for their children. They have joined with those in the cities in the clamour for better education.

In earlier years only the fairly well-to-do parents in pastoral and mining areas could afford to send their children to the city for higher education. The more affluent of those people largely favoured the private schools. No doubt they were influenced by the better facilities offered by those schools, the sporting opportunities, and the glamour and prestige attached to some of the institutions.

Other opportunities for education were provided by regional schools, particularly in the Geraldton and Kalgoorlie regions. I instance schools such as the Christian Brothers' establishment in Geraldton, the Geraldton Stella Maris School for Girls, Clontarf Boys' School, and others which did not have quite the glamour of the city schools, but nevertheless provided good educational opportunities for children in those areas.

Another factor which prompted people to send their children to the city was that the children could spend their weekends with the many aunts, uncles, and other relatives who happened to reside in the city.

The decision of the Federal Government to increase educational assistance provided to outback children was widely acclaimed and received with justifiable satisfaction by groups of people who had energetically campaigned for recognition. Irrespective of the Government in power at the time, the campaigning of these groups prior to the last election emphasised the need to upgrade educational facilities in isolated areas. It was felt that a breakthrough was imminent, and the policy of the Liberal Party was upgraded to provide additional benefits for isolated children.

A good deal of credit for the changed outlook of political parties is due to the isolated children's group—a small band of people dedicated to improving the educational facilities offered to their children. The changed outlook was due also to the decrease in the affluence of people in the pastoral regions as a result of the drought and the price for wool. A number of pastoralists joined with the isolated children's group, and spurred the group to spearhead an attack which influenced and prompted the Government to upgrade its contribution. After the Federal election we realised that the contribution of the Commonwealth did not provide much greater advantage than that provided previously, because the State Government withdrew its contribution.

Under the previous system the people in isolated areas could obtain an allowance of $312, which was upgraded to $350, free of means test. The further allowance of $350 to which a means test was applied

was denied to many people in the north as they must earn a fairly high income because of the high cost of living.

In supporting this motion for the restoration of the State living-away-from-home allowances, I would say that until the Commonwealth removes the means test applicable to its allowance, many disadvantages will be experienced by those people in the north who seek to improve their way of life. Most people who elect to take up residence in far-flung townships are motivated by a desire to upgrade themselves, and usually they go to such places with the object of improving their financial position in order to pay off a mortgage or a block of land, or to save sufficient to establish themselves in the city where living conditions are much more pleasant. I wish to dwell on this point because I believe those people are entitled to some form of compensation. There can be no comparison between the quality of life in the metropolitan area and that in outlying and isolated areas. Earlier it was pointed out how essential it is that a family in the north earn a high income. I can quote the example of my son-in-law who works in Port Hedland. He is a trouble shooter for a large machinery firm, and he certainly earns a high income.

As I said, the people who go to those areas do so with an objective in mind—to upgrade their incomes—but some lose sight of their objective and become players. Eventually they merge with the permanent residents of the area. The children of these people are the ones who most need secondary education. The cost of education begins to rise, and if the mother is not already working she must find a job to bridge the gap.

The restoration of the State allowances is a vital necessity, even if they are only partially restored, to offer people in outlying areas some measure of compensation. As a result of the great generosity being applied to the Aboriginal people, many residents of the north feel they are being discriminated against, and this is causing a wave of discontent. I would urge the Government to give consideration to the restoration, or even partial restoration, of the allowances to these people to enable them to bridge the gap caused by the means test applicable to the Commonwealth allowance, and to enable them to enjoy educational opportunities similar to those enjoyed by people in the rest of the State.

The member for Kimberley has outlined in detail the application of the Federal contribution, and I wish to congratulate him on his well prepared speech. I have omitted to mention one fact; that is, the Queensland Government has recognised the need for the restoration of the State allowances, and I believe this has been put into operation. I would urge the Government to follow the lead of the Queensland Government, and likewise restore these allowances.

With those comments I support the motion.

MR. RIDGE (Kimberley) [5.01 p.m.]: At the outset I would like to express my appreciation to the members who have made contributions to the debate on the motion, particularly to Opposition members who saw fit to support it. The motion was moved by me on the 11th April, and that is almost six months ago. At that time I explained in some detail the reason for my moving the motion, and accordingly I do not intend to go over the ground which I have already covered.

I feel somewhat honoured, as two Ministers have seen fit to make reasoned and prepared contributions to the debate on the motion. The first was by the then Acting Minister for Education (the Minister for Agriculture) when he spoke in the debate on the 23rd May. He credited me with having put forward a well prepared and reasoned argument. In fact, he offered almost no criticism of the points I had raised.

I think the same can be said of the Attorney-General who spoke in the debate earlier this afternoon. He also offered no criticism of the points I had made. The most pleasing feature of the speech of the Attorney-General was that he indicated he had written to the Federal Minister for Education on the 1st May in relation to the means test, which was some weeks after I had moved my motion; and he brought forward some information which had been provided by me on the 11th April, relating to the wages earned by people in the north who would not qualify for the allowance in excess of the basic $350.

Unfortunately, those Ministers concluded their contributions by saying they could not see fit to support the motion. I gathered the impression that at least in one instance the Minister was expressing opposition as a matter of principle—the principle being that the motion had been introduced by a member on this side of the House.

When the present Minister for Agriculture spoke in Opposition to the motion his greatest defence was to claim that the Federal Government would not tolerate the Western Australian Government reinstating the living-away-from-home allowance. He went to some length to shield the Federal Government from criticism. Bearing this in mind, it must have come as a rather rude shock to him to find that the Federal Minister for Education had slipped him a verbal Mickey Finn when he said that the States had no business to pull out of an area just because the Commonwealth was involved.

It could be claimed that the rather frank outburst by the Federal Minister for Education revealed that the Western Australian Government has treated some of my comments with rather scant regard; and in so doing, the House has been misled to some extent. When I moved the motion I referred to a Press statement which had been contributed by the then Minister for Education (Mr. T. D. Evans). He was referring to confusion over grants to students. The Press report reads as follows—

> The Minister of Education, Mr. T. D. Evans, said last week that a situation could arise where the State was subsidising the Commonwealth if it maintained present grants.

At the time I interjected and said if the State Government continued the payments there would be no question of the State allowances being included in the family income of applicants. The Attorney-General replied by saying, "You had better examine that proposition, because it is not correct." It was correct.

The basis of my argument was that earlier I had spoken to the Director-General of Education of Queensland who indicated that, apart from the fact the State Government did intend to continue the payment of State allowances, to his knowledge the payment would in no way subsidise the payment of the Commonwealth allowances. As we know from the comments of the Federal Minister for Education, my information was quite correct.

When the debate on the motion was resumed on the 23rd May, the Minister for Agriculture conceded that the fears of his colleague had been unfounded, but at the same time he insisted that the Commonwealth Government was demanding an end to State participation in the scheme. The relevant part of his contribution is as follows—

> It must be remembered that the Commonwealth Government clearly expects the scheme to replace the existing State schemes and that State Budgets will be relieved and tailored accordingly.

That claim was repeated twice on the following pages of *Hansard*. It appears that the kite which the Minister was flying was shot down in flames by the Federal Minister for Education when he spoke at the Australian Education Council meeting held in Melbourne. He said that the Commonwealth aid was meant to be supplementary to the State scheme and not a substitution. He said the Commonwealth had asked the States to continue their aid. He was also reported as having said at the meeting—

> The States have no business pulling out of an area of aid just because the Commonwealth has become involved.

At this point of time the incoming Minister for Education bought into the argument. He said he did not want to see any outback family being disadvantaged. He mentioned that he was not prepared to say what the State Government would do, and that it had a lot of work to do before it made any recommendations.

The comments of the present Minister for Education prompted me to ask a question at the commencement of the present session of Parliament. I asked whether the State Government intended to reinstate the State living-away-from-home allowances. The reply given by the Minister was that the matter was still under consideration, and a decision would be made when the Budget for the year was finalised. Despite the fact that the State Minister for Education does not want to see any outback family disadvantaged, and despite the fact that the Federal Minister for Education has rebuked the State Government and asked in particular that State aid be continued, we are informed that the matter is still under consideration. That is not good enough. I believe this Government is, and has been dodging an obligation which it is expected to honour.

Mr. T. D. Evans: How can you justify the statement that a family is disadvantaged in receiving purely the basic $350 from the Commonwealth without any regard for the means test, as against $312 from the State? They are not disadvantaged.

Mr. RIDGE: I shall deal with that aspect in a moment.

Mr. T. D. Evans: You made the point that they are disadvantaged now.

Mr. RIDGE: Some of the families are disadvantaged to a greater extent at the present time than they were under the old scheme, because under the Commonwealth scheme the allowance was increased by $38 but the hostel fees increased by $150.

If members of the Government have any vestige of conscience left they will support my proposition, because it is aimed at helping not only the people in my electorate but some of those represented by Government members.

In relation to what the Minister has said by interjection, an example of how families can be worse off under the new scheme was illustrated in a report which appeared in *The West Australian* of the 19th June. This pointed out that at Port Hedland last year hostel accommodation cost $600; but with the State grant of $312 parents were left to find $288. This year the accommodation charge has been increased to $750, and with the Commonwealth grant of $350 the parents are left to find $400.

Mr. T. D. Evans: This acceleration in the cost of board was part of the subject which I presented to the Federal Minister

for Education, and I understand it is part of the review which he will undertake. Consideration will be given to that aspect in the review.

Mr. RIDGE: Let me express the hope that the Federal Minister will see fit to go along with the proposition put forward by the Attorney-General. I am disappointed that the State Government cannot go along with the proposition that has been put forward by me.

The means test which was applied by the Commonwealth created a great deal of ill-feeling amongst the people of the far north. It is a sad thing that the Federal Government did not see fit to make money available to the State Government so that it could apportion the money on a more equitable basis, and in accordance with experience which it had gained over the years in dealing with isolated students and their education. The people of the north are not seeking an opportunity to make money out of the Government, or anything like that; all they are seeking is reasonable and fair recompense. Those people ask that any aid which is extended should be on the basis of all people being equal.

Mr. T. D. Evans: But all people are not equal.

Mr. RIDGE: There is discrimination in the means test.

Mr. T. D. Evans: But all people are not equal.

Mr. RIDGE: I pointed this out. Should the Government penalise a family just because both the parents are working for the sake of giving their children the level of education which they think the children should have?

Mr. T. D. Evans: Your argument would be valid if only one allowance was subject to the means test.

Mr. RIDGE: There are 2,121 people throughout Australia who have qualified for the basic allowance; there are 250 who have qualified for the basic allowance plus between $10 and $340. I wager there are not five of those people living in the Kimberley.

Mr. T. D. Evans: How many have qualified for the maximum in both?

Mr. RIDGE: There are 794 throughout Australia. I can tell the Attorney-General where they come from. Most of them would be Aborigines.

Mr. T. D. Evans: I cannot say that, and I do not think you can, either.

Mr. RIDGE: I can make a calculated guess.

Mr. T. D. Evans: It would only be a guess.

Mr. J. T. Tonkin: A guess is a guess, whether or not it is calculated.

Mr. RIDGE: That is dead right.

Sir Charles Court: I could go further and say it is an adequate assessment.

Mr. T. D. Evans: I do not like your sense of calculation.

Sir Charles Court: The Attorney-General has his facts wrong. He is talking about people qualifying for it.

Mr. T. D. Evans: I think the Leader of the Opposition ought to be briefed by the member for Kimberley.

Mr. RIDGE: Another very important feature is that in transferring responsibility from the State to the Commonwealth the isolated people have lost that degree of compassion and personal touch which so often has been displayed by our State Education Department.

On many occasions I was called upon to make representations to the Education Department on behalf of people who did not legally qualify for the State living-away-from-home allowances, but who considered in the light of special circumstances there was some justification for their cases to be considered. A typical case was where a high school existed in a town at which a child seeking an allowance was living, but the subjects of his choice were not taught at that high school. Another case related to towns where the local school had been upgraded only recently to junior high school status; and when children had commenced their high school education away from their home town it was generally considered desirable to allow them to continue at the southern school so that continuity would not be lost. This was permitted despite the fact that a recently established high school existed in the town.

When cases such as these were represented, the State Department was fairly generous in its outlook. It judged each case on its merits and in many instances I was successful in having the allowance granted to people able to submit a good case.

Unfortunately, however, I cannot say the same about the Commonwealth department, which is particularly difficult to deal with and in some respects is mean and miserable.

I would like to refer to a couple of cases. One concerned a child in Wyndham. Just after Christmas, at the commencement of the school year, a parent explained to me that his son had just completed his third year of education at the Wyndham school. He was awarded an Achievement Certificate and so his parents decided to send him to Darwin. However, the principal of the Darwin school decided that the child's education was not of the standard required at that school so he suggested to the parents that the child should do the third year again.

The parents agreed to this and applied to the Commonwealth department for the living-away-from-home allowance, but the department replied that as an appropriate school was available within 10 miles of the parents' place of residence, the allowance would not be granted. Despite the fact that he had just finished his education at the school near his home and the standard of his education was not considered sufficiently high by the principal of the school at Darwin, the child was ordered to return to his former school. I am sure that had I been able to represent the case to the Federal Minister he would have agreed to pay the allowance and let the child stay at Darwin. However, the family was so upset about the matter that it moved to one of the Eastern States.

Recently I made representations to the department on behalf of parents whose children commenced their schooling in Perth or Geraldton prior to the schools in their home towns being upgraded to high school status, and in at least two instances the children involved had completed their first and second year of education in Perth with State allowances. So, for their third year they wanted to continue in Perth. However, the Commonwealth department rejected their claims because it stipulated that an appropriate school was available in the area in which the parents of the children resided, and therefore that was the school the children must attend.

On the 10th July I wrote to the Commonwealth department and objected to the ruling, particularly in connection with one of the children. I will read a couple of paragraphs from the letter because they give an indication of the subjects the child undertook. In my letter I said—

> It is my view that the rejection of the claim in this instance is completely unfair as the child in question has been attending high school in Perth (with State assistance) for the past two years and it is quite obvious that to transfer Julie back to Wyndham would result in her being denied access to some of the subjects she has been studying at Hampton Senior High School.
>
> She is presently undertaking courses in typing, business principles, spoken English, speech, health education, physical education, human relations, cooking, sewing and she is also learning the piano at the hostel where she boards.
>
> Surely it is not expected that she could progress with these studies at Wyndham without losing continuity.

Amazingly, on the 27th July the department replied as follows—

> The matter has been discussed with officers of the State Education Department and it has become apparent that that Department paid Boarding away from home allowance to Mr. McMicking in 1971 and 1972 as a result of an error. Furthermore, I have been assured that had the Department discovered the error, no payments would have been made in 1973.

So the State department told the Commonwealth department that it would not have agreed to the payment of the allowance. I objected to this and I wrote to the Director-General of Education on the 30th July asking him to explain why he had told the Commonwealth department that the child would not have been eligible. On the 6th August the director-general admitted that his department had made an error and that the child should have qualified. Consequently, after writing to the Commonwealth department, the parents eventually received the allowance in respect of their daughter.

I have made these points to illustrate that the Federal department does not have the same personal touch that the State has, and in some instances this is resulting in isolated parents getting shabby treatment.

As a point of interest, on the 24th May, 1973, I questioned the Minister for Education in relation to the children attending school in Perth and being paid allowances despite the fact that a high school was available in their own towns, and this was for the purpose of children who had commenced their high school education in another area. The answer I received was—

> If allowances have been approved and paid by the State Government, the Commonwealth would continue to pay these allowances because, in general, the precedents established by the Education Department have been accepted by the Commonwealth.

Unfortunately the precedents established by the State are not necessarily being followed by the Commonwealth because in relation to another approach I made to the Federal Government the letter I received in reply concluded as follows—

> On the basis of the report from St. Brigid's Lesmurdie, the W.A. Education Department would pay a boarding allowance for Pascale in 1973, so this Department will do likewise. However, these payments will not be continued in 1974 when Pascale is in third year, as the rules of the Australian Government scheme do not allow for payments in such circumstances.

It was in these circumstances that the State would have made the allowances, but the Commonwealth has clearly indicated it does not intend to do so.

I would like to know just how well informed the Federal Government is in relation to the matter into which it recently gatecrashed. I have here a copy of a letter sent to the member for Darling

Range, a self-explanatory portion of which reads—

> Mr. Beazley has been accusing Mr. Withers MLC of discrediting the Assistance for Isolated Children Allowance to such an extent that very few of the forms have been returned.
>
> We received one of these forms (letter enclosed).

The letter enclosed reads, in part—

> It is understood that you have applied (either in 1973 or at some previous time) to the State Education Department for a boarding away from home allowance in respect of one or more of your school age children.

The letter to the member for Darling Range continues—

> Our school age children are now 24, 23 and 20 . . .

If that is an indication of the accuracy of the department's information, it is no wonder some confusion has occurred surrounding the grants.

Mr. O'Neil: They grow fast in the north-west.

Mr. RIDGE: Equality is the great cry of the people in the north at present and I am not seeking special consideration for one group. All the people in the north want is for Governments to recognise their problems and offer them inducements to give them equality with people in other parts of the State. It is not fair to discriminate against those who have demonstrated their industriousness.

Mr. T. D. Evans: Last night I sought to give those people in the north greater voting equality, but you did not agree with it.

Mr. Hutchinson: I cannot understand that.

Mr. RIDGE: I cannot understand it, either.

These people against whom we are discriminating at the moment are definitely being penalised. I have already referred to this, so there is no point in my going over it again.

The Commonwealth Government claims that in the case of Aborigines special reasons exist for allowing them to attend school in Perth, and I am referring to the Commonwealth secondary grants scheme under which help far in excess of any help extended to the parents of white children has been granted. I do not object to this. We go right along with the proposal to extend aid to the Aboriginal children and that is probably one of the best schemes we have. However, why not extend the same aid to parents of white children? As I have said all that the people in the north are requesting is equality and by giving aid to one group and not to another, a great deal of ill-feeling is being created.

Mr. Hartrey: You suggest we should give the white people citizenship rights?

Mr. RIDGE: As the honourable member knows there is in the Northern Territory a movement advocating rights for whites, but I will say nothing about that now.

My argument is that the aid granted to Aboriginal children should be extended to white children who have to use exactly the same facilities as are used by the Aboriginal children.

Some time ago the Minister for Education wrote to me and said that he could not see any reason for people at Halls Creek and Fitzroy Crossing sending their children away from their home towns to be educated. He said that the standard of education at the schools in those towns was the same for white children as for Aboriginal children. Fair enough. Perhaps it is. On the other hand, however, the Federal Government has extended aid to Aborigines, but it is not prepared to extend that aid to the white children.

I was interested to read the following article in *The West Australian* on the 30th May—

> Hostel may evict pupils.
>
> The Port Hedland High School hostel yesterday sent a telegram informing the Premier, Mr. Tonkin, that students would have to be sent home unless an advance on outstanding Commonwealth education grants was made available.
>
> Twelve students, seven of them Aborigines, had already been told to pay within a week or leave.

On the 31st May, the following day, an article appeared reading—

> Students can stay at hostel
>
> Twelve students who were told to pay their accommodation fees or leave the Port Hedland High School hostel will be able to stay . . . .
>
> The Premier, Mr. Tonkin, said that after each case had been discussed with the Commonwealth Office of Education, approval had been obtained to increase the Commonwealth aid for Aboriginal students.
>
> This meant, for the seven Aboriginal students involved, weekly assistance would be raised from $16 to $24 to match the hostel fees.

No mention is made of the white children who were to be evicted because they had not paid their fees. The Aboriginal children received a 50 per cent. increase. If aid is extended to one section, let it be extended to all sections.

In my opinion no form of consultation has taken place—and this point was emphasised by the member for Moore—between the Federal and State Governments and, as I have said, this has created a great deal of dissatisfaction in the north of the State.

I have already pointed out that a high income in the north is essential if the residents are to maintain reasonable living

standards, and this applies in your electorate, Mr. Speaker, as it applies in mine, in the electorate of the Minister for Housing, and in the electorates of most other members who come from the north. It is obvious that by the time children reach the age when they must be sent away to school, the parents have reached a mature age themselves and are in fairly well-paid jobs. Consequently they are earning a good income and do not qualify for the additional $350. I venture to suggest that at least 95 per cent. of the people of European descent in my area would not qualify for the grant, despite the fact that many of them are worse off now than they were under the old scheme.

Perhaps I am flogging a dead horse, but I appeal to members to support my proposition, which is a fair and reasonable one. The Government need not reapply the whole of the State living-away-from-home allowance, but at least part of it should be granted in order to enable the people in the north to maintain a reasonable standard of education for their children. I would not mind if the allowance were granted to those in the north only. The present situation is affecting not only those I represent, but also the constituents of other members. I appeal to the House to support the motion.

Question put and a division taken with the following result—

Ayes—21

Mr. Blaikie	Mr. O'Connor
Sir Charles Court	Mr. O'Neil
Mr. Coyne	Mr. Ridge
Dr. Dadour	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Hutchinson	Mr. Sibson
Mr. A. A. Lewis	Mr. Stephens
Mr. E. H. M. Lewis	Mr. Thompson
Mr. W. A. Manning	Mr. R. L. Young
Mr. McPharlin	Mr. I. W. Manning
Mr. Mensaros	*(Teller)*

Noes—21

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

Pairs

Ayes	Noes
Sir David Brand	Mr. Bertram
Mr. W. G. Young	Mr. Bryce
Mr. Naider	Mr. Jones
Mr. Gayfer	Mr. J. T. Tonkin

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

Question thus negatived.

Motion defeated.

DEVELOPMENT

Projects: Censure Motion

Debate resumed, from the 18th April, on the following motion by Mr. Thompson—

> That in the opinion of this House the Government is deserving of censure because, in an endeavour to hide its lack of capability and success in attracting industry to Western Australia, it has made announcements of implied projects—in many cases without adequate research and proper consultation with local authorities and other interested parties—that are premature or ill-founded thus causing uncertainty, indecision and lack of confidence.

MR. O'CONNOR (Mt. Lawley) [5.35 p.m.]: I have pleasure in supporting the motion moved by the member for Darling Range. It is several months since the motion was debated in the House, and, if I may say so, I have been ready to speak on a number of occasions. To refresh members' memories I refer them to the motion which is set out on the notice paper under Order of the Day No. 5.

Since the motion was last debated there have been a number of changes and, as a matter of fact, the Minister who spoke on behalf of the Government has changed his vocation and is now in the Licensing Court. I assume that the present Minister for Development and Decentralisation will follow his predecessor's footsteps by taking up and carrying on the matter.

The Government has continually issued statements which, in my opinion, leave much to be desired. I have spoken on this subject before and the member for Darling Range indicated his concern when he moved his motion. Members on this side of the House believe that some of the statements have been inaccurate and others have not only been inaccurate but also have not been refuted. At times incorrect statements are made by members on both sides of the House but we, on this side, believe that when a statement is found to be incorrect everything possible should be done to rectify it so that members and the public generally know exactly what the position actually is.

On a number of occasions many people have been misled into falsely believing that big things will happen. Many of these projects have not eventuated and furthermore, have no chance of doing so. It is for this reason that I support the remarks of the member for Darling Range which were made when he moved his motion.

I ask members to refer to *Hansard* for the 4th April, 1973, where they will see that starting on page 647, I asked many questions in the Parliament. I asked the questions because I was concerned about announcements which were being made almost daily at the time. The announcements were to the effect that big projects were shortly to be under way; industries were coming to Western Australia; and big things would happen. Of course we knew that some of the announcements of what would happen were quite out of the question and the projects concerned had no chance of succeeding or even starting. We

firmly believe that when this sort of thing happens, and the Government knows the information is incorrect or inaccurate, it should do something to rectify the matter. The Government should move cautiously when making statements so that the people are given a correct and accurate assessment of what is happening.

Let us look at the questions I asked on the 4th April, 1973. The questions referred to statements made by the Government a little over two years before April, 1973—that is, shortly after the present Government came into office. On page 647 of *Hansard* of the 4th April, I asked the Premier—

> As on 2nd April, 1971 he announced the possibility of a major steel export industry at Kwinana, will he advise—
>
> (a) progress to date;
>
> (b) the company involved?

The Premier replied—

> (a) The proposals are still being considered.

This was over two years after the announcement had been made. I will not refer to most of the questions I asked because I am sure that you, Mr. Speaker, would not want me to list the whole 20 questions. I shall refer to only a few of the very many statements which were made. I have selected these from the industrial files which Parliament keeps. On page 648 I asked the Premier the following question—

> As in *The Sunday Times* of 4th April, 1971 he announced Hanwright proposals in an article headed "Steel Mill Town for North", will he advise—
>
> (a) what progress has been made on this project;

The Premier replied—

> (a) The proposals are still under active consideration but have been affected somewhat by the change in value of Australian currency.

That was fair enough, at the time. However these types of announcements have been made and, in many cases, the projects concerned have no chance whatsoever of success. On the same day I asked the Minister for Development and Decentralisation—

> As in the *Daily News* of 10th May, 1971 he confirmed negotiations were taking place with a Japanese company to establish a multi-million dollar caustic soda industry in the Bunbury area which could lead to the eventual establishment of a petro-chemical complex, will he advise—
>
> (a) the current position;

The reply given was a lemon; namely—

> (a) The proposed joint venturers were unable to proceed at that time with the caustic soda industry in Western Australia, and there are no current negotiations.

Some are even worse than these. For example there was an announcement that a $20,000,000 steel plant was planned for Western Australia. Indications were given at different times that the plant could be established at Albany, Bunbury, or Geraldton. People in those areas believed they had a chance of having a steel plant established but, once again, this fell through.

When the former Deputy Premier returned from overseas a long article appeared in the Press under the heading, "Labour Mission Finds Japan Keen to Invest". Bearing in mind that it was two years later, I asked what investments had come from this mission. The answer given was—

> There has been some increase in Japanese participation in certain industries in Western Australia but the downturn in the economy has frustrated major overseas participation in joint ventures in recent times.

I have mentioned previously in the House a full-page article in *The Sunday Times* which referred to an industry being established in Western Australia capable of employing 300,000 people—approximately the whole of the work force of the State. I asked several questions in relation to this matter and, in fact, I directed three questions to the Premier before he admitted it was virtually a fake. I am not saying that the Premier was responsible but the statement in the paper was a fake and the Premier dissociated himself from the statement. I believe the Premier should have contacted the Press and advised that it was a fake. The Government should not mislead the people in the way it has done but should advise what the correct statement is and try to have it rectified in the minds of those concerned.

I asked another question on page 649 of *Hansard* of the 4th April, 1973, as follows—

> Further to the report in *The Sunday Times* on 6th February, 1972 under the heading "Plant Could be Biggest in World" . . .

I asked what it was and it turned out to be Graincol Pty. Ltd. It is left to us to work out for ourselves whether it will be the biggest in the world. I assure the House that we have many doubts on this matter. Another question referred to an article in the *Sunday Independent* on the 5th March, 1972, under the heading, "Graham Confident of Indonesia". In the article Mr. Graham indicated that he was expecting big things from Indonesia. However, when he answered my question he said—

> It is not possible to attribute specific orders to any single trade promotion visit. Firms represented on the visit referred to have obtained business in Indonesia, but the details are confidential to the particular firms . . .

When we asked for further details in connection with a shipyard which the Deputy Premier had announced would employ 3,000 people, he denied the statement and said it was not correct. However the article which had appeared in the paper was left uncorrected by the Government.

I sincerely believe that when an article is completely wrong and out of context it is the duty of a member of Parliament to try to correct the position. We saw an instance of this today whereby the member for Mirrabooka made a personal statement in the House in connection with another Press statement which he thought was incorrect. This is the proper thing to do. Most members take this action or else they contact the Press. However, there have been so many instances of statements being left uncorrected by those involved since the present Government assumed office that there is a duty for Ministers to do something about it.

An announcement was made in regard to a $50,000,000 deal with Japan. One article referred to the deal as an industry but, later on, the Premier claimed it concerned Co-operative Bulk Handling. The articles had referred to an industry and this sort of mistake should be corrected one way or another.

I ask members to look at only a few of the Press cuttings which I have turned up. One of the headlines is, "W.A.—Japan Negotiate 50 Million Dollar Deal". Of course they did not. Another is, "$1,000,000,000 project likely for the North". That was most unlikely! There are so many others and I am mentioning only a few. Another is, "Big Power Offer to W.A. Could Mean 300,000 Jobs". That was a complete fake but the people of Western Australia believed it to be true. If only they had stopped to think they would realise that one industry could not supply jobs for 300,000 people. After all, what is the work force of Western Australia? Nevertheless it was written up that way in big headlines on the front page of the Press. It was a fake but nothing was done by the Government to rectify the matter.

Another announcement was, "Plant could be biggest in World." I suppose we could say that anything could be the biggest in the world!

Mr. A. R. Tonkin: I grew a very large pumpkin once.

Mr. O'CONNOR: I know where the honourable member put it! Another heading is, "Labour Mission Finds Japan Keen to Invest". Again, no investment resulted from that. Another is, "20 Million Dollar Steel Plant for W.A. Planned". Where is it? It has not been established and it will not be. Another heading is, "Pilbara Plan, $6,000,000,000". How many years would that extend over? So many of the statements leave so much to be desired. The comments made by the member for Darling Range were certainly warranted and I am glad to see he brought these matters before the House.

When the Deputy Premier at the time spoke on behalf of the Government he gave an impassioned speech to the House and referred to small industries which he claimed he had brought to Western Australia. He also made reference to some major ones, but I will take those up in detail a little later on. These industries are not the ones clouding the issue as far as I am concerned. The then Minister for Development and Decentralisation took credit for Northern Mining Corporation.

Mr. Taylor: Can you quote when he said that in his speech?

Mr. O'CONNOR: If the Deputy Premier looks at the speech, he will see this.

Mr. Taylor: I have it in front of me. Will you give me a reference?

Mr. O'CONNOR: If the Deputy Premier cannot see the reference, he can stand up to refute it.

Mr. Taylor: It would depend on your definition of the word "credit".

Mr. O'CONNOR: The Minister for Development and Decentralisation mentioned Texada—$6,000,000. Tell me I am wrong with that?

Mr. Taylor: Did he take credit for Texada or did he say he negotiated it?

Mr. O'CONNOR: I say he took credit for it. He also took credit for Southern Meat Packers at Katanning $4,000,000; and Alcoa $20,000,000.

Mr. H. D. Evans: Come back to the meatworks at Katanning.

Mr. O'CONNOR: The Minister for Agriculture can get up and have his say when the time comes. I will deal with these in my own time and as I wish.

Mr. H. D. Evans: The facts are exactly opposite to what you are saying.

Mr. O'CONNOR: What is incorrect in my remarks?

Mr. H. D. Evans: It was perfectly correct for the Minister to take credit for that after the hash your Government made of it.

Mr. O'CONNOR: I am entitled to say the Minister claimed credit for this because in my opinion he did. The Minister for Agriculture is saying I am claiming something different which I am not.

Mr. H. D. Evans: You said he took credit for it.

Mr. O'CONNOR: Yes.

Mr. H. D. Evans: And your Government is entitled to the credit.

Mr. Brown: He took credit because your Government would not do anything.

Sir Charles Court: That is not correct. What the member for Merredin-Yilgarn says just does not happen to be correct.

Mr. Brown: Yes it is.

Mr. O'CONNOR: The Minister for Agriculture is slaughtering himself again. I would like to continue to comment on the remarks made by the then Minister for Development and Decentralisation. He referred to Alcoa, $20,000,000; Borthwick, $1,300,000; and amongst a lot of other projects, he mentioned the Government's work in regard to wool transport to Albany.

The then Minister for Development and Decentralisation claimed that the motion should not have been moved. I disagree with this comment. The Government has made all sorts of extravagant statements. I was very concerned about the rail sinking project estimated to cost $546,000,000 but that is not part of the motion I am discussing.

The Premier stated that one of the main projects instigated by his Government was that in relation to Northern Mining Corporation and he mentioned a figure of $140,000,000.

Mr. J. T. Tonkin: Did you say the Premier said that?

Mr. O'CONNOR: I am sorry, I am incorrect. The then Minister for Development and Decentralisation said this.

Mr. Taylor: He had been accused by the member for Darling Range of claiming that he had got these things off the ground when he had not in fact done so. During his speech the then Minister showed just what happened.

Mr. O'CONNOR: Did he claim credit for it or not? Is the Deputy Premier now saying he did not claim credit for it?

Mr. Taylor: I am asking whether you are criticising him for mentioning this.

Mr. O'CONNOR: If the Deputy Premier will listen, he will discover that I believe the then Minister for Development and Decentralisation claimed credit for the $140,000,000 project undertaken by the Northern Mining Corporation. The previous Government had as much to do with this project as he did. Whilst I was Minister, we assisted Northern Mining Corporation as much as we possibly could.

This organisation was faced with tremendous problems. It still has problems because of the quality of such a large amount of the ore. We did the investigation work in connection with the railway line to that area—$31,000,000 if I remember correctly. We ascertained the costs involved in taking the ore out and details of this type. How can the Government claim this was something it did?

Mr. Taylor: We got an agreement out of it. You could not reach an agreement at the time.

Mr. O'CONNOR: The initial work was not done by the present Government. It tidied up a few of the matters we had already commenced.

The previous Minister for Development and Decentralisation claimed credit for the Merredin inland superphosphate works. This credit may be shaky because we know the proposition is not completely viable. We all know that it will cost many farmers a lot more money for their superphosphate. The then Minister for Development and Decentralisation claimed credit for the fruit cannery at Manjimup—well he can have that one too!

The then Minister claimed credit for Borthwick's project at Albany. This was a $1,300,000 extension of an existing facility, and he knew this only too well.

Sir Charles Court: It would have been better sited away from the foreshore.

Mr. O'CONNOR: That is so.

Mr. Taylor: In his speech the then Minister told us why it was positioned there.

Sir Charles Court: He gave his version for it, but he did not tell us why it was not taken away from the foreshore.

Mr. O'CONNOR: He went on to claim credit for the mineral sands project at Capel amounting to an expenditure of $500,000. He also referred to the $200,000,000 Pacminex processing works. The previous Government initiated this project. The previous Minister for Industrial Development carried out most of the work in relation to the Alwest project. In his speech the then Minister for Development and Decentralisation said that all these projects had been denied by the previous Government. What a lot of rot that was.

Mr. Taylor: He was referring to the abattoir, if I remember rightly, when he said the previous Government had denied it.

Mr. O'CONNOR: He said they had been denied.

Mr. Taylor: He mentioned that abattoirs had been denied by the previous Government.

Mr. O'CONNOR: The Deputy Premier can go through the speech and see whether that is so. In my opinion, the then Minister for Development and Decentralisation in his answers supported the view expressed by the member for Darling Range, because I believe the Government authorised misleading announcements. The then Minister for Development and Decentralisation mentioned bulk handling facilities of $42,000,000. I believe any Government would have supported such a project because of the great work being done by the company concerned.

The then Minister for Development and Decentralisation said that Sir David Brand had commented that he would not rest

until the future of Albany as a wool port had been satisfactorily resolved. The Minister went on to say, "Bold words, but nothing has been done." I know very well, and so does the Government, that the then Premier and Government—of which I was a Minister—worked very hard to try to get security for Albany as a wool storage area and port. We contacted the Scandia Line in an effort to bring Scandia ships into Albany with continuous services to improve Albany as a port. We initiated an investigation by Mr. Knox, the Director-General of Transport, in an effort to lower the cost of carting wool to Albany. We hoped that more wool would go through the port and the Scandia ships would be fully utilised. What happened? When this Government came to power it tossed all our work aside. The present Government was subjected to union pressure to forget the recommendations of the Knox report.

The then Deputy Premier referred to a $2,500,000,000 steel works being established in this State, but when challenged he refused to name the company. When he did that he left some doubt in our minds as to whether the deal ever existed. In answering questions in the House he again refused to name the company. Is it any wonder that we on this side of the House have doubts as to whether the company exists, or whether this was just another figure plucked out of the air, as has been done so often in the past?

Prior to travelling to Singapore and other parts overseas this year, the Premier announced that in Singapore he would have discussions regarding a fruit canning industry. The Premier may correct me if I am wrong, but I believe that when he came back he had not even contacted anyone in connection with that matter. I ask him: Did he contact the people concerned; and, if not, why not? When he makes a statement that he is going away for the purpose of contacting people regarding an industry, it is his duty to do just that.

Then we have the latest development in connection with free public transport. We have seen indications in the Press that free public transport could be introduced in this State in five years. We all know very well that it has been tried overseas in Italy and other countries, and has been proved a complete failure. Whilst free public transport sounds very good, and I would like to see it introduced, we must remember that if we provide free transport it is free to those who travel on it, but someone must pay.

Mr. Taylor: That information was given to the member for Dale when he asked a question about free transport; and the information was given by the Government. So how can you claim that the former Minister for Development and Decentralisation claimed that free transport would be provided?

Mr. O'CONNOR: The Minister is not listening; I said that the A.L.P. commented upon this.

Mr. Taylor: That transport would be free in five years?

Mr. O'CONNOR: No, a statement appeared in the Press regarding this matter. I have not the comments of the Minister for Transport with me at the moment, but the Minister for Development and Decentralisation may check on it. We are all aware that such a system would cost the State $10,000,000 or more a year.

Mr. Taylor: That information was supplied from this side of the House.

Mr. O'CONNOR: I know it was. It was also supplied last week because I knew it was impracticable to supply free public transport, and I asked questions. However, the Government should say these things straightout when it is first approached instead of hiding them.

One of the more important answers supplied by the previous Deputy Premier in this House was in connection with Woodside-Burmah. When we consider what has happened to that company in recent days we realise that certainly many companies will not wish to invest funds in this State or in this country in the future. When questioned about jobs for 3,000 people to be provided by Woodside-Burmah, the previous Deputy Premier said that this would depend upon what the company is able to do. Yet in the last few days Woodside-Burmah has suffered a bad setback and so has the State, generally.

Mr. May: That is only your opinion.

Mr. O'CONNOR: I am expressing my opinion now.

Mr. May: Yes, and you are not expressing fact because the company itself has not expressed that opinion.

Sir Charles Court: It dare not.

Mr. May: Just a minute. The member for Mt. Lawley spoke as though he was stating a fact, but he was not stating a fact at all.

Mr. O'CONNOR: Let the Minister for Mines tell me where I am wrong in what I have said.

Mr. May: You tell me where the company suffered a setback. Those are the words you used.

Mr. O'CONNOR: That is right.

Mr. May: Where is the setback? You cannot prove it.

Mr. O'CONNOR: Australia has suffered a setback and this State has suffered a setback since the Federal Government was elected; and the Minister is not doing his job.

Mr. May: You cannot prove it.

The SPEAKER: Order!

Mr. May: They are doing a better job than your party did.

Mr. H. D. Evans: If you had any decency you would withdraw that remark about the Minister for Mines. It was most ill-timed.

The SPEAKER: Order!

Mr. H. D. Evans: A lack of decency!

Mr. O'CONNOR: Woodside-Burmah was quoted by the previous Deputy Premier as being one of the big deals to come to this State, but let us look at what has happened. The company spent $110,000,000 in this State and the Deputy Premier of the day stated that it would employ something like 3,000 people. But now we see the action of a parasite which wants to live off another. This is the action of a do-nothing, grab-all Government; and I am referring not only to the State Government but also to the Commonwealth Government.

Mr. May: You will not accept your own party was part of the previous Government.

Mr. O'CONNOR: I think it is disgraceful to see action being taken to discourage overseas companies to invest in our country.

Mr. May: You prove it.

Mr. O'CONNOR: I do not have to. The State Government should let the companies know where they stand.

Mr. May: You are making inaccurate statements.

The SPEAKER: Order!

Mr. O'CONNOR: The State Government should be fair to the people who are investing money in this State.

Several members interjected.

The SPEAKER: Order! Members on both sides of the House will keep order, and allow the member for Mt. Lawley to continue his speech.

Mr. O'CONNOR: The State Government should let people know where they stand. This is the sort of action to which the motion refers. We have companies coming here and indicating that they can get on with the job in Western Australia and create employment, but they have everything stolen from them by a slippery, slimy, sneaky, socialist snake—and that is what is happening.

Mr. Davies: The kicker of the commie can!

The SPEAKER: Order! That is not very parliamentary language.

Mr. May: The member should withdraw it.

Mr. O'CONNOR: Mr. Speaker, I merely wished to indicate my views in connection with this issue. I am bitterly opposed to the action taken in regard to Woodside-Burmah.

I support the views of the member for Darling Range because in my opinion so many statements have been made which are so inaccurate. These statements should be corrected in the Press so that the public will know what is going on. Unless these matters are brought to the notice of the House the position will continue.

MR. J. T. TONKIN (Melville—Premier) [6.00 p.m.]: Mr. Speaker—

The SPEAKER: I warn the Premier that he has only a quarter of an hour.

Mr. J. T. TONKIN: Yes, very well. Mr. Speaker, but I will not take that long. In the whole of my experience I have never heard a more hypocritical speech than the one that has just been made by the member for Mt. Lawley.

Sir Charles Court: I have heard that statement several times before.

Mr. J. T. TONKIN: I intend to give the House an opportunity to judge the credibility of the honourable member who has just resumed his seat. He has been critical about statements made on proposed undertakings and he pointed out that when these undertakings do not eventuate there is an obligation on the person who makes such a statement to come before the House and make an explanation.

Mr. O'Connor: That is right.

Mr. J. T. TONKIN: I can refer to a proposal relating to the Amax Mitchell Plateau that was mentioned by the Leader of the Opposition.

Sir Charles Court: That is right.

Mr. J. T. TONKIN: He also mentioned the great things that were going to occur up there.

Sir Charles Court: And they would have been carried out but you put the project on ice for 12 months.

Mr. J. T. TONKIN: Did the Leader of the Opposition come before the House and make an explanation in regard to that?

Sir Charles Court: We did not have to; we were defeated at the general election and you put the project on ice for 12 months.

Mr. J. T. TONKIN: Let me proceed with what I have to say so that the House can judge the credibility of the member for Mt. Lawley. On the 2nd June, 1970, there appeared in *The West Australian* this large heading—

Asian Hotel Group Looks at City Site.

I take it that the member for Mt. Lawley would readily recall that.

Mr. O'Connor: Yes, I do.

Mr. J. T. TONKIN: The article then went on to state that the 2½-acre Canterbury Court-Shaftesbury Hotel area was to be the site for a hotel—and an international standard hotel, what is more—to be erected by a Singapore group.

Mr. O'Connor: Yes, that is so.

Mr. J. T. TONKIN: Is it there?

Mr. O'Connor: Yes, it would have been.

Mr. J. T. TONKIN: Did the member for Mt. Lawley get up in the House and explain why it was not erected?

Mr. O'Connor: I did get up and explain.

Mr. J. T. TONKIN: We will follow this through, because it is a beauty.

Mr. O'Connor: What was the date of that article?

Mr. J. T. TONKIN: The date is the 2nd June.

Mr. O'Connor: Of 1970.

Mr. J. T. TONKIN: Yes, that is right—1970. On the same date in the *Daily News* an article appeared stating that this deal could mean a profit of $830,000-plus for the Government. We are still waiting for that deal to eventuate and I have not yet heard the member for Mt. Lawley get up to explain the reason that we do not have this $830,000-plus profit.

I continue on a little further to read from *The West Australian* dated the 3rd June, 1970, in which the hotel plan is described as "a boon for the Government". The actual heading appearing over that article was—

Hotel plan a boon for Govt.

The article then went on as follows—

> The State Government would benefit considerably if a Singapore group builds a hotel between Beaufort and Stirling Streets.

Mr. O'Connor: That is an accurate statement.

Mr. J. T. TONKIN: But they did not build it. I repeat, that the headline read—

Hotel plan a boon for Govt.

Mr. O'Connor: I did not put the headline there.

Mr. J. T. TONKIN: Why did not the member for Mt. Lawley write to the paper and correct it?

Mr. O'Connor: It is not a phoney statement like yours was.

Mr. J. T. TONKIN: We will see.

Mr. O'Connor: In this House you admitted the whole thing was a phoney.

Mr. J. T. TONKIN: I did not write the article. This proposal reached the stage where a leading article was published in *The West Australian*. The heading over that article was as follows—

North of the line

The article went on to state—

> It is understandable that the State Government should show interest in the possibility of a real-estate deal with a Singapore hotel group involving Railway Department land and other property north of the Beaufort-street bridge.
>
> If the Government sold its land in Beaufort-street the proceeds could be earmarked for sinking the railway or for building new administrative headquarters for the department to facilitate the railway scheme.

Mr. O'Connor: This was a factual one; it was not a phoney one. This organisation was interested and it is a fact that I contacted its representatives. They wanted to build the hotel. It was not a phoney article like the full-page item you had published in *The Sunday Times*.

Mr. J. T. TONKIN: This was a build-up of a proposition that never eventuated.

Mr. O'Connor: It was not a phoney.

Mr. J. T. TONKIN: I now come to an article published in the *Daily News* of the 4th June.

Mr. O'Connor: The statement published in *The Sunday Times* under your name is a phoney.

Mr. J. T. TONKIN: This article appeared in the *Daily News* on the 4th June, and the heading was—

Asian hotel group looks at city site

Mr. O'Connor: Which it did.

Mr. J. T. TONKIN: Underneath that heading appeared another heading as follows—

The rail and a sale

The article then went on to state—

> I hope this proposed sale of railway land to an Asian hotel group will not become an echo of the WADC fiasco.

Mr. O'Connor: This is the fault of an organisation about which you know a great deal. It was an organisation that tried to break these things generally.

Mr. J. T. TONKIN: Why did not the member for Mt. Lawley write to this newspaper—as he said I should have done—and suggest that it had no right to call this venture a fiasco?

Mr. O'Connor: You know that they had an option on the Shaftesbury Hotel. It was not a phoney like the full-page statement you made in *The Sunday Times*.

Mr. J. T. TONKIN: Do not dodge the question. Did the member for Mt. Lawley make any attempt to tell this newspaper that this venture was not a fiasco?

Sir Charles Court: It was a proposition with real possibilities at that time.

Mr. J. T. TONKIN: It was claimed by this newspaper that it was a fiasco, and it was.

Mr. O'Connor: It was not; it was a fact.

Mr. J. T. TONKIN: I continue to quote from the article as follows—

> Unfortunately, its beginnings have similar overtones and a raciness about it not conducive to clear thinking.

Mr. O'Connor: That is fair enough.

Mr. J. T. TONKIN: I continue to quote—

> One doesn't need sensitive ears to hear the weary sigh of those who fought so hard to keep sanity in this rail-sink proposition last year.

That appeared in a report in the *Daily News* of the 4th June. The member for Mt. Lawley is interjecting when he does not know what I am saying.

Mr. O'Connor: I think that half the time you do not know what you are saying.

Mr. J. T. TONKIN: Now I shall deal with a report which appeared in *The West Australian* of the 11th June, because this relates to a wonderful, grandiose scheme for a hotel which did not eventuate!

Mr. O'Connor: The details given were facts. They were not fiction, such as the case you are quoting.

Mr. J. T. TONKIN: I am talking about the build-up in the Press to create in the public mind the impression that something would happen but did not happen.

Mr. O'Connor: It was not a fake, as some of your proposals have been.

Mr. J. T. TONKIN: The honourable member is the biggest fake of all; and I will show that before I have finished. After this had been carried on for a week, the member for Mt. Lawley got his picture into the newspaper. The report in *The West Australian* of the 11th June states—

> Mr. O'Connor still has that sinking feeling.

That is very appropriate, because at that stage the 200-room hotel was fading away.

Sir Charles Court: You have to grasp at straws. You keep talking about a hotel, whereas we were attacking ventures costing hundreds of millions.

Mr. J. T. TONKIN: To continue with the report—

> Ever since he became a Cabinet Minister, after serving a wheeling and dealing apprenticeship with Mr. Charles Court, Railways Minister O'Connor has had the ambition to lower the railway through central Perth.

Mr. O'Connor: I still have it.

Mr. J. T. TONKIN: So far he has not had much luck, but he did a lot of talking about the matter.

Mr. O'Connor: You were one of those who wanted to prevent the proposal from being implemented.

Mr. J. T. TONKIN: To continue with the report—

> But he still has that sinking feeling and he is determined that the small matter of $10 million is not going to stand in his way, even if he has to turn real-estate salesman.

Mr. O'Connor: Which I did.

Mr. J. T. TONKIN: The honourable member was not able to sell this land to the Singapore group.

Mr. O'Connor: I did not refer to that land; I spoke about a real estate deal. Keep to the facts.

Mr. J. T. TONKIN: I am keeping to the facts. The fact is the honourable member, as Minister for Railways, did not sell the Canterbury Court land to the hotel.

Mr. O'Connor: Did that report refer to the Canterbury Court land?

Mr. J. T. TONKIN: It refers to the honourable member's proposals to sink the railway line, and to obtain the necessary finance by selling real estate.

Mr. O'Connor: That is correct, and I did this.

Mr. J. T. TONKIN: Further on in the report the following appears—

> If negotiations succeed with the Singapore hotel interests he jetted off to see recently, he could pick up between $1.5 million and $2 million from property near the Beaufort-street bridge.
>
> Then he has his eye on about eight other railway properties scattered in the city, roughly valued round $2 million at present.

Then the report talks about some other properties the sale of which would give the then Minister for Railways a respectable deposit for sinking the railway line. No-one can tell me that the member for Mt. Lawley was not attempting to gain kudos for himself and his Government by this grandiose plan for a new hotel, and for selling real estate which would enable him to sink the railway. However, he has done neither.

Sir Charles Court: He made a valiant attempt to do something that was very deserving.

Mr. J. T. TONKIN: What is more, he made no attempt to come to this Parliament and explain why. The whole burden of the speech of the member for Mt. Lawley was that when a Government made a statement that some project was likely to occur, and it did not occur, there was a responsibility on the Minister to come before Parliament and explain why.

Mr. O'Connor: Have you forgotten the Nielsen report? We were still proceeding.

Mr. J. T. TONKIN: I would like some member of the Opposition to give me one single example—and one only—where the present Opposition as the Government

came forward and explained to Parliament why some of the propositions which that Government said would come to fruition, did not.

Mr. O'Connor: That proposition was still proceeding as the Nielsen report indicates.

Mr. J. T. TONKIN: Of course, the echo answers "No". There is not one single example on record to show where during the term of the Brand-Nalder Government any Minister came before the House and explained why a proposition did not proceed.

Mr. O'Connor: Of course there were.

Mr. J. T. TONKIN: I would remind the honourable member of a few propositions which did not go ahead. There was such a thing as the Pilbara plan which was going to be published.

Sir Charles Court: And it was a plan, but you people have not got one yet.

Mr. J. T. TONKIN: That was going to be published.

Sir Charles Court: Not a ton of iron ore has gone out of the State as a result of the efforts of your Government.

Mr. J. T. TONKIN: The Pilbara plan was going to be published; but six week or so after it was to be published there was an announcement that it would not be published because of the imminence of the State election.

The SPEAKER: Does the Premier wish to continue his speech at a later stage?

Mr. J. T. TONKIN: No, I do not.

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

Sitting Suspended from 6.15 to 7.30 p.m.

PROPERTY LAW ACT AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

AUDITOR-GENERAL'S REPORT

Tabling

THE SPEAKER (Mr. Norton): I wish to lay on the Table of the House the report of the Auditor-General on the Public Accounts for the year ended the 30th June, 1973.

QUESTIONS (34): ON NOTICE

1. NOISE ABATEMENT ACT

Regulations, and Office

Mr. BRADY, to the Minister for Health:

(1) When was the Noise Abatement Act assented to?

(2) Are regulations relating to same being prepared?

(3) When will regulations be available to the public?

(4) Where is the office of the Secretary of the Noise Abatement Committee located?

Mr. H. D. Evans (for Mr. DAVIES) replied:

(1) 6th December, 1972.

(2) Yes.

(3) Regulations in draft form are under consideration and should be available in the near future.

(4) Public Health Department, 57 Murray Street, Perth. 6000.

2. WATER SUPPLIES AND SEWERAGE

West Midland: Upgrading

Mr. BRADY, to the Minister for Water Supplies:

(1) Are restrictions against building high rise buildings operating in the West Midland area of Swan Shire?

(2) Are the restrictions (if any) due to inadequate water supply of sewerage mains?

(3) If "Yes" when will water and sewerage mains be replaced to upgrade the services to the area?

Mr. JAMIESON replied:

(1) and (2) There is no restriction due to water supply. Due to limitation of main capacity downstream in the sewerage system and also due to infiltration in winter, sewerage services have been limited to a population density of 20 persons per acre.

(3) The restrictions imposed on account of the sewerage system will be relieved by the fiscal year 1974-75 subject to funds being made available as anticipated.

3. OFFICIAL PROSECUTIONS (DEFENDANTS' COSTS) BILL

Annual Cost

Mr. MENSAROS, to the Attorney-General:

Could he inform the House of the estimated yearly cost—

(a) to the Treasurer;

(b) to bodies described in clause 9 (b),

as a result of the provisions of the "Official Prosecutions (Defendants' Costs Bill, 1973"?

Mr. T. D. EVANS replied:

(a) $150,000.

(b) Unknown.

4. OFFICIAL PROSECUTIONS (DEFENDANTS' COSTS) BILL

Legislation in other States

Mr. MENSAROS, to the Attorney-General:

(1) Would he please give information whether similar provisions to those contained in the Official Prosecutions (Defendants' Costs) Bill, 1973 prevail in any other State in Australia or in the Commonwealth of Australia?

(2) If they do, could he please briefly describe these provisions?

Mr. T. D. EVANS replied:

(1) and (2) The statutory scheme proposed in the Official Prosecutions (Defendants' Costs) Bill, 1973 is more comprehensive than provided elsewhere.

These are set down in the working paper of the Law Reform Committee which is tabled.

In respect to England in a recent practice direction, the Lord Chief Justice said that costs should be awarded out of central funds unless there are positive reasons for not doing so.

The working paper was tabled (see paper No. 367).

5. CROWN LAW DEPARTMENT

Applications for Articles

Mr. MENSAROS, to the Attorney-General:

How many applications have been received by the Crown Law Department for articles for the years 1969 to 1974 inclusive?

Mr. T. D. EVANS replied:

Number of applications received for articles:

1969—8
1970—5
1971—4
1972—5
1973—4
1974—9

6. CROWN LAW DEPARTMENT

Staff

Mr. MENSAROS, to the Attorney-General:

What was the number of staff employed as—

(a) legal practitioners;

(b) articled clerks;

(c) clerical staff;

(d) others,

of the Crown Law Department at 30th June, 1963, 1968 and 1973?

Mr. T. D. EVANS replied:

	30/6/63	30/6/68	30/6/73
Legal practitioners	20	34	55
Articled clerks	2	2	4
Clerical staff	407	542	704
Others	105	135	189
	534	713	952

7. CROWN LAW DEPARTMENT

Advice to Statutory Bodies and Government Instrumentalities

Mr. MENSAROS, to the Attorney-General:

Could he advise the House of the increased number and kind of statutory bodies or Government instrumentalities who were served in way of legal advice and/or representation at courts by the Crown Law Department—having previously employed the services of private solicitors—during the years of 1968 to 1973?

Mr. T. D. EVANS replied:

As far as I am aware none.

8. ABORIGINAL WELFARE

Commonwealth-Moora Shire Negotiations

Mr. E. H. M. LEWIS, to the Minister representing the Minister for Community Welfare:

(1) Is he aware that the Commonwealth Minister for Aboriginal Affairs has commenced direct negotiations with the Moora Shire Council with respect to "initiating a new area of relationship between the Australian Government and local government" namely, the housing, employment, training, etc., of local Aborigines?

(2) Was his department consulted prior to these direct negotiations?

(3) Does he agree that some serious overlapping could occur between the efforts of his department and that of the Commonwealth in this matter?

(4) If "Yes" to (3), what steps does he propose to take to avoid this?

(5) As the aspects to be dealt with include the number, location and design of houses to be purchased or constructed; the selection of the occupants; the rental to be charged; the standard of maintenance of the houses; and the training and employment of the Aborigines, does he agree that hitherto these have been the prerogative of the State and could be more successfully carried out by the State with Commonwealth financial assistance?

(6) Does he agree that the disposition of the Aboriginal reserve and buildings when no longer required is entirely one for the State?

Mr. T. D. EVANS replied:

(1) Yes.

(2) No.

(3) and (4) The Commonwealth Minister has agreed to keep me informed of developments and I believe that with appropriate consultation and co-ordination overlapping can be avoided.

(5) These have been State matters in the past, but it is not unreasonable to expect increasing Commonwealth participation to accompany very substantially increased Commonwealth financial contributions.

(6) Yes.

9. ABORIGINES

Pastoral Leases: Acquisition

Mr. GRAYDEN, to the Minister representing the Minister for Community Welfare:

Which stations in Western Australia have—

(a) been purchased;

(b) are under negotiation for purchase,

by the Department of Aboriginal Affairs?

Mr. T. D. EVANS replied:

(a) Panter Downs.

(b) The Commonwealth Department of Aboriginal Affairs is not prepared to make public this information as it could affect negotiations.

10. PANTER DOWNS STATION

Stock and Lessee

Mr. GRAYDEN, to the Minister for Lands:

(1) In what year was Munja, on the pastoral property now known as Panter Downs, discontinued as a settlement and ration point for Aborigines by the Western Australian State Government?

(2) What were the estimated stock numbers in the area at the time?

(3) In what year was the pastoral property known as Panter Downs first leased?

(4) Who was the lessee?

(5) What lease fees were involved?

(6) How many cattle have been marketed from the property in each of the years in which the Panter Downs pastoral lease has been in existence?

Mr. H. D. EVANS replied:

(1) 1949.

(2) Unknown.

(3) Panter Downs was held as a pastoral lease prior to the existenc of "Munja". The first pastora lease since "Munja" was discontinued, was taken up in 1959.

(4) Samuel Theodore Dowling.

(5) 1959 annual rental was $129.30

(6) Information obtained from Derb indicate that there are no record available prior to 1968.

Turn off figures since then are—

1968—70 head

1969—Nil

1970—62

1971—Nil

1972—Nil

1973—117 to date

11. MT. WELCOME STATION

Acquisition

Mr. GRAYDEN, to the Minister representing the Minister for Communit Welfare:

(1) Was the Aboriginal Affairs Planning Authority consulted when the Department of Aboriginal Affairs commenced negotiations to buy Mt. Welcome Station in the Pilbara?

(2) If so—

(a) to what extent have Western Australian Government Departments participated in the negotiations;

(b) has the sale of the station been finalised, or, if not, what stage in the negotiations has been reached;

(c) what is the price for which the station has been purchased by the Department of Aboriginal Affairs or for which it is being negotiated;

(d) was an expert, independent valuation of the station obtained and, if so—

(i) from whom;

(ii) how does it compare with the price negotiated or under negotiation;

(e) if such a valuation was not obtained—

(i) why not;

(ii) who valued the property for the department;

(iii) on what basis was the valuation carried out;

(iv) what value was placed on the pastoral lease by the valuer?

(3) What are the stock numbers on the property at the present time?

(4) (a) Is this station in itself and in its present state considered to be an economically viable pastoral proposition;

(b) if so, what is the estimated net return on capital for the current year;

(c) if not, what expenditure will be required to make the station an economically viable pastoral proposition;

(d) how many personnel would be required by normal standards to satisfactorily operate a pastoral property of this size in this area?

Mr. T. D. EVANS replied:

(1) to (4) The Aboriginal Affairs Planning Authority was involved initially but all negotiations are being conducted by or on behalf of the Commonwealth Department of Aboriginal Affairs and the information requested is not known. As a Minister is not required to answer questions on matters outside his jurisdiction the information should be sought direct from the Australian Government.

12. PANTER DOWNS STATION

Acquisition

Mr. GRAYDEN, to the Minister representing the Minister for Community Welfare:

(1) Was the Aboriginal Affairs Planning Authority consulted during the negotiations leading to the purchase of Panter Downs by the Department of Aboriginal Affairs?

(2) If so—

(a) to what extent did the Western Australian Government Departments participate in the negotiations;

(b) what was the price paid for the station by the Department of Aboriginal Affairs;

(c) was an expert, independent valuation of the station obtained and, if so—

(i) from whom;

(ii) how does it compare with the price negotiated;

(d) if such a valuation was not obtained—

(i) why not;

(ii) who valued the property for the department;

(iii) what was the basis on which the valuation was carried out;

(iv) what value was placed on the pastoral lease by the valuer?

(3) (a) Is this station considered to be an economically viable cattle station at the present time;

(b) if so, what is the estimated net return on capital for the current year;

(c) if not, what expenditure will be required to make the station an economically viable cattle proposition;

(d) how many personnel would be required by normal standards to satisfactorily operate a pastoral property of this size in this area?

(4) What improvements in the way of fences, buildings, etc, existed on the property at the time of purchase by the Department of Aboriginal Affairs?

Mr. T. D. EVANS replied:

(1) to (4) The Aboriginal Affairs Planning Authority was initially involved but all negotiations were conducted by or on behalf of the Commonwealth Department of Aboriginal Affairs and the information is not known. As a Minister is not required to answer questions on matters outside his jurisdiction the information should be sought direct from the Australian Government.

13. CEMETERIES

Metropolitan Area: Planning

Mr. RUSHTON, to the Minister for Town Planning:

(1) What provision is being made for future adequate cemeteries to service the metropolitan region?

(2) Is there to be a major public cemetery south of the Swan River, and, if so, where, and when is it to be established?

(3) Is it planned to site a crematorium at each major cemetery?

Mr. H. D. Evans (for Mr. DAVIES) replied:

(1) It is considered that the present cemetery reservations contain sufficient area to cater for the metropolitan region in the immediate future.

(2) There is no intention at present to provide a major public cemetery reserve south of the Swan River. A reserve has been provided south of Kwinana and consideration is being given to the need for a cemetery to serve the

Cannington-Armadale areas. An examination of this matter is proceeding now.

(3) The facilities at Karrakatta and Fremantle are sufficient to cater for the present need, but a crematorium is planned for Pinnaroo within the next decade and another may be required at Midland in the future.

Sir Charles Court: The only questions the Government answers are those about cemeteries. It is apparently the only field not yet taken over.

The SPEAKER: Order!

14. SALVADO PROJECT

Port: Feasibility Study

Mr RUSHTON, to the Minister for Works:

(1) Has the Fremantle Port Authority been requested to carry out a feasibility study for the creation of a north metropolitan port as proposed in the Salvado project?

(2) If so, will he table a progress report?

(3) When is the full report expected to be submitted?

(4) Will he table the report?

Mr. JAMIESON replied:

(1) No.

(2) to (4) Answered by (1).

15. SCHOOL AT FORRESTDALE

Establishment

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

(1) When will the Forrestdale school be built?

(2) Now that Armadale primary school site is to be overcrowded because Challis Road school will not open in February 1974, will urgent attention be given to establishing Forrestdale school to give at least some relief?

Mr. T. D. EVANS replied:

(1) and (2) A definite date for the establishment of the Forrestdale school has not been determined but the needs of the Armadale area are under close review. The position will be changed as soon as the Challis Road school is completed.

16. THORNLIE HIGH SCHOOL

Increase in Accommodation

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

(1) Has any consideration been given to the development of the Thornlie district insofar as there will be a great number of first year students enrolled at the Thornlie high school for the 1974 school year?

(2) Does he consider there will be ample room to cater for this increase in student numbers?

(3) What provision is being made to cater for these students?

Mr. T. D. EVANS replied:

(1) to (3) The opening of Lynwood high school in temporary accommodation on the Cannington senior high school site for February, 1974, will relieve Thornlie high school's first year pupil intake. It is anticipated that 348 first year pupils will enrol at Thornlie high school in February, 1974. The predicted first year enrolment will be less than the actual February, 1973 first year enrolment at Thornlie high school.

17. ABORIGINES

Children's Hostels in Metropolitan Area

Mr. E. H. M. LEWIS, to the Minister representing the Minister for Community Welfare:

(1) How many hostels were established in the metropolitan area to the end of 1972 for—

(a) the accommodation of—

(i) Aboriginal girls seeking employment;

(ii) Aboriginal boys seeking employment;

(b) Aboriginal school children?

(2) What number in each of the above categories were so housed in each year 1970 to 1972?

(3) What are the present numbers?

(4) Is any house now not used for its original purpose?

(5) If so, what are the reasons?

Mr. T. D. EVANS replied:

(1) (a) (i) One.

(ii) Three.

(b) Eleven.

These numbers refer to hostels under the control of the Department for Community Welfare. They have been classified according to their primary function, but in fact the function may not be pure. A school hostel, for example, may contain one or more working children. Also hostels used for girls attending business colleges have been classified as school hostels when in fact the girls often remain at the hostels following the completion of their courses and while employed.

(2) I have no figures for children housed each year from 1970 to 1972, but the bed capacities for each of these years in the categories named are a follows:—

	1970	1971	1972
Aboriginal girls seeking employment	....	14	14
Aboriginal boys seeking employment	36	35	34
Aboriginal school children	47	54	116
Totals	83	103	164

(3) The present bed numbers at Aboriginal hostels for the three categories are—

	1973
Aboriginal girls seeking employment	14
Aboriginal boys seeking employment	34
School children	117
Total	165

(4) Yes. There are three hostels in this category.

(5) Two of the three hostels in question are no longer used exclusively for Aboriginal children and now contain a mixed population of European and Aboriginal children. I might add that both hostels have retained their original function of accommodating school children. They began taking a mixed population when independent organisations running them experienced difficulty in filling the available beds with Aboriginal children.

The third hostel in question is vacant pending repairs, maintenance and alterations being made to the building.

18. LAND

National Park: Dandaragan

Mr. E. H. M. LEWIS, to the Minister for Lands:

(1) What land has been recently gazetted as national park in the Shire of Dandaragan?

(2) Are there any plans for similar reserves in this shire?

Mr. H. D. EVANS replied:

(1) Melbourne locations 3849, 3851, 3852, 3878 and 3972 near Badgingarra townsite containing an area of 8640 hectares were set apart as reserve No. 31809 for the purpose of a "National Park" on the 16th February, 1973.

This reserve which has been named "Badgingarra National Park" has been classified as of class "A" and placed under the control of the National Parks Board of Western Australia.

(2) There are no immediate plans for the reservation of similar areas within the boundaries of the Shire of Dandaragan.

19. WATER SUPPLIES

West Swan: Contributory Scheme

Mr. MOILER, to the Minister for Water Supplies:

Referring to the water supply extensions within the West Swan area, and the high level area of Herne Hill, etc., carried out under a scheme supported by the Swan Shire Council and requiring a guarantee of $38 per year from property owners requesting water connections—

(1) At the commencement of the scheme, how many properties were there for which a guarantee had been promised?

(2) How many properties was the scheme designed to cater for?

(3) How many properties are at present connected to the scheme or in the course of connection?

(4) Are all owners of properties connected to the scheme required to pay the $38 per annum guarantee per property; if not, why not?

(5) When is it proposed to cease requiring the $38 annual guarantee from consumers in the area?

Mr. JAMIESON replied:

(1) 217 owners promised guarantees and 240 have actually been received. Some owners made a promise for more than one property.

(2) 300. Some properties are vacant land and rated but not receiving a supply.

(3) Statistics are available for districts but not individual mains. The information will be obtained and forwarded to the Member direct.

(4) No. The board cannot compel owners to enter into a guarantee.

(5) The maximum is 10 years from the date of commencement but during this period the guarantees are subject to annual review.

20. ZOOLOGICAL GARDENS

Merry-go-round and Train: Disposal

Mr. MOILER, to the Minister for Lands:

(1) Is it proposed to remove the merry-go-round from the Zoological Gardens, South Perth?

(2) If so, what is the reasoning behind such a decision?

(3) What was the sale price of the train which used to operate at the Zoological Gardens, and who purchased the train and complementary equipment?

(4) Is the train now being operated; if so, by whom and where?

Mr. H. D. EVANS replied:

(1) No.

(2) Answered by (1).

(3) $3,500 sold to R. W. and M. Swinbank & Son. Separation Point caravan park, Geraldton.

(4) No.

21. COUNTRY TOWNS WATER SUPPLY CATCHMENT AREA

Enlargement

Mr. MOILER, to the Minister for Water Supplies:

(1) Has the country towns water supply catchment area recently been enlarged?

(2) If not, are there any proposals to increase its area?

Mr. JAMIESON replied:

(1) The catchment area of the Lower Helena reservoir, which augments the storage of Mundaring Weir, was gazetted on 20th July, 1973.

(2) Answered by (1).

22. PASTORAL LEASES

Acreage

Mr. GRAYDEN, to the Minister for Lands:

What is the acreage of each of the following pastoral leases—

Mt. Minnie;
Chiratta;
Mt. Welcome;
Panter Downs?

Mr. H. D. EVANS replied:

Mt. Minnie about 110,940 hectares (274,100 acres).

Chiratta and Mt. Welcome—Chiratta is part of Mt. Welcome Station. The area under pastoral lease as Mt. Welcome station is about 137,617 hectares (340,000 acres).

Panter Downs about 174,379 hectares (430,900 acres).

23. POWER STATION

Eneabba

Mr. THOMPSON, to the Minister for Electricity:

(1) Is there truth in the story in *The Sunday Times* of 23rd September, 1973 that the Government is investigating the establishment of a power station near Eneabba?

(2) If so, what stage has the investigation reached?

(3) How big is the station that is under consideration?

(4) Will the station be located on the coast or will cooling water be drawn from underground for a station inland?

(5) If a power station is built at Eneabba, will it be to the exclusion of the proposed unit at Quinns?

(6) When would the station at Eneabba be required?

Mr. MAY replied:

(1) to (6) The potential use of Eneabba coal for power generation was jointly investigated by the Fuel and Power Commission and State Electricity Commission in February, 1973. The object of the study was to estimate the break-even price of coal compared with other fuels. No further work has been undertaken since, by the State. However, the Eneabba deposit, along with all other known coal resources in the State, is being kept under continuous review.

24. SCHOOLS

Classrooms: Power Points

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

(1) Is it a fact that experience in pilot schools (primary) has shown that because of the increased use of electrically operated teaching aids, the one general purpose power outlet normally installed in each classroom is inadequate?

(2) Will he provide more power outlets in normal classrooms, thus eliminating the need to use double adaptors?

Mr. T. D. EVANS replied:

(1) Two or more power outlets are provided in all new primary classrooms, cluster or traditional.

(2) If application is made, the position will be reviewed according to other financial commitments.

25. Mt. MINNIE STATION

Acquisition

Mr. GRAYDEN, to the Minister representing the Minister for Community Welfare:

(1) Was the Aboriginal Affairs Planning Authority consulted when the Department of Aboriginal Affairs commenced negotiations to buy Mt. Minnie station in the Pilbara?

(2) If so—

(a) to what extent have Western Australian Government Departments participated in the negotiations;

(b) has the sale of the station been finalised or, if not, what stage in the negotiations has been reached;

(c) what is the price for which the station has been purchased by the Department of Aboriginal Affairs or for which it is being negotiated;

(d) was an expert independent valuation of the station obtained and, if so,

(i) from whom;

(ii) how does it compare with the price negotiated or under negotiation;

(e) if such a valuation was not obtained—

(i) why not;

(ii) who valued the property for the department;

(iii) on what basis was the valuation carried out;

(iv) what value was placed on the pastoral lease by the valuer;

(f) what are the stock numbers on the property at the present time;

(g) was an expert independent assessment obtained of the estimated expenditure required to make the station an economically viable pastoral proposition;

(h) if so—

(i) by whom;

(ii) what is the amount involved;

(i) if not—

(i) why not;

(ii) who estimated the expenditure required;

(iii) what is the amount;

(j) when is it anticipated such a stage will be reached;

(k) what will be the estimated net return on capital expended when proposed improvements have been effected;

(l) how many personnel would be required by normal standards to satisfactorily operate a pastoral property of this size in this area?

Mr. T. D. EVANS replied:

(1) and (2) The Aboriginal Affairs Planning Authority was involved initially but all negotiations are being conducted by or on behalf of the Commonwealth Department of Aboriginal Affairs and the information requested is not known. As a Minister is not required to answer questions on matters outside his jurisdiction the information should be sought direct from the Australian Government.

26. CHIRATTA STATION

Acquisition

Mr. GRAYDEN, to the Minister representing the Minister for Community Welfare:

(1) Was the Aboriginal Affairs Planning Authority consulted when the Department of Aboriginal Affairs commenced negotiations to buy Chiratta Station in the Pilbara?

(2) If so—

(a) to what extent have Western Australian Government Departments participated in the negotiations;

(b) has the sale of the station been finalised or, if not, what stage in the negotiations has been reached;

(c) what is the price for which the station has been purchased by the Department of Aboriginal Affairs or for which it is being negotiated;

(d) was an expert independent valuation of the station obtained and, if so—

(i) from whom;

(ii) how does it compare with the price negotiated or under negotiation;

(e) if such a valuation was not obtained—

(i) why not;

(ii) who valued the property for the Department;

(iii) on what basis was the valuation carried out;

(iv) what value was placed on the pastoral lease by the valuer;

(f) what are the stock numbers on the property at the present time;

(g) is this station in itself and in its present state considered to be an economically viable pastoral proposition;

(h) if so, what is the estimated net return on capital for the current year;

(i) if not, what expenditure will be required to make the station an economically viable pastoral proposition;

(j) how many personnel would be required by normal standards to satisfactorily operate a pastoral property of this size in this area?

Mr. T. D. EVANS replied:

(1) and (2) The Aboriginal Affairs Planning Authority was involved initially but all negotiations are being conducted by or on behalf of the Commonwealth Department of Aboriginal Affairs and the information requested is not known. As a Minister is not required to answer questions on matters outside his jurisdiction the information should be sought direct from the Australian Government.

Mr. O'Neil: I did not quite catch the reply; would the Minister repeat it?

27. ENVIRONMENTAL PROTECTION

Pollution: Comments of Member for Mirrabooka

Mr. RUSHTON, to the Minister for Environmental Protection:

(1) Is he aware of the comments attributed to the Member for Mirrabooka reported in *The West Australian* of Friday, 28th September, 1973 headed "Pollution 'Above' the U.S. Level"?

(2) If "No" to (1) will he acquaint himself with this report?

(3) Was the Member speaking with the authority of himself, the Environmental Protection Authority or Council?

(4) Does the E.P.A. agree with the accuracy of the Member's reported statement?

(5) If "No" to (4), will he give an explanation of the actual position relating to the Naval Base pollution investigations and the incidence of pollution at Kwinana Beach?

Mr. H. D. Evans (for Mr. DAVIES) replied:

(1) Yes.

(2) Answered by (1).

(3) From the Press report I have read, the Member for Mirrabooka must have been speaking for himself.

(4) No.

(5) The position was outlined in a Press report of Dr. O'Brien's comment published in *The West Australian* on 29th September, 1973. The Coogee air pollution study is a co-operative technical venture involving representatives of the Public Health Department, the State Electricity Commission, the Department of Agriculture, the Commonwealth Bureau of Meteorology, Kwinana industry and the Department of Environmental Protection. The final report will not be completed until early next year, when a full year's data covering all seasons will be evaluated. Only then can meaningful conclusions be drawn.

With regard to pollution at Kwinana Beach, the matter is kept under constant review.

28. HEALTH

Arteriosclerosis: Dr. Moller's Treatment

Mr. RUSHTON, to the Minister for Health:

(1) Will he take initiatives to enable persons in Western Australia suffering from arteriosclerosis to receive the Dr. Moller West German clinic treatment in this State?

(2) What financial assistance is available from hospital benefits funds and Government agencies to assist a person to make the visit to Germany and to receive the treatment?

Mr. H. D. Evans (for Mr. DAVIES) replied:

(1) Any proposal in this direction put up by a responsible medical body will be examined and duly considered.

(2) None.

29. DEVELOPMENT

Kwinana Beach Front Properties

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

(1) How many properties were purchased by the Government and industry in the Kwinana Beach area for the year 1969-70?

(2) From the Budget of 1970-71 how many Kwinana Beach properties were expected to be purchased?

(3) By what amount did the Government reduce this estimate on taking over Government?

(4) What amount has been spent by the Government or committed to be spent for each of the last two financial years for purchase of land in the Canning Vale industrial area?

Mr. TAYLOR replied:

(1) Eleven properties by the Government. Nil by industry.

(2) Out of a total Budget provision of $150,000 for assistance to industry and purchase of Kwinana housing, a total sum of $77,570 was expended on purchase of Kwinana Beach housing. No estimate was made of expectation.

(3) The Budget provision for 1970-1971 when this Government assumed office in March, 1971, was as given in answer to (2)—that is it was not reduced.

(4) Nil. Finance for all purchases in the Canning Vale area was provided from the industrial lands development fund established under the provision of the Industrial Lands Development Authority Act.

The expenditure from this fund for the years in question was—

1971-1972—$871,871.66.

1972-1973—Nil.

30. GOVERNMENT DEPARTMENTS

Holden Sedans: Running Cost

Mr. THOMPSON, to the Premier:

Further to a letter dated 27th September, 1973 which contained a reply to question 34 of 15th August, will he give the figures used in arriving at the sum of 10.9c per mile, being the running cost of a Government-owned Holden sedan?

Mr. Taylor (for Mr. J. T. TONKIN) replied:

The policy adopted for Government vehicles is to trade them in at the expiration of two years or when the vehicle has covered 25,000 miles, whichever is the earlier.

The residual value may vary but, on the assumption that the vehicle is a Holden sedan on which sales tax is not payable and is reasonably looked after, depreciation on the average amounts to 5.5c per mile.

Departmental experience shows that direct running expense for a Holden sedan in the first two years of its life equates to 5.4c per mile, making a total of 10.9c per mile.

31. INTEREST RATES

Rural Reconstruction and Marginal Dairy Farms Schemes

Mr. BLAIKIE, to the Minister for Lands:

(1) Since the announcement to increase interest rates, would he advise whether there will be any increase on funds allocated under—

(a) Rural Reconstruction Authority; or

(b) Marginal Dairy Farms Scheme?

(2) Were loans allocated under above schemes made on a fixed interest rate and, if so, would he give detail of rate of interest and terms of loans?

(3) Would he advise—

(a) the number of successful applicants in each category; and

(b) total amount borrowed in each year since commencement of—

(i) rural reconstruction—

(a) debt reconstruction;

(b) property purchase;

(ii) Marginal Dairy Farms Scheme; and

(c) the average amount borrowed per applicant in each scheme?

Mr. H. D. EVANS replied:

(1) (a) and (b) An increase of interest rate on present loans not now proposed.

(2) (a) Under rural reconstruction loans for debt reconstruction were made at 4% per annum on average, and for farm build-up at 6¼% per annum. Terms varied up to 20 years for debt reconstruction and for farm build-up to 30 years.

(b) Under marginal dairy farms reconstruction interest rate was 5½% per annum and terms up to 23 years. For first three years interest was capitalised with total amortised over balance of term.

(3) (a) Number of successful applicants to the 30th September 1973 total 654 for rural reconstruction and for marginal dairy farm assistance 37.

(b) (i) To the 30th June each year of 1972 and 1973—

(a) Debt reconstruction—

1972—$8,350,383

1973—$2,919,100

(b) Farm build-up—

1972—$2,393,010

1973—$3,541,922.

(ii) Marginal dairy farm assistance—

1971—Nil

1972—$461,156

1973—$262,083.

(c) Debt reconstruction $24,977; farm build-up $33,060; marginal dairy farm scheme $19,547.

32. DEPARTMENT OF AGRICULTURE

Staff, and Administration Cost

Mr. BLAIKIE, to the Minister for Agriculture:

(1) How many persons have been employed by the Department of Agriculture in each year since 1970?

(2) Would he advise the total number of persons employed by each division with the department during this period?

(3) Would he further advise the total cost of the department and the cost and percentage increase/decrease of each division of the department during the period 1970-73?

Mr. H. D. EVANS replied:

(1) 1970—1,194
1971—1,246
1972—1,247
1973—1,263

(2) —

Division	1970	1971	1972	1973
*Administration	253	268	279	304
Animal	188	215	221	234
Horticulture	125	133	143	151
Dairying	93	88	88	84
Wheat and Sheep	175	181	178	169
Soils	166	171	171	158
Plant research	52	57	56	52
Biological Services	72	75	75	84
Cadets, etc.	70	88	36	27
Total	1,194	1,246	1,247	1,263

*This includes Rural Economics and Marketing Branch, information branch and library services.

(3) Total net cost of the department for years 1970 to 1973 was as under—

1970	1971	1972	1973
$5,802,036	6,313,571	7,006,817	7,688,588

The net costs applicable to each division were not kept prior to 1973.

1973 costs were:	$
Administration	1,722,115
Information services	51,926
Rural economics	129,038
Animal division	1,281,442
Biological services	587,039
Dairying	571,645
Horticulture	632,860
Plant research	257,247
Soils division	1,125,220
Wheat and sheep	938,736
Other services	391,320
Total	7,688,588

33. ENVIRONMENTAL PROTECTION

Public Meeting: Address by Member for Mirrabooka

Mr. RUSHTON to the Premier:

(1) Is he aware it was reported in *The Sound Advertiser* of Wednesday, 26th September, 1973, that the Member for Mirrabooka, a member of the W.A. Conservation Council, would address a public meeting that evening on conservation, in the Rockingham Library Hall?

(2) If "No", will he acquaint himself of the report which included a report by the endorsed Labor candidate for Rockingham as saying that the Member for Mirrabooka "would be willing to answer as a member of the State Government"?

(3) Was the Member for Mirrabooka authorised to speak at this meeting for the Government?

(4) Was the Member for Mirrabooka authorised to speak for the Environmental Protection Council?

(5) Is the Member for Mirrabooka the only politician appointed to the Council by the Government?

(6) If the Member for Mirrabooka is to continue to act in this way will he take immediate steps to replace him on the Environmental Protection Council or ensure Her Majesty's Opposition is represented on the Environmental Protection Council?

(7) Will he confirm or deny the accuracy of the statement attributed to the Member for Mirrabooka reported in *The West Australian* of the 28th September of the Rockingham meeting?

(8) If he confirms the statement to be accurate—

(a) will he immediately increase the authorised expenditure to purchase the properties in the Kwinana Beach area urgently;

(b) immediately cancel the Government's intention to establish a housing estate of an estimated 15,000 population at Naval Base?

(9) Does the Government still require the Naval Base housing development to remedy the unemployment position?

Mr. Taylor (for Mr. J. T. TONKIN) replied:

(1) No.

(2) Yes.

(3) No.

(4) No. The Member for Mirrabooka is not a member of the Environmental Protection Committee.

(5) If the Member is referring to the W.A. Conservation Council, as per question (1), this is a private organisation, and there are no Government appointees.

(6) This is a hypothetical question.

(7) and (8) *(The Speaker ruled that these questions were inadmissible.)*

(9) The Naval Base housing project was never regarded as being a remedy for the unemployment position. However, the Member will note the success of the Government's policies in reducing unemployment as evidenced by the following figures—

	Number registered for employment	Percentage of labour force unemployed
February, 1971	6,704	1.65
August, 1973	6,258	1.38

Sir Charles Court: Do not get away with that one!

34. CATTLE SALES

Price Decline

Mr. W. G. YOUNG, to the Minister for Agriculture:

(1) Is he aware of the drastic drop in cattle prices (estimated up to $25 per head) at recent auctions in Western Australia?

(2) Will he give the reasons for this sudden drop?

(3) Will he convey these reasons to the Minister for Primary Industries?

(4) If this drastic drop in price is attributed to the export levy will he urge the Minister to discontinue this levy, as the Minister for Primary Industries indicated when introducing this levy that the exporters would absorb this amount?

Mr. H. D. EVANS replied:

(1) Market reports for late August indicate there was a 1 to 2c per pound fall, on a carcase weight basis, in the Midland auction price for baby beef and steers in comparison with early August sales; and cows and bulls were approximately 3c per pound lower.
Prices in late August nevertheless compared favourably with those in earlier months.

(2) The drop in prices corresponds to an 8% drop in U.S. quotes for Australian boneless manufacturing bull and cow beef during the same period.

(3) No.

(4) There is no evidence to suggest that the drop in cattle prices was related to the proposed levy which has not yet been debated in the Senate.

QUESTIONS (8): WITHOUT NOTICE

1. WOODSIDE-BURMAH OIL N.L.

Production: Commonwealth Takeover

Sir CHARLES COURT, to the Minister for Mines:

Yesterday I addressed four questions without notice to the Minister for Mines but he was unable to answer them because of the shortage of time. I ask whether it is possible for him to answer these questions now? I understand my office sent an additional copy of them to him this morning.

Mr. MAY replied:

I thank the Leader of the Opposition for his further question without notice. Yesterday's question was as follows—

(1) Was he or other Ministers in the State Government consulted by the Minister for Minerals and Energy before the Commonwealth's decision was made under its alleged powers under the Pipeline Authority Act, 1973, to take all production at well-head and to directly plan and control all downstream development activities in respect of Woodside-Burmah Oil N.L. operations in Western Australia?

(2) (a) Does the State Government agree with the Commonwealth's decision?

(b) If not, what action does the Government propose to take to oppose the Commonwealth's proposal?

(3) If the State Government does support the Commonwealth's decision, on what grounds does it do so?

(4) Is the Commonwealth's decision not a serious setback for Western Australia and will it not seriously inhibit negotiations by the Western Australian Government to use Western Australian petroleum products, including natural gas, in a way calculated to achieve optimum development of this State's natural resources?

The answers to that question are—

(1) The State Government was aware of the Commonwealth's intention to take all production at well-head and to directly plan and control all downstream development activities in respect of Woodside-Burmah Oil N.L. operations in Western Australia.

(2) (a) The State Government agrees with the Commonwealth's decision.

Sir Charles Court: A sell out!

Mr. MAY: To continue—

The State is being afforded the opportunity to outline fully its views and objectives on the planning and control of all downstream development activities.

Mr. O'Neil: Why do you agree?

Mr. MAY: To continue—

(b) Answered by (a).

(3) Answered by (2) (a).

(4) The planning for and development of the petroleum products, including natural gas in Western Australia, is the subject of consultations between the State and Australian Governments.

Mr. O'Connor: You will give it away.

Mr. MAY: To continue—

In any negotiations on this matter my Government is pressing for the optimum development of our natural resources in the best interests of Western Australia.

I think the member for Mt. Lawley should have listened to the 7 o'clock news this evening—he may have learnt something.

2. MINISTER FOR WORKS

Absence from Budget Session

Mr. HUTCHINSON, to the Minister for Works:

Will he advise for how long and for what purpose he will be absent from this Budget session of Parliament when important public works, ministerial work and decisions must be undertaken which obviously require vital background knowledge, among those many items I refer to—

(1) the building contractors legislation just brought before the House;

(2) immediate decisions to be made in the social and traffic strangling of North Fremantle arising out of the proposed closure of Harvest Road;

(3) an urgent decision to be made on boat launching ramps in the East Fremantle area;

(4) the Budget debate for a vital department?

Mr. JAMIESON replied:

I will endeavour to answer the question on the items listed, as I recall them. However, the honourable member is quite unfair in not having handed over a copy of the question so that I could, at least, look at the items.

Mr. O'Neil: Send a copy over.

Mr. May: How rough can you get!

Mr. Hutchinson: When we were in Government we answered questions off the cuff all the time.

Sir Charles Court: We were able to.

Mr. JAMIESON: Firstly I do not think it has ever been normal procedure for the Opposition to question why a particular visit is taking place. However, I am quite happy to let members opposite know that the visit is to the International Road Federation's seventh meeting in Munich at which some extremely important papers will be delivered and discussions will take place in respect of road safety. If we need information in this State, surely it is on the subject of road safety.

Mr. Hutchinson: See North Fremantle!

Mr. JAMIESON: I am sure we need all the information we can obtain. This is why I am going to the meeting with the Commissioner of Main Roads. We will take part in the discussions to see whether we can find some way to overcome the problems we face.

Mr. Hutchinson: How long will you be away?

Mr. JAMIESON: The member for Cottesloe is quite well aware of this information because a pair has been granted as has been done before.

Mr. Hutchinson: Just tell us.

Mr. JAMIESON: This has been done for the two working weeks I will be away. In fact, I will be away for seven parliamentary sitting days.

Mr. Hutchinson: Who is going to deal with the items while you are away?

Mr. JAMIESON: Mr. Speaker, am I to be subjected to some sort of cross-examination?

Mr. Hutchinson: That is just it.

The SPEAKER: Order! The member for Cottesloe has asked the Minister a series of questions and instead of allowing the Minister to answer them he is cross-examining him. The Minister is entitled to answer the questions.

Mr. JAMIESON: In regard to the legislation concerning building contractors, it had always been my intention to give the Opposition ample time to have a look at it and consider any problems which it is thought might exist in connection with it. It was therefore my intention to lay the legislation before the House so that members of the Opposition would have two working weeks in which to study it.

The honourable member did not put on the notice paper a similar series of questions he asked in relation to the immediate decisions to be made as regards traffic at North Fremantle.

Mr. Hutchinson: I was not able to do so.

Mr. JAMIESON: Nor did he really submit them again.

Mr. Hutchinson: They are on the notice paper for tomorrow.

Mr. JAMIESON: If they are on the notice paper for tomorrow, I will wait until tomorrow to give the answers.

I do not know whether the decision to be made in relation to boat launching ramps in the East Fremantle area is really so urgent. The matter has been proceeding for two or three years. We have no finance to allocate for boat launching ramps. They are required in many places, from Port Hedland to Esperance. We have tried to sort out the problems with local authorities and, on our advice, Port Hedland has done the right thing. Because the finance is not available, we have given the technical information and the boat ramp is going ahead. East Fremantle resolutely refuses to be involved in any financial commitments asscciated with the boat ramp.

Mr. Bickerton: Port Hedland waited for five, six, or seven years for a boat ramp.

The SPEAKER: Order!

Mr. JAMIESON: In regard to the Budget debate, I am sure the Premier will shortly have the Budget before the House and I will be here to deal with the Estimates for my departments, as I would be expected to do.

That is the situation. In comparison with all the running around by members of the previous Government, at the end of this term I will have been out of the country for a total of 36 days, after 21 years in Parliament.

3. WOODSIDE-BURMAH OIL N.L.

Production: Commonwealth Takeover

Sir CHARLES COURT, to the Premier:

(1) In view of the Commonwealth Minister for Minerals and Energy (Mr. Connor) advising Woodside-Burmah N.L. that the Commonwealth proposes to plan and control all development downstream from well-head, will he join with the Opposition in representations to try to get the Commonwealth Government to change its decision?

(2) What is the latest position with the request before the Commonwealth for approval for a feasibility study of a major Pilbara refinery to be undertaken by Burmah Oil and the Japanese?

(3) Will the company refinery study application lapse in view of the Commonwealth's decision to take over planning and control of all downstream development from well-head which means, amongst other things, that the Commonwealth plans the refinery to be a Government owned or controlled refinery?

Mr. Taylor (for Mr. J. T. TONKIN) replied:

(1) No. The State Government agrees with the decision.

(2) The Australian Government has indicated that any refinery proposals involving the desulphurisation of crude oil for Japan will be negotiated direct between the Australian and Japanese Governments.

(3) My Government has made representations to the Prime Minister urging him to ensure that no delays to this project will arise from the decision by the Australian Government to undertake all downstream planning and processing.

Sir Charles Court: You have sold out the State. You just lie down and take it.

4. CATTLE SALES

Price Decline

Mr. W. G. YOUNG, to the Minister for Agriculture:

I apologise for not giving notice of this question, which relates to question 24 on notice. I asked for details of recent cattle sales and the case to which I was referring occurred this week when, subsequent to the coming into operation of the 1c levy on the 1st October, the market here dropped by $25 a head and in some cases, I understand, by up to $60 a head. Is the Minister aware of this and

does he attribute it to the fact that the export levy was introduced on the 1st October?

Mr. H. D. EVANS replied:

I am unable to give with any exactness the comparative figures of which the honourable member seeks my verification. However, I will undertake to make an examination of what is involved. I do not know that the decline to which he refers can be attributed to the levy. As the debate in the Australian Parliament will not be concluded until next Wednesday night, it is difficult to see the rationale he is applying. However, it is possible the currency revaluation has had an effect and I will check that point also.

5. MT. WELCOME STATION

Acquisition

Mr. GRAYDEN, to the Deputy Premier:

In view of the fact that nearly three weeks ago I was informed by the Department for Community Welfare that Mt. Welcome station had been purchased by the Department of Aboriginal Affairs—a fact that has apparently been categorically denied by a part-owner of the station—and that since that time the department has disclosed nothing more than that the acquisition of the station is under consideration by the Commonwealth Government, will he undertake to establish at the earliest opportunity the precise situation which obtains in respect of Mt. Welcome station?

Mr. TAYLOR replied:

It should be quite obvious to the honourable member that I am unable to give such an undertaking on behalf of the Premier, but the report of the question in *Hansard* will give me an opportunity to discuss it with the Premier in order to see what can be done. However, if time permits I would like the question to appear on the notice paper.

6. WOODSIDE-BURMAH OIL N.L.

Production: Commonwealth Takeover

Sir CHARLES COURT, to the Deputy Premier:

Will he advise the House why the Government was not prepared to make a statement yesterday, either in this House or to the Press and radio and television stations, about the decision of the Commonwealth Government in connection with Woodside-Burmah Oil N.L., when his colleague the Minister for Mines has told the House the Government knew of the Commonwealth decision and agreed with it?

Mr. TAYLOR replied:

This matter came to the attention of the House late yesterday afternoon through the report of a company involved, and a question was asked of the Minister for Mines. Prior to that there was no obligation or reticence on the part of the Government to answer questions on the matter and it was not avoided up to that point of time. The question was asked of the Minister for Mines in this House, and he undertook to give an answer today. That is the reason no comment has been made in the interim by either the Minister for Mines or the Premier.

Sir Charles Court: It has made you look foolish.

7. MT. WELCOME AND CHIRATTA STATIONS

Acquisition

Mr. GRAYDEN, to the Deputy Premier:

What is the reason for the secrecy on the part of the department and the Government in respect of Mt. Welcome and Chiratta stations; and how does he reconcile it with the "open door" policy for which his Government professes to stand?

Mr. TAYLOR replied:

The honourable member makes things very difficult. I was given no notice of the question as Deputy Premier, nor was the Minister representing the Minister for Community Welfare. The matters are beyond my personal ken as a Minister and I am sure they would also be beyond the ken of the Premier. If the honourable member wants answers to questions of that nature, he should put them on the notice paper.

8. ENVIRONMENTAL PROTECTION

Public Meeting: Address by Member for Mirrabooka

Mr. RUSHTON, to the Deputy Premier:

(1) I wish to seek clarification of the answer to question 33 because of the anxiety felt by the people in the Kwinana Beach area.

The SPEAKER: Is the question addressed to the Deputy Premier or to the Premier?

Mr. RUSHTON: It is addressed to the Deputy Premier because he represents the area. This area happens to be in his electorate, and pollution is causing great concern to the people there.

The concern results from the unfortunate happening of the member for Mirrabooka being in the area. I wish to ask the Deputy Premier how can the member for Mirrabooka be seen to be speaking for himself—

Mr. A. R. TONKIN: On a point of order, I ask the member for Dale to withdraw that remark.

Mr. Rushton: What remark?

Mr. A. R. TONKIN: That this was due to the unfortunate happening of the member for Mirrabooka—

The SPEAKER: There is no point of order.

Mr. RUSHTON: Thank you, Mr. Speaker. I will continue. How can the member for Mirrabooka be seen to be speaking for himself when he was introduced by the Labor - endorsed candidate as speaking for the Government?

(2) Will the Deputy Premier ask the member for Mirrabooka to act responsibly in the future, especially when the residents of the area can be so disadvantaged by his utterances?

The SPEAKER: I disallow part (1) of the question because the Deputy Premier cannot be responsible for private members.

Mr. TAYLOR replied:

(2) The member for Mirrabooka is a very responsible person and there is no need for me, or anyone else on either side of the House, to question the honourable member's assumption.

ELECTORAL ACT AMENDMENT BILL (No. 2)

In Committee

Resumed from the 15th August. The Chairman of Committees (Mr. Bateman) in the Chair; Mr. T. D. Evans (Attorney-General) in charge of the Bill.

Progress was reported after clause 5 had been agreed to.

Clause 6: Amendment to section 52—

Mr. O'NEIL: Section 52 of the Electoral Act empowers the Electoral Registrar to make alterations to electoral rolls. He may make a number of alterations without advising the person enrolled, but the proposal before us is to amend only one of the conditions upon which he may make an alteration.

Currently the Chief Electoral Officer or the registrar may alter the roll by removing the names of persons who are reported to be dead, of unsound mind, already enrolled in another district, or whose names are repeated in the same roll. Also the provision now applies to a person—

> . . . . . convicted, or subject to be sentenced, for an offence disqualifying them as electors for the time being;

In other words, if a person has been convicted or is likely to be convicted of an offence which will disqualify him as an elector for the time being, the electoral officer or the registrar may remove his name from the roll. It is proposed to alter this provision substantially. The proposed subparagraph reads—

> convicted and sentenced to a term of imprisonment for one year or longer and as being in prison pursuant thereto; .

The Committee will detect the difference in the definitions. Presently a person must be convicted or subject to be sentenced before the registrar may remove his name from the roll. We now have an additional condition that the period of imprisonment as a result of being sentenced must be for one year or longer, and the person must be in prison.

I would like an explanation from the Attorney-General on a number of points. Firstly, why was the sentence of one year selected to determine whether or not a person is eligible to be an elector? Secondly, why is it necessary that the person whose name is to be removed from the roll must actually be in prison? It may be that because of good conduct a prisoner sentenced to one year's imprisonment is released earlier on parole or because of good behaviour. What about the person who receives a suspended sentence? Such a person has been found guilty of an offence which may warrant imprisonment for one year or longer, but if his sentence is suspended he is not disqualified as an elector.

Mr. T. D. Evans: Do you mean a person released on a bond?

Mr. O'NEIL: Yes, something like that. Having regard for the substantial change envisaged, I believe we need a great deal more explanation.

I would like further clarification with regard to other aspects of this provision. The clause deals with the powers of the registrar to remove names from rolls. However, it also lays down the entitlement of an elector to be on the roll. The Bill proposes that a person sentenced to less than one year's imprisonment but presently in prison will not have his name removed from the roll. Therefore, he must be entitled to vote—and he must vote.

Mr. Hartrey: A person who is dead cannot vote but his name may be on the roll.

Mr. O'NEIL: He must vote if he is alive.

Mr. Hartrey: Even if he is alive he may not be entitled to a vote.

Mr. O'NEIL: We are going to have another episode such as we had last night. Now we have two two-armed lawyers—I think the Attorney-General can handle this.

In my view a person whose name is on the roll must vote unless he is ill or something like that. That being so, a person in prison for an offence for which he was sentenced to a term of less than one year is entitled to be on the roll and entitled—in my view compelled—to vote. I would ask the Minister what provision will be made for such a person to record his vote.

Similarly, in ordinary elections any candidate is entitled to have a scrutineer to represent him when votes are cast. What sort of provision could be made for a candidate to have a scrutineer present when votes are being cast by prisoners?

I mentioned previously that a complication in respect of scrutineers will arise when we introduce the principle of mobile polling booths for institutions. These booths may be used up to five days prior to the actual polling day in order to allow the persons concerned to cast ordinary votes. However, we will get to that a little later. I would sincerely appreciate a thorough explanation regarding this change.

Mr. T. D. EVANS: The Deputy Leader of the Opposition is quite correct in drawing a distinction between what is at present provided in section 52 (1) (e) (iv) of the Act and what is provided in the Bill. The provision in the Act states that in addition to the other powers of alterations conferred by the Act, rolls may be altered by the Chief Electoral Officer or by the registrar in certain ways; and one of those ways is by removing the names of persons reported as being convicted, or subject to be sentenced, for an offence disqualifying them as electors for the time being. The material words are "for an offence disqualifying them as electors for the time being".

Therefore we must refer to section 18 of the Act, which relates to disqualification of electors, and that section has already been amended by the Bill. That section states that every person, nevertheless, shall be disqualified from being enrolled as an elector, or if enrolled, from voting at any election, who has been attainted of treason, or has been convicted and is under sentence or subject to be sentenced for any offence punishable under the law by imprisonment for one year or longer. Although the Committee has approved of an amendment to that section, the relevant term "one year or longer" still remains. I trust that answers the first part of the honourable member's question.

A material change sought by the Bill is in respect of a person who is sentenced to a term of imprisonment for one year or more and who is, in fact, still in prison. The Deputy Leader of the Opposition mentioned a procedure which operates when a person is placed on a bond or a recognisance, or is given a suspended sentence. If it is the feeling of the court that a person should be released free, but should be able to be called upon at any time to answer, surely to goodness that person should not lose what is the right and responsibility of adult persons living in Western Australia and otherwise qualified to vote.

Again, if a person has been sentenced to a term of imprisonment for more than one year and the Parole Board has seen fit to release that person under certain conditions on parole, it is the belief of the Government that although the term may not have expired the person should be entitled to vote. We feel this may help him recover his pride and dignity and to take his place as a useful citizen.

So there is a distinction; the material provision being that to have his name removed from the roll the person must have been sentenced to a term of imprisonment of one year or more and must be still in prison. If he has been released on parole then the Chief Electoral Officer would not be authorised to remove his name from the roll.

As I understand it, the second question was: How does a person who has been sentenced for a term of less than one year and whose name is still on the roll fare when an election is held? I agree with the Deputy Leader of the Opposition that such a person would be entitled to vote and suitable provision should be made for him. But under the present law he could not apply for a postal vote because he could not say that his place of residence is more than seven miles away from the nearest polling booth if he happens to be incarcerated in Fremantle Prison. Furthermore, he could not claim that he could comply with any of the other conditions laid down to test eligibility for postal voting. The place of incarceration could not be termed a polling booth and open to the general public.

However, I put the proposition that when an election is held those in charge of such people should make arrangements so that they may leave the prison and attend the nearest polling booth under surveillance so that they may exercise their civil right and perform their civil responsibility. It would appear to me that the provision later in the Bill—and the honourable member mentioned it—will permit the Electoral Department to operate a mobile booth at an institution, and that institution will not necessarily have to be gazetted as a public polling place. I think that provision will suit the situation envisaged by the Deputy Leader of the Opposition.

Mr. O'NEIL: I think the Attorney-General has given a plausible answer to my queries, and on those grounds I will have to agree with him at least for the time being. In respect of the mobile booths, which we will discuss more fully later, it is my understanding from reading the Act that the Electoral Department may appoint a poll clerk and a presiding officer, and they would be responsible not for just one institution but for a number of institutions during the five days prior to the polling day. They will make arrangements to visit various institutions, and they will be fairly busy during that period of five days.

I understand they will travel from place to place asking the inmates of various institutions to what electorates they belong and so on. I also understand that when such people vote they will cast a normal vote and not an absent vote.

Mr. T. D. Evans: Yes, I understand it to be a normal vote.

Mr. O'NEIL: If it is an absent vote it will not matter so much because at least the votes may be collated and placed in the hands of the various presiding officers on polling day instead of after polling day, as occurs at present.

I am afraid I will have to go along with the Minister's explanation. It conforms with the amendment made to section 18 of the parent Act and describes those people who are disqualified from voting and who fall into the same category. There is only one point I wish to make. Whilst debating clause 3 in Committee I think we changed the word "attainted" to "convicted" of treason, so I will proceed no further with that.

Clause put and passed.

Clause 7: Amendment to section 59—

Mr. O'NEIL: I had intended to raise a query on this clause because the same kind of description of a person who may be disqualified from being an elector appears in section 59 of the parent Act. That section simply requires the Comptroller-General of Prisons to provide each quarter for either the Chief Electoral Officer or the registrar a list of the names of people who should be removed from the roll. The explanation given by the Minister in respect of the previous clause does, of course, fit the bill in this case.

Clause put and passed.

Clause 8: Section 77A added—

Mr. O'NEIL: I will discuss clause 8 alone because clauses 8 to 16 inclusive introduce the principle of having registered party names, and in fact require that those names appear on all the electoral material that is used, such as nomination forms and the like. I indicated in my second reading speech that we on this side of the Chamber are not satisfied that this proposition is acceptable to us. So that we can record our opposition to clauses 8 to 16 inclusive I propose to oppose clause 8.

Clause put and a division taken with the following result—

Ayes—20

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

Noes—20

Mr. Blaikie	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. Stephens
Mr. W. A. Manning	Mr. R. L. Young
Mr. McPharlin	Mr. W. G. Young
Mr. Mensaros	Mr. I. W. Manning
	(Teller)

Pairs

Ayes	Noes
Mr. Bertram	Sir David Brand
Mr. Bryce	Mr. Coyne
Mr. Jones	Mr. Nalder
Mr. Davies	Dr. Dadour
Mr. J. T. Tonkin	Mr. Thompson

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

Clause thus passed.

Clause 9: Section 77B added—

Mr. McPHARLIN: This clause refers to the abbreviation of a party name appearing on the ballot paper, and the intention of the amendment is to limit the abbreviated name to 12 letters. I cannot understand why there should be a limitation placed on the party name that is to appear on the ballot paper. When replying to the second reading debate, the Minister, on page 1456 of the current *Hansard*, had this to say—

> Canadian legislation provides for party designations to be shown on ballot papers in that it is provided that the nomination paper shall contain a statement of the name, address, occupation, and political affiliation of the candidate and that the political affiliation of the candidate, if any, shall be set out on the ballot paper after or under the name of the candidate.

It would appear therefore that no limitation is placed on the names of the parties appearing on the ballot papers in Canada. Whilst visiting Canada recently I obtained the name of one of the parties and I have that name with me. It is called the "Progressive Conservative Party".

Mr. T. D. Evans: Have you a facsimile of the ballot paper with you?

Mr. McPHARLIN: No, this is not a facsimile of the ballot paper. It is only the name of one of the parties in Canada and

the number of letters in that name certainly exceeds 12. So apparently in Canada no trouble is experienced in placing the full names of the parties on the ballot papers. Therefore I do not think there should be any difficulty in placing the full name of any political party on our ballot papers.

Mr. T. D. Evans: Do you agree with the principle of party designations being placed on the ballot papers?

Mr. McPHARLIN: No, I am not altogether happy with that.

Mr. O'Neil: We just voted against it.

Mr. McPHARLIN: This is something that has never appeared on ballot papers previously, of course. It is inherent in the Bill that the Minister is seeking to do away with the idea of people handing out how-to-vote cards, and to follow that up it is the intention of the Bill that the party designations will be displayed on the ballot papers and in the polling places. Therefore if this Bill is agreed to, how-to-vote cards would no longer be handed out, and the provision in this clause is tied to that intention.

We are not altogether happy with the names of the parties appearing on the ballot papers, but if we are placed in the position that this provision is agreed to and party names are placed on the ballot papers in the future I think the full names of the parties should appear and no limitation should be placed on the number of letters in a party name. That is my reason for the amendment. I move an amendment—

> Page 4, lines 16 to 18—Delete the words "in which the number of letters does not exceed twelve".

Mr. O'NEIL: I am not sure whether or not to join with my colleagues in the Country Party. I would point out to the Minister that the description "in which the number of letters does not exceed twelve" is a misplaced clause. Subparagraph (ii) states—

> The party designation, being an abbreviation of that name in which the number of letters does not exceed twelve . . .

In other words the provision refers to the name of the party, and not the abbreviation. The idea is that the abbreviation shall not consist of more than 12 letters. It so happens that the Liberal Party designation contains 12 letters, as does the Country Party designation, but the Australian Labor Party designation would contain over that number of letters. So the first two parties would be able to use their full designations on ballot papers, but not the Australian Labor Party.

Mr. May: Nor could the Country and Democratic Labor Party.

Mr. O'NEIL: The Minister is talking about negotiations which are going on, but he should not be so facetious. We do not agree with the principle at all. Perhaps the Minister could explain to us why he selected the figure of 12; why he thinks the provision describing the name is not misplaced; and whether he has selected 12 letters so that the Australian Labor Party cannot use its full name on the ballot paper.

Mr. W. A. MANNING: When the Leader of the Country Party was speaking some members on the Government side interjected and asked, in effect, why we are seeking to amend the clause if we do not like it. We have not been successful in defeating the clause, and we are seeking to amend and improve it. Personally I have no views as to the merits of placing the names of parties on the ballot papers; I do not think the idea would work. The idea of the Government in introducing this provision is to suppress minority parties. In my view all parties should be permitted to use their names, without any distinction. Why should not small parties be permitted to nominate a candidate if they so desire?

Mr. T. D. Evans: This legislation does not prevent them from doing that.

Mr. W. A. MANNING: The basic idea is to put every obstacle in the way.

Mr. T. D. Evans: No, it is not.

Mr. W. A. MANNING: First of all there is the need to register a party, and this excludes many organisations from nominating candidates. I merely support the amendment because we cannot defeat the clause, and we are seeking to improve it. It is ridiculous to limit the number of letters to 12. What if a party designation contains 13 letters?

Mr. A. R. Tonkin: It is unlucky!

Mr. W. A. MANNING: There is no reason to restrict the number. It is a waste of time to introduce a large number of clauses to bring about the inclusion of party names on ballot papers.

Mr. T. D. EVANS: Firstly I wish to deal with the comments of the member for Narrogin who has made a wild and extravagant statement that this system would not work. His own leader has referred to evidence from Canada to show it does work; and when I introduced the Bill I gave an example of where a similar system did work. It has been operating there for some years.

The member for Narrogin asked why the number of 12 was selected as being the maximum to form an abbreviation of a party name. The Bill seeks to bring about the registration of parties to enable names to be placed on ballot papers, but

provision has been made so as not to exclude Independents. If one counts the letters in the designation of an Independent one finds it contains 11 letters; so the number of 12 was chosen to cover the situation.

In the second reading debate I pointed out that 12 letters would accommodate the designation of the Country Party. I realise that the full title of the Australian Labor Party would be excluded from ballot papers under the provision in the Bill. The reason for putting up a requirement covering the abbreviation of a name was simply the desire to avoid making ballot papers clumsy or bulky under certain circumstances, if a large number of parties registered for an election. With long titles a ballot paper could become quite cumbersome. I can see some merit in the amendment, and I indicate the Government has agreed to support it.

Amendment put and passed.

Mr. McPHARLIN: I move an amendment—

> Page 4, lines 22 to 24—Delete the passage "where the number of letters in the name of the party does not exceed twelve,".

This amendment is similar to the previous one I moved. It is necessary to retain the word "but" to make the provision grammatically correct.

Mr. O'NEIL: Having accepted the principle, the Minister should have a look at this provision because I do not consider that lines 22 to 29 are necessary.

Mr. T. D. EVANS: The Deputy Leader of the Opposition is correct. If we accepted the amendment before the Chair we would merely be qualifying what the abbreviation shall be, and I do not think this is necessary.

Mr. McPHARLIN: I did discuss this point with our draftswoman and it was felt that lines 22 to 29 are unnecessary. If the Minister is prepared to move for their deletion I would agree to such an amendment. I therefore seek leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. O'NEIL: I do not think the Minister will mind if I take the necessary action. I move an amendment—

> Page 4, lines 22 to 29—Delete the passage commencing with the word "but" down to and including the word "designations".

Amendment put and passed.

Mr. E. H. M. LEWIS: Proposed new subsection (2) concludes with a reference to the application being accompanied by the prescribed fee. Is the Attorney-General in a position to indicate what that prescribed fee might be?

Mr. T. D. EVANS: No, I am not; but I give an undertaking that it will not be of such a dimension that it will exclude any party. There is certainly no ulterior motive and the fee will not be prohibitive or unreasonable.

Clause, as amended, put and passed.

Clauses 10 to 17 put and passed.

Clause 18: Amendment to section 86—

Mr. O'NEIL: This clause refers to party designations and it describes the duties of the returning officer at the hour of nomination and the documents he must produce and display publicly to the assembled multitude, if any. These are now to include the necessary proof that the party designations which appear on the ballot papers are, in fact, valid.

We object to the principle of party designations appearing on ballot papers. However, I now wish to raise a question relative to a subject I dealt with during my second reading speech. It is a requirement that at noon on the day of nomination the returning officer for the electoral district shall be present at the chief polling piace for that district and shall then display and disclose the nomination papers and proof that the candidates who have elected to contest the election have paid the appropriate fee.

There is no provision in the Electoral Act that anybody should accompany the returning officer. I am not at all suspicious of returning officers but it is not beyond the realms of possibility that a returning officer could have in his hip pocket the appropriate documents to allow him to be a candidate. It could also well be that at the hour of nomination nobody has nominated so the returning officer could quietly take out his form and say that he was the candidate. Not only that, but he would become the member.

I do not think the average returning officer would do that sort of thing, having been a returning officer myself for many years.

Mr. Bickerton: But that is not the way you got into Parliament!

Mr. O'NEIL: No. I must say that during the three years I was a returning officer the seat was not contested. The area was that represented by the predecessor of the present Minister for Housing and it was my job to declare him elected.

Mr. Bickerton: That must go down in your account as a stroke of statesmanship.

Mr. O'NEIL: I am wondering whether this aspect could be looked at because nomination for election for Parliament is an important matter.

Mr. T. D. Evans: What would you suggest?

Mr. O'NEIL: Perhaps provision could be made for the presiding officer to be accompanied by his assistant, or a poll clerk,

appointed under the Electoral Act, to ensure that more than one person is present.

Mr. Bickerton: Yes, more than one person.

Mr. O'NEIL: It so happens that most principal polling places are in State schools. Usually the staff room or the headmaster's office is used.

Mr. T. D. Evans: More often than not nomination day falls on a school holiday.

Mr. O'NEIL: It so happens that nomination day does not usually fall on a school day. I must admit I usually attended at the place of nomination but on most occasions there was nobody else about at all. For that reason it would not be a bad idea for the returning officer to have someone else present.

Mr. A. R. Tonkin: What about a justice of the peace or a commisioner for declarations?

Mr. O'NEIL: I do not mind. The returning officer with whom I had some experience usually rang me and asked whether I intended to be at the place of nomination, and I usually made it my business to be there. He may well have contacted me to cover his own situation. It is my opinion that someone should accompany the returning officer. It is a minor point but I think it is fairly important when one considers the position which a candidate is seeking.

Clause put and passed.

Clause 19: Amendment to section 90—

Mr. O'NEIL: We oppose clause 19 also. Under the provisions of this amending Bill some fairly radical changes are to be made to the preparation of ballot papers and the requirements for ballot papers to be initialled. It is true that whilst we were in Government we introduced watermarked ballot papers. But there has always been a requirement that the ballot paper be initialled on the back by the issuing officer. Then, under the provisions of the Act, there is a let-out which indicates that when the votes are being counted a ballot paper shall not be discarded simply for the reason that the returning officer did not initial it. In other words, when the scrutiny takes place a ballot paper is not automatically invalidated if the issuing officer has not initialled it, provided that the ballot paper can be seen to have the appropriate watermark therein.

It might be said that the watermark provision is sufficient but I do not think it is a particularly onerous task for an issuing officer to initial the back of the ballot paper. Perhaps it could be more difficult if the ballot papers are to be attached to a butt and torn off, but I do not think we ought to allow any risk of manipulation in respect of ballot papers. The returning officer or the poll clerk has to hand the ballot paper to a voter. He has to take it from a pile or tear it from a book and it seems to me that the small extra safeguard of initialling the ballot paper is well worth while.

To the best of my knowledge this is not done in the other States, but I have not checked. An extra safeguard is provided by a returning officer having to initial a ballot paper even though there is an escape gap in that a ballot paper is not invalidated if it is properly watermarked.

Mr. Lapham: Would it not be far more convenient if the returning officer initialled the front of the ballot paper instead of the back? At least, when the ballot paper was handed to the voter the voter would be able to see whether the returning officer had initialled it.

Mr. O'NEIL: It might be easier for a ballot paper to be initialled on the front since it is intended to be in book form. However, I understand that if there is any mark on a ballot paper, other than the appropriate numerals, it can be brought into challenge. If any extraneous marks which could indicate the identity of the voter appear on the ballot paper then the vote can be brought into challenge.

Mr. Bickerton: I have always felt that the provision for the initialling of ballot papers is left wide open when voting takes place in small country towns. If it was convenient the initials could be left off the back of the ballot paper and the vote would be invalidated.

Mr. O'NEIL: That is right but, in fact, such a ballot paper is not invalidated. The Act is quite clear with regard to scrutiny. However, it does contain apparent anomalies. Firstly, it states that one must place the numeral "1" opposite the first preference and follow arithmetical sequence thereafter. But then the Act goes on to say that in some circumstances a ballot paper shall not be declared invalid by virtue of the fact that one does not follow that procedure.

I think my suggestion is a fair and reasonable proposition and I would like to hear the Minister's reaction to it. It is a safeguard which could be left in the Act. I indicate that I intend to oppose clause 19.

Mr. T. D. EVANS: The reason for the inclusion of the provisions of clause 19 is that it was the considered opinion of the former Chief Electoral Officer (Mr. Wheeler)—who would have served as head of the Electoral Department under the Government of which the Deputy Leader of the Opposition was a senior Minister—that this method which he saw operating successfully in Queensland should be implemented in this State.

I understand the system operates in at least one other Australian mainland State. I can recall that shortly after we became the Government Mr. Wheeler was due to take certain accumulated leave. My colleague, who was then Attorney-General, authorised him to stay some two or three weeks after the expiration of his holidays and to travel to Sydney and Melbourne to meet his counterparts in those two States in order to study their electoral methods.

When the last election was held in Queensland our Chief Electoral Officer went to that State on the day of the election. On his return, it was his considered opinion that this method was one which could well be adopted as it was operating successfully in Queensland and, I believe, in at least one of the other two States—either Victoria or New South Wales.

There is no party ideology at all behind this provision. I have acted on the advice of the former Chief Electoral Officer who strongly recommended we could well implement this with advantage.

Mr. E. H. M. Lewis: Why is the proposal more desirable than the present system?

Mr. T. D. EVANS: As the Deputy Leader of the Opposition rightly pointed out, the Government, of which the member for Moore was a member, made an exemption. Although the law requires, under section 90, that ballot papers are to be initialled, later on there is a provision that a ballot paper shall not be ruled invalid, notwithstanding the fact that it has not been initialled. In other words, it cannot be ruled invalid on the grounds of not having been initialled.

I indicate again there is no party ideology which causes us to insist on this provision. It is purely an experiment and I do not think it is a dangerous innovation. It has the strong recommendation of the former Chief Electoral Officer who served as head of the department during the term of the Government in which the member for Moore was a Minister. Mr. Wheeler would be known to both the Deputy Leader of the Opposition and the member for Moore and they could rely on his judgment. I am prepared to do so.

Mr. O'NEIL: Another matter has occurred to me. Clause 19, about which we are speaking, proposes to amend section 92 of the parent Act which relates to postal voting.

Mr. T. D. Evans: Clause 19 purports to amend section 90.

Mr. O'NEIL: Section 90 still deals, in fact, with postal and absent voting, does it not? Clause 19 seeks to amend section 90 which deals with postal and absent voting. This is the clause about which we are talking. The provision requires the ballot paper for a postal or absent vote to be initialled by the issuing officer. Is there provision further on for a similar deletion in respect of normal voting? This is the question I raise.

Mr. T. D. Evans: Yes, clause 27.

Clause put and a division taken with the following result—

Ayes—21

Mr. Bickerton	Mr. Jamieson
Mr. Brady	Mr. Lapham
Mr. Brown	Mr. May
Mr. B. T. Burke	Mr. McIver
Mr. T. J. Burke	Mr. Norton
Mr. Cook	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. Moiler
Mr. Hartrey	*(Teller)*

Noes—21

Mr. Blaikie	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. Stephens
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
Mr. O'Connor	*(Teller)*

Pairs

Ayes	Noes
Mr. Bertram	Sir David Brand
Mr. Bryce	Mr. Coyne
Mr. Jones	Mr. Nalder
Mr. Davies	Dr. Dadour

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

Clause thus passed.

Clause 20 put and passed.

Clause 21: Amendment to section 94—

Mr. McPHARLIN: This clause seeks to repeal existing section 94 (1) of the parent Act. It then seeks to make any person who has attained the age of 18 years an authorised witness for the purpose of the division. This, of course, still deals with postal and absent votes.

The Minister did not give a great deal of explanation in his second reading speech as to why he wants this amendment. He certainly did not go into great detail. He simply said—

> The amendment provides that any person who has attained the age of 18 years is an authorised witness.

Apparently this is any person at all, with no qualification; a person need not be an elector. The Minister continued—

> It is considered that the existing provisions are inadequate and the amendment will make the locating of an authorised witness much more simple, particularly outside Australia.

The witness does not even have to be an elector! There is certainly no qualification for him to be an elector. It simply refers to any person at all. There is no qualification even to the extent that he

must be an Australian. It can be any person. The relevant section of the Act outlines clearly who is required as an authorised witness.

Mr. O'Neil: The only person who cannot be is a candidate.

Mr. McPHARLIN: Yes, that is right; he cannot be a candidate. This is the only qualification. He cannot act as an authorised witness in connection with the election if he is a candidate.

I cannot quite see why the amendment is necessary. If the Minister can give a better explanation and more reasons we may understand it more clearly.

The Minister has not given sufficient reasons for the necessity to delete that provision, which I think has served quite well. Section 94 covers almost everybody within the State, within the Commonwealth, and outside the Commonwealth. I think a witness to a postal vote or an absent vote should at least be on a roll but the provision does not say that. It says "any person". I would like the Minister to give a further explanation when he replies. I ask the Committee to vote against the clause.

Mr. O'NEIL: I go along in principle with the comments made by the Leader of the Country Party. I also go along with the Minister's intention of making it less difficult to find an authorised witness, but I believe an authorised witness should at least be an elector for the State.

Mr. W. G. Young: He should be on the roll.

Mr. O'NEIL: Yes.

Mr. T. D. Evans: What about the situation outside Australia?

Mr. O'NEIL: I think that could still be provided for.

Mr. T. D. Evans: Our intention is to make postal voting easier for people who are outside Australia.

Mr. O'NEIL: I always imagined that when an application for a postal ballot paper was received by the Chief Electoral Officer he checked not only that the applicant was on the roll and entitled to a ballot paper but also that the witness was an authorised person. If the Act simply says "any person who has attained the age of eighteen years" we might as well not have any requirement for a witness in respect of a postal vote application. I think authorised witnesses are required for other purposes under the Act. We should either eliminate altogether the need for a witness in the case of a postal vote application or discard this impractical proposition.

Suppose an elector is in Katmandu; he could fill in an application for a ballot paper and have it initialled by sherpa Tensing, if he is 18. How would the Chief Electoral Officer know whether the witness was over 18, whether he could read or write, or whether the elector himself simply wrote Bill Smith's name across the bottom of the application? I think the provision is impractical.

I wonder whether it is necessary to have a witness in the case of a postal vote, anyway. I do not think it is necessary in the Commonwealth. However, we are talking about authorised witnesses who may be required for other purposes under the Electoral Act. I ask the Minister to have a look at this matter and give us an adequate explanation of his intention.

Mr. T. D. EVANS: Again, this provision has been inserted on the advice of the former Chief Electoral Officer. No doubt some members will recall that within the last five or six years the Deputy Premier of South Australia, who contested the seat of Millicent, had to go to a Court of Disputed Returns. He won the seat by one or two votes and the election was referred to the Court of Disputed Returns. A delay of something like three weeks occurred through counsel for one side or the other disputing the signatures and qualifications of witnesses in an endeavour to prove that votes were either valid or invalid.

At that time the requirements in South Australia were that a witness had to be of a certain age and had to be on a roll. Counsel for both sides would pounce on a witness's signature and try to ascertain whether that person was on a roll, and birth certificates were called for. The Chief Electoral Officer in South Australia strongly recommended to the Government of the day that a provision similar to the one we are now discussing be introduced. It has since been introduced into the South Australian legislation and, according to the former Chief Electoral Officer in Western Australia, it has operated successfully.

Again I indicate that no party ideology is involved in this provision. I am prepared to act on the advice of the former Chief Electoral Officer. Senior members of the Opposition who were Ministers would also have formed a favourable assessment of his judgment. He advised that we should try to minimise the number of qualifications for witnesses so that in the event of disputes less time would be taken up in checking qualifications.

In addition, people have now become more mobile and the number of postal votes cast at an election is increasing. The number of votes cast in other States and overseas is also increasing, and this trend will continue.

Section 94 of the Electoral Act says—

> (1) The following persons are authorised witnesses within the meaning of this Division—
>
> (a) within the State—any person who is enrolled as an elector on a roll for a District;

Outside the State and within the Commonwealth of Australia we have a whole host of people from whom to choose. Firstly, we have any person who is enrolled as an elector on a roll for a district. If an elector wishes to cast a vote outside Western Australia but within the Commonwealth, the only requirement is that a witness be on a roll. If the vote were disputed one would have to search about to find out whether that person's name was recorded on a roll. That is one of the obstacles which the proposed new provision seeks to overcome.

Other persons who may be witnesses include justices of the peace and members of the Police Force. Outside the Commonwealth a witness may be any person who is enrolled as an elector on a roll for a district, any officer of the Naval, Military, or Air Forces of the Commonwealth or some other part of Her Majesty's dominions, any person employed in the Public Service of the Commonwealth or the State, any High Commissioner, and so on.

Imagine the obligation or onus imposed on a person overseas who wishes to lodge a postal vote and comply with the law by seeking out a witness. Other than in the case of the specialised types of people, the elector has to be satisfied that the witness is on a roll.

Mr. W. G. Young: He will also have to satisfy himself that the witness is 18. How can he check that?

Mr. T. D. EVANS: In the same way as birth certificates were called for in the case of the Millicent election, no doubt they could be called for in this State. But we are trying to minimise the irksome qualifications which could cause delays.

Mr. O'NEIL: I would like to take this a little further. Currently section 94 commences—

> The following persons are authorised witnesses within the meaning of this Division—

Section 94 is part of division (3) which is headed "Voting", and includes postal and absent voting. I cannot recall whether it is necessary to have a witness when one makes an application to enrol.

Mr. T. D. Evans: Not now, but it was.

Mr. O'NEIL: Ordinarily when a ballot paper is received by a postal voter he is required to sign a declaration on the envelope to return the vote and this must be duly witnessed. In the case of a section vote—that is, a vote cast by an elector who insists he is entitled to vote although his name does not appear on the roll—the covering envelope must be signed by the voter and witnessed by an authorised witness. No problem exists in these circumstances because it may be witnessed by the presiding officer or the assistant presiding officer.

The proposed new subsection will no longer refer to an authorised witness. It will not be necessary for an application for enrolment to be witnessed by an authorised person. I have always been a little critical of this provision because the witness was required to certify that to the best of his knowledge the information in the application is correct. I believe that all the witness should certify is that he has seen the applicant sign the card. He should not be required to say he is of the appropriate age or verify any other statement by the applicant.

Mr. T. D. Evans: I agree that the witness should not be called upon to verify the statement made by the applicant.

Mr. O'NEIL: That is right. Presently the reference to an authorised witness is confined to this division. In my opinion this clause should be looked at again. I appreciate that the Attorney-General wishes to make it easier for people who want to record a vote to find an authorised witness. This is, of course, for people who are overseas as it does not apply generally to voters within Australia.

We want to ensure that the application of the provision is practical. A voter may be in Katmandu and he must find someone to witness his vote. How can the electoral officer know that the witness actually exists unless he is an officer of the Government, a member of the armed services, or something of that nature. This would give the electoral officer a reasonable chance to determine whether or not the person witnessing the vote is authorised.

Mr. T. D. Evans: How would the electoral officer know if the voter is overseas and the witness is not an authorised person?

Mr. O'NEIL: At the moment this provision is confined to certain persons.

Mr. T. D. Evans: Just confined to a person enrolled in a district.

Mr. O'NEIL: He must be on the roll for the State. It does not mean he must be on the roll for Katmandu. It is fair enough that the witness must be on an Australian electoral roll because the electoral officer can then check this fact. This is the reason for the qualification referring to certain members of the armed forces, Agents-General, and special authorised officers. I realise there are difficulties—but I suggest we must be particularly careful before we widen the definition of "authorised witness" to cover all electoral matters when it simply covers voting. We do not disagree with the principle that postal voting should be made easier, but we believe it is going too far to say that an authorised witness may be anyone in the world who is over 18 years of age. The provision was included so that the

electoral officer could check whether or not a vote is cast validly. If we allow anyone at all to witness a vote, we may as well do away with witnesses altogether.

Mr. T. D. Evans: It appears to be operating in South Australia.

Mr. E. H. M. LEWIS: I wish to comment on a few of the remarks made by the Deputy Leader of the Opposition. We must ask ourselves: Are witnesses necessary? If they are not necessary, let us do away with the qualification of witnesses. If they are necessary, we must then ask ourselves whether the present provision is restrictive, and if it is, what we can do about it.

In my opinion this clause goes completely overboard. One could seek out a witness on board a ship, who need not necessarily speak English. No check would be possible in regard to the age of the witness. Perhaps I am drawing a long bow, but such a possibility would exist under this clause. In these circumstances, restrictive as the present legislation may be, it is by far the lesser of two evils. I urge the Attorney-General to consider this again.

Clause put and a division taken with the following result—

Ayes—21

Mr. Bickerton	Mr. Jamieson
Mr. Brady	Mr. Lapham
Mr. Brown	Mr. May
Mr. B. T. Burke	Mr. Moller
Mr. T. J. Burke	Mr. Norton
Mr. Cook	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. McIver
Mr. Hartrey	*(Teller)*

Noes—21

Mr. Blaikie	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. Stephens
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
Mr. O'Connor	*(Teller)*

Pairs

Ayes	Noes
Mr. Bertram	Sir David Brand
Mr. Bryce	Mr. Coyne
Mr. Jones	Mr. Nalder
Mr. Davies	Dr. Dadour

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

Clause thus passed.

Clause 22 put and passed.

Clause 23: Amendment to section 100—

Mr. O'NEIL: We are not opposed to the principle of this clause, which proposes to set up a polling place for two or more provinces or districts. One can imagine that the Perth Town Hall could be set up as a polling place for the casting of normal votes for the 51 electorates and 15 provinces of Western Australia. The reason for this is to avoid the necessity of counting absent votes, and it will speed up the actual count. Apparently it has worked well in Tasmania; but Tasmania has not 81 seats to fill.

Mr. T. D. Evans: Again, I believe this operates in Queensland.

Mr. O'NEIL: Well, Queensland has not a Legislative Council, but I think it has 79 seats. I hazard a guess that some difficulty may be experienced at least initially. I trust that the polling place will not become so congested that the provision will be inoperable.

Mr. T. D. EVANS: I refer the Deputy Leader of the Opposition to my second reading speech wherein I referred to this clause. The former Chief Electoral Officer (Mr. Wheeler) returned from Brisbane with the advice that this system operated in that State. I mentioned to Mr. Wheeler at the time that sufficient accommodation would have to be available to enable votes to be cast for more than one district in the same polling place, and I asked him whether the Perth Town Hall would be of sufficient capacity for this function. He assured me that he believed it would. That is why I referred to the Perth Town Hall in my speech.

Clause put and passed.

Clause 24: Section 100B added—

Mr. O'NEIL: This clause makes provision for mobile ballot boxes and for votes to be cast during the five days immediately preceding polling day. The principle seems to be good, but I raise the question of scrutineers.

Every candidate is entitled to nominate a person to act as his scrutineer, both at the poll and at the scrutiny. I understand that a presiding officer and a poll clerk will traverse institutions during the five days prior to the polling day to enable people in those institutions—whether they be hospitals, prisons, or whatever—to cast votes. It could well happen that an institution could have 51 patients with each patient coming from one of the 51 electoral districts. In that case we would need 51 scrutineers, unless all the candidates decided to appoint a common scrutineer. Of course, the scrutineers would have to find time to travel around the institutions.

Although we do not disagree with the provision, it would seem that it will militate against candidates having an opportunity to appoint scrutineers who will be in any way effective. I presume that this provision has also been suggested as a result of inquiry into other electoral systems.

Mr. T. D. EVANS: The clause states that the Minister must specify the institutions or hospitals by notice published in the *Government Gazette*. When he does that he will give notification to all and sundry regarding the institutions which will be

visited by the mobile booth. Any candidate who is interested enough to appoint a scrutineer would naturally contact the returning officer and ask for some idea when the officer would visit a particular institution.

The example given by the Deputy Leader of the Opposition of an institution with 51 patients, each from one of the 51 electorates, is rather remote. But even in that situation I think our political parties would each appoint a scrutineer to act on behalf of all candidates of its own political persuasion. So I do not think it will be necessary to have the returning officer followed by a train of scrutineers.

This provision was recommended by Mr. Wheeler, but I am unable to say in which State he saw the system operating. It is felt that it will possibly overcome some of the difficulties which have been encountered in the past with postal voting. Certainly it will overcome the situation to which I referred earlier of a person who is in prison and therefore not eligible to cast a postal vote.

Mr. O'NEIL: I would like to make a few additional comments because I presume somebody in the Electoral Department will read the comments of members in this debate. Firstly, the mobile presiding officer would not know before he goes to an institution just who is in that institution—

Mr. T. D. Evans: No, but he will know which institutions he is to visit and when he is to visit them.

Mr. O'NEIL: —nor would any candidate know whether any of his electors are in that institution. So that is one problem.

Secondly, as I understand it, only the candidate himself can nominate a scrutineer on a prescribed form. This is handed to the returning officer who retains it.

Mr. T. D. Evans: But one person could act as a scrutineer for more than one candidate if he received the appropriate authority.

Mr. O'NEIL: I do not think it will work and, quite frankly, I do not care much, because in my own electorate I do not need to use scrutineers. Perhaps if I were in a different position I may adopt a different view, but I do not think the provision allowing for scrutineers can be properly catered for.

I wonder what effect this mobile ballot box will have on the practice followed by all political parties; that is, arranging for postal votes for sick people. It is true that when we were in Government we made provision for polling places at hospitals and for people in charge of the polling places actually to visit the beds of patients on polling day. We also made the provision that at certain hospitals, if we could find someone who would accept the responsibility of handling postal vote material, no canvasser was permitted to enter. We discovered that at many large hospitals where even the matron in charge accepted the responsibility of handling the postal vote material for the patients she simply put it in the bottom drawer and did nothing about it. It was found that there were patients in the hospital who wanted to apply for a postal vote and the party workers were not permitted to enter the hospital because it was a specified hospital and we had quite a deal of difficulty.

I am wondering whether this provision will overcome the position even though we also recognise that it will allow voting to take place five days prior to the poll. I am not opposing the principle, but I hope that some of the comments made by members of this Committee will be examined by electoral officers. Maybe they have some value and maybe they have not.

Mr. W. A. MANNING: I note that subsection (3) of proposed new section 100B provides that a presiding officer shall attend with another officer at each institution or hospital on any day or days during the five days preceding polling day. That means that a presiding officer can decide to make such a visit on any one of six days. Is it advisable to have such a long period before polling day? A person could vote four days before the election and it could be a legal vote. Apart from that if a presiding officer is permitted to visit an institution or hospital on a number of days, candidates could be watching out for people who are likely to pass away to make sure they record a vote at the last minute by asking for a ballot box.

Mr. T. D. Evans: Does not that happen now under the postal vote provision?

Mr. W. A. MANNING: No, this provision is a little different. It seeks to provide that a mobile ballot box shall be taken around to various institutions. I think this provision should be reviewed because it could lead to an undesirable practice of candidates looking out for a likely elector who could miss out in recording a vote if he delayed voting for another day.

Mr. T. D. EVANS: First of all we have to realise that the person who will conduct this mobile ballot box will be an authorised person appointed under section 102 of the Act. That person will obtain his authority from the Chief Electoral Officer. The period of five days has been chosen having regard for the large number of institutions—particularly in the metropolitan area—such as "C"-class hospitals. The number of this type of institution will increase. Therefore it is necessary that adequate and sufficient time be made available during which a limited number of presiding officers can visit these institutions.

The Deputy Leader of the Opposition is quite correct when he contemplates that a presiding officer with a mobile ballot

box will not take the votes of prisoners in Fremantle Prison who are qualified to vote and no others. He may have a five-day programme mapped out for him by the Chief Electoral Officer and be told to record votes in the time allotted. For this provision to be effective, sufficient time has to be allowed for the votes to be taken. If a mobile ballot box were made available only on polling day this would require the recruitment of a large number of presiding officers.

I was prepared to act on the advice and experience of the former Chief Electoral Officer. I cannot recall the State in which he saw this provision operating, but I think it was Queensland because that State has an area similar to the area of our State. This system would operate in the remote parts of the State, and the former Chief Electoral Officer made the point that if these mobile ballot boxes were to work efficiently the presiding officers had to have sufficient time in which to perform their task.

Mr. W. A. MANNING: The Attorney-General has replied, fairly substantially, to the points I raised. I accept his explanation provided that a mobile ballot box shall not be in any one place for a number of days. According to the Attorney-General's reply the idea is to have the mobile ballot box at a different institution each day. If the mobile ballot box were to remain at any one of these institutions for five days I would be greatly concerned.

Previously postal votes were taken by persons who lived nearby, and one could call upon such a person to record a postal vote prior to election day. This was an undesirable practice and eventually it was wiped out. This provision in the Bill is very similar, because if the mobile ballot box were to remain at one institution for a few days that would be quite wrong. However, my objection would be overcome if the Chief Electoral Officer stipulated that the mobile ballot box should remain at an institution for one day only.

Mr. T. D. Evans: I ask the honourable member to look at subsection (4) of proposed new section 100B. From that he will note that the programme has to be approved by the Chief Electoral Officer.

Mr. W. A. MANNING: I do not disagree with the principle, but if the ballot box were allowed to remain at one institution for more than one day it could lead to undesirable practices.

Clause put and passed.

Clause 25 put and passed.

Clause 26: Amendment to section 113—

Mr. O'NEIL: This clause describes the new form the ballot papers will take. It also contains a provision in regard to which we have expressed our disagreement; that is, that on the ballot papers not only the names of the candidate shall appear, but also the party designations. If a person does not declare that he is a member of any particular party he has to stand as an Independent.

This clause also seeks to provide that instead of the ballot papers being issued in counted bundles for the purpose of the ballot they will be issued in book form attached to numbered butts. The ballot paper itself will not be numbered; only the butt will be numbered. Further, the ballot papers shall be perforated so that they can be torn off and handed to electors. Unfortunately it will no longer be necessary to initial a ballot paper on the back.

I cannot see any objection to this, but I wonder whether it is not an expensive and unnecessary move. When a ballot paper is handed by the poll clerk or his assistant to an elector, two things have to be done. Either the clerk or his assistant must cross off the name of the person from the roll, and also make an entry on the tally sheet indicating the sex of the elector. There is much of this work to be done.

When the poll closes at 8.00 p.m. the first thing which the presiding officer must do is to reconcile his record. He should know how many ballot papers have been issued by him. He might know how many have been spoilt and handed back, and how many he has issued as replacements. He has to reconcile his books. He also has to reconcile the number with the tally sheet.

A great deal of work has to be done before the votes are counted after 8.00 p.m. At a normal election booth it takes something like half an hour before the counting begins. I wonder whether or not this is an unnecessary and an expensive way of issuing the ballot papers.

It is true that the butts of ballot papers are numbered in such a way that no two provinces or electorates are the same. This might assist in the tally of the material used in the poll. In view of all the steps that have to be taken before the ballot paper is placed in the box, one wonders whether the provision in the clause is necessary.

Mr. T. D. EVANS: I do not know whether the application of the new provision will require a tally sheet to be maintained at all. The tally sheet to which we have been accustomed distinguishes between male and female voters. I do not know whether this is required by the Bureau of Census and Statistics, but it is not a requirement under the Electoral Act. The provision in the clause would render the compiling of a tally sheet, segregating male and female voters, unnecessary.

Of course, the ballot papers will not be numbered, but the numbered butts will easily facilitate a check on the number of ballot papers which have been issued. In my view this will not require the maintenance of the orthodox tally check. That

is not to say the compiling of the tally sheet will not be carried on if it is required for the purposes of research by the Bureau of Census and Statistics.

Clause put and passed.

Clause 27: Amendment to section 125—

Mr. O'NEIL: Clauses 27 and 28 deal with the necessity for the issuing officer to initial ballot papers. We have been dealing with the issue generally in respect of postal votes. Clause 29 refers to informal ballot papers. Even though currently the electoral officer's initials do not appear on the ballot paper it is not necessarily an informal vote. However, we are still opposed to the principle. Having made the point and divided on the issue, we will vote against clauses 27 to 29.

Clause put and passed.

Clauses 28 to 30 put and passed.

Clause 31: Section 177 amended—

Mr. O'NEIL: This clause deals with returns to be made to the Chief Electoral Officer with regard to election expenses. Currently, within three months of the declaration of the poll it is a requirement that candidates submit to the Chief Electoral Officer a statement of expenses in certain specified categories. Since polls are declared at different times, it naturally follows that the returns come to the Chief Electoral Officer at different times. The proposal in the clause seeks to change that, and the returns will now be made within three months of polling day. This brings about uniformity, and with this we do not disagree.

Clause put and passed.

Clause 32 put and passed.

Clause 33: Section 192 repealed and re-enacted—

Mr. McPHARLIN: This clause seeks to repeal section 192 and to substitute the provision appearing in the Bill. I have on the notice paper several amendments to the clause which seek to delete the words "one hundred" and to substitute the word "ten". The provision in the clause seeks to extend the distance to 100 metres from the entrance to a polling place, and with this we do not agree. The provision would have the effect of preventing or discouraging people from handing out how-to-vote cards near polling booths. My amendments seek to alter the distance from 100 metres to 10 metres.

There is an amendment on the notice paper which seeks to delete paragraph (d) of proposed section 192. This states—

> A person shall not on polling day or on any day on which the polling is adjourned—
>
> (d) publish or cause to be published in any newspaper published or distributed in the State any advertisement for, or on behalf of, or relating in any way to, any candidate or political party or any matter or comment relating to any question or the issues being submitted to the electors for the election held on that polling day or the day to which the polling is adjourned.

This relates to polling day, and possibly there is some reason for the inclusion of the provision.

If the polling day is on a Saturday, and on the preceding Friday some advertisement appears in the newspaper which has an adverse effect on a candidate then he cannot reply to it by publishing any refutation on the Saturday. This restricts the publication on a Saturday so he will not be able to reply on that day.

Mr. T. D. Evans: The same thing applies now if such an advertisement appears on the Saturday.

Mr. McPHARLIN: But only one day is involved at the moment.

Mr. A. R. Tonkin: You still cannot answer; that is the point.

Mr. McPHARLIN: That is right. If an advertisement appeared on the Friday no reply could be made on the Saturday. Now a reply will not be possible on two days.

The CHAIRMAN: Order! There is far too much chatting in the Chamber.

Mr. McPHARLIN: I would like the Attorney-General to comment on this point. I will not move my amendment until the Deputy Leader of the Opposition has spoken.

Mr. O'NEIL: I wanted to make general comment on the provision. I have indicated that we are opposed to the proposal to prevent the handing out of how-to-vote cards on polling day which is the essential purpose of the provision. I find myself once again in agreement with the member for Mirrabooka in respect of the prohibition of the publication in any newspaper of any election material, and even more so if the Government has its way and abolishes the issuance of how-to-vote cards on polling days.

It has been the practice of most major political parties to publish a full page advertisement on how to vote for its candidates throughout the State. The party which I have the honour to represent publishes such an advertisement twice—on the Wednesday prior to polling day, and then on polling day. If the Government insists on not allowing the final service of handing out material on polling day, then surely it must allow election material to be published in the paper principally to cover the point I raised, but also to cover points raised by other members.

Mr. T. D. EVANS: It is true that this clause is part of the programme associated with the incorporation of party designations on the ballot papers. It is believed that the printing of these designations on the ballot papers will provide a service to the elector at the time he most needs the service; that is, in the polling booth when he is about to cast his vote. In this way the elector need not be bothered by enthusiastic and sometimes overzealous party supporters outside the booths. We believe that the handing out of election material on polling day is time-consuming and also is not—to use a present-day common expression—in the best interests of the environment. I am sure that such an action would be supported by the nonpolitical organisation known as the Keep Australia Beautiful Council. However, I first of all make the point that this clause is part and parcel of the programme.

Paragraph (a) of proposed new section 192 prohibits certain things within 100 metres of the entrance of a polling place on polling day. As the Leader of the Country Party has said, the printing of designations on the ballot papers is part of the programme to obviate the necessity for the distribution of how-to-vote material. Under paragraph (a) it will be not only unnecessary, but, within 100 metres of a polling place, unlawful. We make no secret of the fact that this is the intention of paragraph (a).

I was in Tasmania on the 27th May last during a State election. This provision has operated effectively in Tasmania for something like 20 years. As a matter of fact when two other Ministers and I were in Hobart at that time we passed the campaign rooms of the Liberal Party and the Labor Party and, at about 4.00 p.m., we found that, instead of there being a hive of activity, those rooms were closed. When we spoke to the chief officer at the polling place and asked him the effect of the prohibition on the distribution of voting material on polling day, he showed us a plastic basket used for the collection of refuse. In it were two or three how-to-vote cards which obviously some voters had brought with them from their homes. The time was about 5.00 p.m. and the greater part of the polling had concluded and yet the plastic basket contained only two or three cards. The officer told us that if a Federal election were in progress, the bin would have been emptied about a half a dozen times up to that stage.

We spoke to several people after they had cast their votes and asked them their opinion of the system operating for State elections and that operating for Federal elections. The majority of those we asked said they preferred the system under which they were not bothered on polling day by how-to-vote cards which often only confused them.

As I have said paragraph (a) clearly makes it an offence for certain things to occur within 100 metres of a polling place on polling day. Under section 192 of the Act activity directly associated with voting or similar activity is prohibited within 20 feet of the entrance of a polling centre. The proposal of the Leader of the Country Party is to delete the words "one hundred" and substitute the word "ten".

In other words, the people who canvass votes outside polling places will be brought almost another 10 feet closer.

Mr. McPharlin: This will make the distance 33 feet.

Mr. T. D. EVANS: The amendment is contrary to our programme to make the handing out of voting material unlawful within 100 metres of the polling place. We believe that any person who wishes to carry on this activity beyond the distance of 100 metres from the centre will find that he will not get much patronage because people will pull up in their cars closer than 100 metres from the polling centre.

We looked at what occurred in Tasmania and we were impressed. I have now discovered that that system has been operating for 20 years and during that time there has been a change of Government. The Government of the type which is in Opposition in this Chamber made no attempt to change the law.

Paragraph (b) deals with the exposing, or the causing to be exposed, of any advertisement, sign, or notice in a polling place or within 100 metres from the entrance to the polling place. This amendment is directed against the distribution of how-to-vote material.

As I indicated when replying to the debate, I have no objection to the deletion of paragraph (d). The purpose of the paragraph was to complete the programme. If it is good enough to ban the distribution of how-to-vote material on election day it seemed that the ban should be extended to prohibit the publishing of electoral material. However, some objection has been raised. I think some people might have read more into the amendment than what we intended. The member for Mirrabooka has given notice that he intends to seek the deletion of paragraph (d). We do not want to seem to deny the right of the Press to comment on election day if it sees fit and for that reason the Government will not oppose the deletion of the paragraph. I trust my statement has clarified the point raised by the Leader of the Country Party.

Mr. McPHARLIN: It is apparent that the Minister is not prepared to agree to the amendments which I have on the notice paper. It also seems that he has not yet converted his thinking, accurately, to the metric system because he made an error in his comments.

The matter of handing out how-to-vote cards and the question of whether or not such a system is desirable have been discussed by every party over the years. I originally thought it was desirable not to have such a system but my experience is that the system has been of great benefit to many people. They consider it an advantage to have a card handed to them at the polling place.

Mr. T. D. Evans: They can still have the card handed to them on a Friday preceding a polling day.

Mr. McPHARLIN: But many people do not bring the cards with them and the fact that someone has been at the polling place to hand them a card has proved to be of great help. I do not think the system has helped one party more than another. I know highly qualified people who say they are not interested in politics, but who desire to have a card handed to them near the polling place.

I have not experienced the system which operates in Tasmania. Perhaps the Minister is a little influenced or biased because of the complexion of the Government in that State. I move an amendment—

> Page 19, lines 5 and 6—Delete the words "one hundred".

If my amendment is agreed to I will move for the substitution of another word.

Mr. W. A. MANNING: I support the amendment. The Minister realises that if one attempts to hand out how-to-vote cards 100 metres from the entrance to the polling place it would prove to be a useless operation.

Mr. Bickerton: That is the object of the Bill.

Mr. W. A. MANNING: The handing out of how-to-vote cards does nobody any harm and does many people some good. The cards provide them with the information they desire to have. It may be all right to have the party designations on the ballot papers.

Mr. A. R. Tonkin: You say that is all right?

Mr. W. A. MANNNING: I am not advocating yea or nay; I am simply bringing out a point. The fact that the party designations appear on the ballot papers will not affect preferential voting, which is very important in our parliamentary system. The preferences cannot be shown on the ballot paper so they would have to be advertised in the newspaper.

Mr. T. D. Evans: How-to-vote material can be distributed up till the Friday, and people can bring the cards with them.

Mr. W. A. MANNING: Most people receive how-to-vote cards prior to polling day but they do not take much notice of them.

Mr. T. D. Evans: If they needed a card they would take it with them.

Mr. O'Neil: If they handed the card on to a friend they would be guilty of an offence.

Mr. W. A. MANNING: I hope the Minister will give due regard to the amendment. He has indicated that he will agree to an amendment to be moved by the member for Mirrabooka so I think it would be fair for him to agree also to this amendment.

Amendment put and negatived.

Mr. McPharlin: Divide.

Mr. T. D. Evans: There were no affirmative votes so how can the Committee divide?

The CHAIRMAN: Order! There cannot be a division because there were no affirmative votes.

Mr. J. J. Brady: I hope that appears in *Hansard*.

The CHAIRMAN: Order! I will put the question again.

Amendment put and a division taken with the following result—

Ayes—21

Mr. Blaikie	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. Stephens
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
Mr. O'Connor	*(Teller)*

Noes—21

Mr. Bickerton	Mr. Jamieson
Mr. Brady	Mr. Lapham
Mr. Brown	Mr. May
Mr. B. T. Burke	Mr. Moiler
Mr. T. J. Burke	Mr. Norton
Mr. Cook	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. McIver
Mr. Hartrey	*(Teller)*

Pairs

Ayes	Noes
Sir David Brand	Mr. Bertram
Mr. Coyne	Mr. Bryce
Mr. Nalder	Mr. Jones
Dr. Dadour	Mr. Davies

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

Amendment thus negatived.

Mr. McPHARLIN: Quite obviously the Minister does not intend to agree to any of the amendments which I have submitted. The first one has been defeated and there is really no point in moving the others because he has indicated that he does not intend to agree to them. In the interests of saving time I will not move the other amendments which appear under my name on the notice paper.

Mr. A. R. TONKIN: I move an amendment—

Page 19—Delete paragraph (d).

Paragraph (d) was consistent with the other paragraphs to a degree in that it prevented the influencing of the electors' choice on the day of an election. However, perhaps the Government was carried away to some extent by its zeal. The Government has agreed that the limitation of comment in newspapers is undesirable and, therefore, paragraph (d) should not be included in the measure. This is why I have moved for its deletion.

Amendment put and passed.

Clause, as amended, put and a division taken with the following result—

Ayes—21

Mr. Bickerton	Mr. Jamieson
Mr. Brady	Mr. Lapham
Mr. Brown	Mr. May
Mr. B. T. Burke	Mr. Moiler
Mr. T. J. Burke	Mr. Norton
Mr. Cook	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. McIver
Mr. Hartrey	*(Teller)*

Noes—21

Mr. Blaikie	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. Stephens
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
Mr. O'Connor	*(Teller)*

Pairs

Ayes	Noes
Mr. Bertram	Sir David Brand
Mr. Bryce	Mr. Coyne
Mr. Jones	Mr. Nalder
Mr. Davies	Dr. Dadour

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

Clause, as amended, thus passed.

Title put and passed.

Bill reported with amendments.

CONSTITUTION ACTS AMENDMENT BILL

In Committee

Resumed from the 2nd October. The Chairman of Committees (Mr. Bateman) in the Chair; Mr. T. D. Evans (Attorney-General) in charge of the Bill.

Progress was reported after clause 4 had been agreed to.

Clause 5: Amendment to section 31—

Mr. O'NEIL: We discussed this Bill very fully in the second reading stage last night. It contains only three operative clauses and we raise no objection to the first two of them. However, I questioned the Minister about what he said in his second reading speech and what I believe to be the effect of this Bill.

In his second reading speech the Minister said, in regard to one of the provisions in clause 5, that any person convicted of treason or a felony could become a member of Parliament. I pointed out that section 18 of the Electoral Act states that such a person is not entitled to be on a roll and cannot therefore be a member of Parliament. I think the Minister has probably checked up on my contention and can tell me whether I am right or wrong.

No matter what he says, I indicate that I intend to move for the deletion of that provision in order to have it recorded in *Hansard* that we do not believe any person who has been convicted of treason has the right to serve in the Parliament of Western Australia. A person who has been convicted of treason is a convicted traitor and surely he is not entitled to enter this Chamber, to swear allegiance to Her Majesty and Her Majesty's representatives in this State, and to serve in the Parliament of this State, or any other Parliament for that matter.

Mr. T. D. EVANS: I hasten to assuage the fear of the Deputy Leader of the Opposition that it was the intention of the Government to enable a person who has been convicted of treason to become eligible for ever and a day to contest a seat in Parliament. I know what I have said is in conflict with the concluding words in my second reading speech as recorded in *Hansard*. I think an explanation is necessary and I now give it.

Section 7 of the Constitution Acts Amendment Act refers to the eligibility of a person to contest and hold a seat in either House of the State Parliament. One of the terms of eligibility is that the person must be enrolled as an elector or be qualified to be enrolled as an elector. The Statute law governing qualifications for electors is not contained in the Constitution Acts Amendment Act but is to be found in section 18 of the Electoral Act, as the Deputy Leader of the Opposition said.

This Committee has just accepted an amendment to section 18 of the Electoral Act but that amendment does not change the principle that a person who has been convicted of treason cannot for ever and a day contest or hold a seat in the State Parliament.

In section 31 of the Constitution Acts Amendment Act—which is the section it is proposed to amend by clause 5 of this Bill—certain prohibitions are listed and one of them is—

> No person shall be qualified to be a member of the Legislative Council or Legislative Assembly if he . . .

(6) Has been in any part of Her Majesty's dominions attainted or convicted of treason or felony.

I fell into a trap and I admit it. I looked in isolation at this clause of the Bill, which proposes to delete the reference to a person who has been in any part of Her Majesty's dominions attainted or convicted of treason, and concluded my second reading speech by saying such a person would therefore become eligible. The only justification I could think of at the time was that if the person had already paid his debt to society he should be able to test his popularity with the electors, but I was remiss in not realising that the Constitution Acts Amendment Act is not the only law on the subject. The operative law is section 18 of the Electoral Act, which provides that such a person is not eligible to contest a seat in Parliament.

When we have two sets of law achieving the same end, members may ask why we should delete one of them. One reason could be that if it is clearly established in the Electoral Act, in which most people would seek the information, it is unnecessary to include the same provision elsewhere. However, there is another reason. Although the two provisions achieve the same end, they are not expressed in the same language.

Subsection (6) of section 31 of the Constitution Acts Amendment Act, which I seek to delete, refers to a person who "has been in any part of Her Majesty's dominions attainted or convicted of treason or felony". The procedure of attainder is unknown in Australian law. The member for Boulder-Dundas gave us during the second reading stage a learned exposé of this antiquated process which operated by a motion attainting a person being passed through both Houses of the British Parliament. The consequences were that the person could be put to death unless he escaped, and it was known as the "corruption of blood process", which is unknown in Australia and is certainly unfamiliar in Western Australia.

The provision also refers to a felony. This is another expression which is not used in Western Australian law. Our Criminal Code defines offences and places them in three categories: crimes, which are the most serious, misdemeanours, and simple offences. A felony is a heinous form of crime in the United Kingdom but it is not an expression which has any legal significance in Western Australia, so it was considered desirable that the reference be taken out of the Constitution Acts Amendment Act only, leaving it to survive in the Electoral Act, which has been amended by the Committee and which in its amended form will read—

A person who has been convicted of treason is ineligible to hold a seat in the Legislative Council or the Legislative Assembly of Western Australia.

I hope the Committee will accept the explanation of the inconsistency in my second reading speech. I still urge the Committee to accept the amendment proposed in paragraph (b) of clause 5.

Mr. McPHARLIN: I was interested to hear the Attorney-General refer to the word "felony". The Deputy Leader of the Opposition asked him what a felon was.

Mr. T. D. Evans: In English law a felony would be a major crime.

Mr. McPHARLIN: Page 5 of the Criminal Code states—

When in any Statute, statutory rule, by-law, or other instrument, public or private, the term "felony" is used, or reference is made to an offence by the name of felony, it shall be taken that reference is intended to an offence which is a crime under the provisions of the Code:

Mr. Hartrey: That is right.

Mr. McPHARLIN: The Attorney-General indicated that the term is not used in Western Australia.

Mr. T. D. Evans: The term "crime" is used, and not "felony".

Mr. McPHARLIN: Referring to the measure before us, I do not quite recall what the Attorney-General said in relation to the reasons for the barring of clergymen from standing as State members of Parliament. Apparently clergymen can become members of the Commonwealth Parliament and still practise as ministers of religion. I may be wrong, but I understand this is so. I do not know why these people were barred from standing in the past, but I do have reservations about this amending provision.

The clergyman is in a special position because in his occupation he has the opportunity to speak to many people, particularly from the pulpit on Sunday. He can influence people simply because of the position he holds.

Mr. Hartrey: So can a doctor.

Mr. McPHARLIN: A doctor does not stand up and speak to large groups of people. It would be very unfair for a minister of religion to use his pulpit to influence people to support his candidature.

I am not suggesting any political bias about this. My remarks would apply to candidates of any political party. Perhaps I can be accused of being a little parochial, but I am not altogether happy about the amending clause for the reasons I have expressed. Perhaps if a clergyman nominates for a position, it may be possible to prescribe that he must not practise his occupation until after the election. I am not pressing the point, but I would like it noted.

Mr. T. D. EVANS: The point raised by the Leader of the Country Party is not new to this Chamber. I have here volume 1 of the 1944 *Hansard* which records the debate which took place in this Chamber on the 27th September, 1944. At page 801 a Bill was introduced by the then lady member for Subiaco (Mrs. Cardell-Oliver), and it sought to achieve the reform which I am now seeking—the deletion of the reference to clergymen.

I assume that no more than two or three members will comment on this provision and this leads me to say that times certainly have changed. During the debate in 1944, many members spoke to the Bill. It would not be apposite for me to mention the fate of the Bill but members will be aware that the provision still remains in our legislation. It was a constitutional Bill, so although those voting in favour of it had a majority of eight, the Bill did not command an absolute majority and it was defeated. I recall that the then Leader of the Country Party (the late Mr. A. F. Watts), or perhaps he was the Leader of the Opposition—

Mr. O'Neil: He could have been.

Mr. T. D. EVANS: —voted in favour of the Bill. The division did not appear to be on party lines. I know my leader voted in favour of the Bill and I assume he will be consistent now.

Mr. O'Neil: You never know—if you talk for much longer he may not be.

Mr. T. D. EVANS: I found the debate very interesting, and from this source of information I would like to tell members the history of the provision. One can readily understand that the framers of our State Constitution were cautious not to jeopardise what had been the way of life in the middle ages; there had been constant friction between church and temporal heads in relation to ecclesiastical and temporal matters.

Sir Charles Court: You are tempting us to toss out the third reading!

Mr. T. D. EVANS: No doubt the framers of the Constitution had a great deal of the old world history impressed upon them by their forefathers. Until 1801 no prohibition attached to ministers of religion or clergymen in the United Kingdom except in the case of Roman Catholic priests who could not sit in the House of Commons. In 1801 Anglican clergymen were prohibited from standing for a seat in the House of Commons. Therefore, at that time, both Anglican clergymen and Roman Catholic priests were excluded from the House of Commons. However, no other clergymen were excluded. My research reveals that today only Roman Catholic priests are excluded as Anglican clergymen are now eligible to contest and hold seats in the House of Commons.

We must bear in mind that in the House of Lords—the second legislative chamber of the English Parliament—an integral part of its Constitution is its spiritual aspect—the bishops. I believe one of the reasons for the exclusion of Anglican clergymen after 1801 was that the church was well represented in the House of Lords. Apart from the exclusion of the Roman Catholic priests to which I have referred, no prohibition in respect of clergymen applies in the United Kingdom. Further research indicates that Western Australia is the only State in Australia with such a provision—in fact, no other State has ever had such a provision. It could well be that the other States have seen the light. However, research indicates that no such provision ever existed in the Constitutions of the other States of Australia.

The Leader of the Country Party raised the point that if a clergyman contested a seat and won it he could resign his churchly duties. But this overlooks the fact that churches which ordain their clergyman regard them as being ordained forever and a day.

The then member for Darling Range indicated in the 1944 debate that a person wanted to contest his seat, but was precluded from doing so because 25 years before he had been a practising minister of religion. Although for the past 25 years he had been an orchardist, he was still regarded by the Anglican Church as being an ordained minister of religion.

This is an archaic prohibition. We are denying people who have vast experience of human nature the opportunity to contribute in this Parliament and to help frame social and other legislation. The Leader of the Country Party raised the point that ministers of religion sometimes exercise strong influence over their congregations. I suppose lawyers and doctors exercise the same influence over their clients and patients; but be that as it may there are so many religious sects today that I feel the influence of a person who is a clergyman-cum-member of Parliament would not be so great as to give him an unfair advantage over other candidates. I feel the provision is unjust, and I commend the clause as it stands to the Committee.

Progress

Progress reported and leave given to sit again, on motion by Mr. O'Neil (Deputy Leader of the Opposition).

House adjourned at 11.04 p.m.