Legislative Council

Wednesday, the 12th May, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 2.15 p.m., and read prayers.

PERTH MEDICAL CENTRE ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

ACTS AMENDMENT (PORT AND MARINE REGULATIONS) BILL

Receipt and First Reading

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

LEAVE OF ABSENCE

On motion by the Hon. V. J. Ferry, leave of absence for six consecutive sittings of the House granted to the Hon. R. J. L. Williams (Metropolitan) on the ground of private business overseas.

BILLS (2): INTRODUCTION AND FIRST READING

1. University of Western Australia Act Amendment Bill.
2. Murdoch University Act Amendment Bill.

   Bills introduced, on motions by the Hon. G. C. MacKinnon (Minister for Education), and read a first time.

BILLS (7): THIRD READING

1. Justices Act Amendment Bill.
2. Juries Act Amendment Bill.

   Bills read a third time, on motions by the Hon. N. McNeill (Minister for Justice), and transmitted to the Assembly.

3. Public and Bank Holidays Act Amendment Bill.

   Bill read a third time, on motion by by the Hon. G. C. MacKinnon (Minister for Education), and passed.

4. Jetties Act Amendment Bill.
5. Western Australian Marine Act Amendment Bill.

   Bills read a third time, on motions by the Hon. N. McNeill (Minister for Justice), and passed.

6. Weights and Measures Act Amendment Bill.

   Bill read a third time, on motion by the Hon. G. C. MacKinnon (Minister for Education), and passed.

7. Teachers' Registration Bill.

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

FAMILY COURT ACT AMENDMENT BILL

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney-General) [2.28 p.m.]: I move—

That the Bill be now read a second time.

The Master of the Supreme Court has pointed out that section 33 of the Family Court Act, 1975, which provides for appeals in the non-Federal jurisdictions under that Act does not provide for the powers which may be exercised by the Family Court of Western Australia sitting on appeal from a court of summary jurisdiction or by the Full Court of the Supreme Court sitting on an appeal from the Family Court of Western Australia. Accordingly an amendment has been prepared to section 33 to include a like provision to that contained in subsection (2) of section 94 of the Commonwealth Family Law Act. This will ensure that on appeal the Family Court of Western Australia or the Full Court of the Supreme Court, as the case may be, may affirm, reverse, or vary the decree the subject of the appeal and may make such decree as in the opinion of the court ought to have been made in the first instance or may order a re-hearing on such terms and conditions as it thinks fit.

The master also mentioned that in subsection (1) of section 33 of the State Act it may not be clear that "decree" includes an order of the Family Court of Western Australia dismissing an appeal from a court of summary jurisdiction. Following discussion on the question of appeals when the Bill was being prepared for the State Family Court it was assumed that in the non-Federal jurisdictions a matter could be heard by the court of summary jurisdiction from where an appeal lay to the Family Court of Western Australia and after that court had given an order on the appeal a further appeal would lie to the Full Court of the Supreme Court.

It was the intention that a matter could be taken on appeal from the court of summary jurisdiction through the Family Court to the Full Court and not exhausted at the Family Court level. There could be some important matters involving, for example, adoption or guardianship of children which would make it desirable in certain circumstances to have recourse to the Full Court of the Supreme Court.

As there is some doubt as to whether this intention was carried into effect in the original Bill an amendment is proposed to subsection (1) of section 33 to provide such recourse.

I commend the Bill to the House.

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

STANDING ORDERS COMMITTEE

Consideration of Report

Report of Standing Orders Committee now considered.

THE HON. N. McNEILL (Lower West—Minister for Justice) [2.30 p.m.]: I move—

That the President be invited to take the Chair in Committee.

Question put and passed.

In Committee

The President (the Hon. A. F. Griffith) in the Chair.

Standing Order 3: Interpretation—

The Hon. J. HEITMAN: The first recommendation of the Standing Orders Committee is—

To insert a new definition as follows—

Leave of Absence — Leave granted pursuant to Standing Orders Nos. 48 to 50.

This is considered to be necessary in view of "Leave of the Council" being defined in this Standing Order. I move—

That the recommendation be agreed to.

Question put and passed; the recommendation agreed to.

Standing Order 15: Formal business before adoption of Address—

The Hon. J. HEITMAN: The second recommendation by the Standing Orders Committee reads as follows—

To add after the word "adopted" in line 6, the following—

Formal business which may be entered upon includes the appointment of Standing Committees, questions without notice and on notice, formal procedural motions, and proposed amendments to the Standing Orders.

I move—

That the recommendation be agreed to.

We feel it is necessary to indicate what is formal business.

Question put and passed; the recommendation agreed to.

Standing Order 80: Debates of same Session not to be alluded to—

The Hon. J. HEITMAN: The third recommendation of the Standing Orders Committee reads as follows—

To delete the Standing Order and substitute the following—

80. No member shall allude to any debate or proceedings of the same Session unless such allusion be relevant to the matter under discussion.

We felt that the adoption of the Senate Standing Order was more acceptable to be taken in lieu of Standing Order 80. I move—

That the recommendation be agreed to.

The Hon. N. McNEILL: I do not rise with any intention of being in opposition to this proposed change, but I wonder whether any more information may be provided by the members of the Standing Orders Committee particularly in relation to the breadth of matters which may be permitted to be discussed. The recommendation reads as follows—

No member shall allude to any debate or proceedings of the same Session unless such allusion be relevant to the matter under discussion.

I feel that there still remains the opportunity for interpretations of the word "relevant". It seems to me that the device of just making a specific reference to a matter can still be used, and that may well have the purpose of tying the allusion in to the matter under discussion. I think there is still that opportunity for a widening of the debate.

The Hon. J. HEITMAN: We thought the Senate Sanding Order was more applicable than the Standing Order we have. This is one of the reasons we thought that if a member were to discuss anything that was in the same session, unless it was relevant to that particular matter it should not be discussed at that point of time. It is not allowed in the Senate and we thought it would be better if it were not allowed in this House.

The Hon. R. THOMPSON: I support the proposition that is put forward. If we turn to the proposed recommendation in relation to Standing Order 243A on page 8 of the recommendations we find that—

Inter-related Bills may, by leave, be discussed concurrently at the second reading stage.

It could be possible that it is not relevant to allude to anything. I was a member of the Standing Orders Committee for a short period and we discussed the meaning of "inter-related Bills". Yesterday a couple of Bills were introduced which are inter-related Bills. This will open another recommendation that inter-related Bills may be discussed concurrently when one would be dealing with and alluding to something contained in the Bill during the same session. Quite often it has been my practice and the practice of other members to allude to debates or proceedings in the same session. On many occasions it is necessary that members have this right and privilege to allude to something which has happened in regard to a previous Bill.

One could point to inconsistencies in the legislation. With the concurrence of the President and the Chairman of Committees from time to time we enter into this sort of debate. I think it is necessary, from the point of view of all members, to have the opportunity to allude to something which has taken place. I support the recommendation. It is a step forward and will give more flexibility in that members will be able to express an opinion on the Bill before them and on those which have been passed previously.

The Hon. CLIVE GRIFFITHS: The Standing Orders Committee considered that the current rule was too restrictive and tended to prevent reference to matters important to us in our role as a Chamber of Review. In 1969 the Senate adopted a proposal similar to the one we are recommending in order to give it greater flexibility in its role as a House of Review. Prior to 1969 its Standing Order was identical to ours.

The Standing Order Committee felt that the recommendation gave more flexibility. The arguments advanced by Mr Thompson are added reasons for the amendment. It is quite important on occasions that we have the opportunity to refer to comments made in the current session and it was on this basis that the committee came to the conclusion it should make the recommendation currently being discussed.

The PRESIDENT: As a presiding officer I have at times under Standing Order 80 put a member in an unsatisfactory situation when I have been obliged to pull him up because he was talking on a subject not then under discussion. The amendment proposed by the committee makes the provision less restrictive and as long as it has the qualification that it must be relevant to the subject matter under discussion it will be easier for the presiding officer to allow debate of that nature.

Question put and passed; the recommendation agreed to.

Standing Order 86: Offensive words against members—

The Hon. J. HEITMAN: The next amendment recommended by the Standing Orders Committee reads as follows—

> To delete all words after the word "disorderly" in line 6, and substitute the words:—
>
> and when any member objects to words used, the presiding officer shall if he considers the words to be objectionable or unparliamentary, order them to be withdrawn forthwith.

The reason given reads—

> 86. At present, where words are objected to and a member requests that they be withdrawn—the question must be put. It is considered that the Presiding Officer should be given the opportunity to decide whether, in his opinion, the words are objectionable or unparliamentary. The amended Standing Order would then conform with the procedure which applies in the Assembly.

Very often a member will object to words used by another member during the course of his speech. More often than not there is nothing in the words which is objectionable, and the presiding officer should rule that way. We feel the amendment is an improvement. I move—

> That the recommendation be agreed to.

The Hon. R. THOMPSON: I will support this recommendation also. I can recall a debate on this very clause. At that time a member objected to any alteration to the Standing Order. Without mentioning names, I will merely say that that evening, to show how silly the Standing Order was, a member stood up in the Chamber and said something which really was not a true reflection on me. However, I asked that the words be withdrawn, and they were withdrawn.

I am no longer on the committee, but I think I made my point sufficiently clear; that is, that many words used in the Chamber at present must be withdrawn upon request under the current Standing Order, and they should not be. The member in question is nodding his head.

It puts the onus on the presiding officer and I think we must be realistic.

The Hon. G. C. MacKinnon: Not so much an onus, but it gives him some reasonable opportunity to make a decision or give a judgment.

The Hon. R. THOMPSON: Yes, but it also places more responsibility on him. We do not want the presiding officer to be in a position where—let us be political—if he is a Liberal Party presiding officer and a Liberal Party member asks for withdrawal of words, the presiding officer insists on the withdrawal, whereas if a Labor Party member asked for withdrawal of words it would be denied him.

I do not think we need to be stupid and make accusations like that. The Standing Orders will stand the test of time. I do not want a presiding officer to be in the position where accusations can be made against him. I think the recommendation is reasonable. Let us see how it works, and if it does not work to the satisfaction of the committee it can be altered again. The recommendation is a more realistic approach. Quite often members say things in the heat of the moment and on other occasions the written word in *Hansard* is not always the same as the spoken word. For instance, something said in a jocular fashion in the House can, when in print, appear to be objectionable.

I support the proposal because the presiding officer follows the debate and understands whether or not a remark is said in a vindicative manner and the recommendation will give him the scope to say whether or not the words should be withdrawn.

The Hon. R. F. CLAUGHTON: The amendment seems to widen the scope of the existing Standing Order which refers to words which are offensive or unbecoming. The use of the word "and" widens the scope of the provision so that words which are not of a personal nature can be interpreted as having reference to any subject matter at all.

If the intention of the original Standing Order is to be maintained, the amendment should be rephrased so that the word "and" is not included. This could be done by adding after the word "forthwith" the words "if the presiding officer orders that words objected to by a member be withdrawn". This would have the same objective as is intended in the proposed amendment.

The PRESIDENT: Whether the interpretation that we—and I use the word "we" collectively—have been placing on Standing Order 86 is correct or not I am not sure. I am sure, however, that the practice here over a long time has been of such a nature that when a member objects to any words used by another member the member objecting can ask for those words to be withdrawn.

It has occurred to me at times that there have been occasions on which objection has been taken quite frivolously and that words used are not of such a nature as to cause objection.

It has been the practice that the presiding officer—and I have regarded this to be the case—had no power to determine whether he thought the words were objectionable or not. Under this amendment when an honourable member objects to the words used it is left to the presiding officer to determine whether, in his opinion, the words are objectionable; and if he determines they are not it is still open to the member who has asked for a withdrawal to disagree with the presiding officer's ruling on the point.

I think the recommendation does improve the Standing Order.

The Hon. R. F. CLAUGHTON: I accept what you have said, Sir, on the aspect of interpretation in recent times. I have long felt that the Standing Order was being interpreted too widely. I do not mean that as any reflection on yourself, because I think that what you have followed has been the practice.

In my belief the Standing Order is quite clear, that the words are only those which relate to a member of the House, where another member is uttering words that reflect on him or impute improper motives to the member concerned.

I agree with you, Sir, that a number of objections have been raised quite frivolously, but when the Standing Order says that words objected to must be withdrawn forthwith, there is very little choice left to you.

I think the intention of the amendment is quite good. I merely say that instead of agreeing to the broader scope that has become the practice, in future we should get back to the original intention of the Standing Order and relate it to a particular member, which could be done by an amendment such as the one I have proposed, where the word "and" is not used, as this quite clearly expands the scope.

I would like to hear comment from other members on this matter.

The Hon. G. C. MacKINNON: I agree with the few words you said a minute ago, Sir, except that I believe the interpretation you have been using is the correct one, taking note of the verbiage of the existing Standing Order 86. In short I believe that you, as presiding officer, have not been left with the judicial right to make a decision and to state your opinion.

For example, when referring to me a member could say that I am a benign, baldheaded, elderly gentleman.

The Hon. D. J. Wordsworth: They would not, would they?

The Hon. G. C. MacKINNON: In actual fact such a member would be speaking nothing but the truth. However, if I stood and took objection to that and considered it to be unparliamentary, I believe that under Standing Order 86 as it stands you would have no option but to call for a withdrawal of those words, because they would have been uttered; I would have taken objection to them—I would not of course, but let us for the sake of the example imagine that I would—and you would of necessity have to order their withdrawal. This would be the case in my opinion and in your own, because that is exactly what you have done over a number of years, and I think quite correctly.

I believe the suggestion put forward by the committee has changed this aspect quite properly and given you as presiding officer the right to decide.

When we as a House voted for you and put you in that august position which you fill so well, I believe we should have given you the right to make such a decision always; of course reserving to yourself the right to object and take another vote which you have not done, and never look like doing. But you ought to be in a position to make a decision.

To again use the example I mentioned about my being called a benign, baldheaded, elderly gentleman, if I did in fact take exception to the expression I would be a thin-skinned nit; I would be silly

in the extreme. You would reserve your right to say, "Do not be so silly; the words are not objectionable; let us carry on with the debate." This is what the amendment seeks to do—to say, "Do not be so silly, the words are not objectionable; carry on with the debate."

The Hon. I. G. MEDCALF: I think there is some substance in the comments made by Mr Claughton. In fact, we are saying here the words may be objected to, though we have not said anything about imputations. I would refer members to Standing Order 86 in which they will find the noun used to describe all these things—offensive or unbecoming words, imputations, improper motives, and personal reflections—is covered later in the Standing Order by the word "words"; because obviously these have to be made in words.

When we look at the amendment, however, we simply use the word "words" again, but we have not said "words which infringe the Standing Order"—we have just said "words". The recommendation states "When any member objects to words used the presiding officer shall," etc.

I think it could perhaps be said that the reference to "words used" does not necessarily include imputations, personal reflections, and so on. This may be accomplished in the form of words, just as epithets are. The whole reference to imputations means that somebody has misbehaved in some way through some corrupt practice or something of that kind which is just as bad or, in fact, worse than using any particular insulting epithet which is obviously unbecoming or offensive. I wonder whether that could be qualified in some way.

The Hon. R. F. Claughton: Perhaps we could remove the word "and".

The Hon. I. G. MEDCALF: I do not think removing the word "and" would make much difference. I concede there is a possible ground for objection, although obviously this Standing Order would be interpreted intelligently by you, Mr President.

The Hon. J. HEITMAN: For the life of me I cannot see that it will make all that difference because after the word "disorderly" the present Standing Order reads—

> . . . and words infringing this Standing Order, when objected to, shall be withdrawn forthwith.

It is proposed to delete all the words after the word "disorderly" and the Standing Order would then conclude—

> . . . and when any member objects to words used, the presiding officer shall if he considers the words to be objectionable or unparliamentary, order them to be withdrawn forthwith.

So really we are not altering the words previously in the Standing Order which read—

> . . . and all imputations of improper motives and personal reflections on Members shall be considered highly disorderly, . . .

It is now proposed to delete the remainder of the Standing Order and to substitute the words to which I have referred.

Surely the amendment to the Standing Order that we are now considering should be no more difficult to interpret than was the previous Standing Order.

The Hon. T. KNIGHT: I agree with the recommendation of the committee. However, up to a point I agree also with the remarks of the Attorney-General. Several years ago I was a town councillor for the Town of Albany. At a reception one of the council officers said something to a councillor which I do not care to repeat here, but which was taken as objectionable by that councillor. The result was the council officer was suspended and a court case ensued. It was found by the magistrate that the term used was a term of endearment, although I believe, being aware of the circumstances, that it was objectionable. The whole matter would be left to the discretion of the presiding officer, and during my period in this Chamber I have had an opportunity to watch you at work, Sir. I think you would be fair in the way you would look at a situation. The difference is that the magistrate did not hear what was said and he did not know the background of the matter. Therefore, I support the recommendation.

The PRESIDENT: The Attorney-General did not move an amendment. Did you have it in mind to move one?

The Hon. I. G. MEDCALF: When a person rises to ask for the withdrawal of a remark under this Standing Order, the invariable response from the Chair is, "Will you indicate the words to which you object?" If the matter objected to is an imputation of improper conduct or a personal reflection it might be contained in the whole speech of a member. Sometimes people will imply that someone has done something he should not have done, but it is impossible to pin down any words as being offensive. However, under the Standing Order the words will still have to be named. Whilst I agree that this imputation or reflection must be made with words, I would not like to propose an amendment. I am quite aware of your competence when such a judgment is necessary, but I was simply drawing attention to the matter.

The Hon. N. McNEILL: The first thing I want to say is that I believe the recommendation of the Standing Orders Committee is a vast improvement on the

existing Standing Order. On that basis I would be prepared to accept it. However, I would like to make an observation.

Perhaps I may have misunderstood the first remarks of Mr Claughton when he said that the scope of the Standing Order was being enlarged or widened. I interpreted that to refer to the use of the word "words". Bear in mind that the first part of Standing Order 86 refers to offensive or unbecoming words and all imputations of improper motives and personal reflections. I take it those are the words specifically referred to in this recommendation. However, if a member objects to the words used, the Standing Order will not be completely specific about the actual words used by a member when he made his offensive or unbecoming reference. Quite frankly, I think we are splitting straws on this. The important point to be borne in mind, and the one to which Mr Thompson and Mr Heitman drew attention, is that we will give the presiding officer the opportunity to make a determination. Whether or not a presiding officer wants to be placed in the position of making that determination is another question. I presume that the presiding officer will be virtually giving a ruling if he says that he does not consider certain words to be offensive or unparliamentary and he does not require them to be withdrawn.

May I take this a little further? If the member who sought the withdrawal is not prepared to accept such a ruling, would the matter stop there?

The PRESIDENT: I would like to reply to the query raised by the Minister. My interpretation is that the presiding officer's ruling would be open to challenge.

The Hon. N. McNeill: That is the reason I asked the question.

The PRESIDENT: To my mind the proposed Standing Order will protect the member entirely if he believes that an incorrect ruling has been made by the presiding officer, who could be the President, the Chairman of Committees, or any one of the Deputy Chairmen of Committees.

The Hon. CLIVE GRIFFITHS: The President has said virtually what I intended to say. However, I would like to make this additional comment: I think the situation will still prevail that when a presiding officer is confronted with the necessity to make a decision, if he is in the slightest doubt about whether the words were offensive, he would rule in favour of the person seeking the withdrawal of the words. The situation would be exactly the same as that currently prevailing under Standing Order 86.

In other words, if the presiding officer felt that perhaps there was a small area on which the member had grounds for objecting, the presiding officer would certainly revert to the practice of saying, "I would ask the member to withdraw the words". There would be complete protection for the member objecting. By the same rule, if the other member felt strongly enough about the matter, it would provide an opportunity for him to disagree.

The Standing Orders Committee was endeavouring to provide an opportunity for the presiding officer to make a judgment in cases where members may ask frivolously for words to be withdrawn. I do not know of many examples where members have asked for words to be withdrawn where, if this recommendation is accepted, they would not so ask. There is the odd occasion when this type of request is made, and the amendment will give the presiding officer the prerogative to decide whether or not the words were unparliamentary.

Finally, the amendment will bring the Standing Order into conformity with the position which currently prevails in the Legislative Assembly, and from my research, I have not found any instance where that Standing Order has created difficulty in the Legislative Assembly. It was not intended to enlarge the scope of Standing Order 86 but merely to provide the presiding officer with the power to make a value judgment on the extent of any objection.

The Hon. N. E. BAXTER: I go along to some degree with the comments of Mr Medcalf. Mr President, if a member calls another member a donkey, would you regard that as unparliamentary?

The Hon. R. F. Claughton: The member could.

The Hon. N. E. BAXTER: However, if the same member happened to say that if the honourable member to whom he was referring were in a paddock instead of in Parliament, he would bray on seeing someone walking down the road, would that be regarded as unparliamentary? The member would be saying virtually the same thing, but in a different way. Would that be regarded as a personal reflection on another member? It is a little like the case the Clerk of the Council is referring to Mr President at the moment; it concerns a member in Tasmania, and the phrase was disallowed.

The Hon. R. F. CLAUGHTON: There is really no difference of opinion between myself and the members of the Standing Orders Committee who have spoken on this matter. The intention quite obviously is not to broaden the scope of the existing Standing Order but to provide the President with some discretion in the matter. I still hold my original view that the wording of the amendment provides for scope to increase the range of phrases to which a member may take objection. That scope in contained in the phrase, "if any member objects to words used". Allowing that phrase to stand unqualified is the difficulty we face.

As Mr Medcalf pointed out, the existing Standing Order qualified the words by the addition of the words, "that infringe this Standing Order" and I believe that by the addition of those words we could implement the suggestion of the Standing Orders Committee and permit the President to have a discretion in the matter. Therefore, I move an amendment—

Recommendation on Standing Order 86, line 1—After the word "used" insert the words "that infringe this Standing Order".

Amendment put and negatived.

Question put and passed; the recommendation agreed to.

New Standing Order 89A—

The Hon. J. HEITMAN: The next recommendation of the Standing Orders Committee reads as follows—

89A. To insert a new Standing Order to stand as S.O. 89A as follows—

Time Limits on Speeches

89A. The maximum period for which a member may speak on any subject indicated in this Standing Order shall not exceed the period specified.

BILLS

Second reading:—	
Mover	unspecified.
Leader of the Government or one member deputed by him	unspecified.
Leader of the Opposition or one member deputed by him	unspecified.
Any other member	45 minutes.
Mover in reply	45 minutes.
Third reading:—	
Each member	45 minutes.
MOTION—"That the Council take note of a tabled paper"	30 minutes.

Provided that with the consent of a majority of the Council on a motion to be moved, and determined at once without amendment or debate, a member may be permitted to continue his speech for a further period not exceeding 15 minutes.

I move—

That the recommendation be agreed to.

It is considered that the introduction of time limits would expedite the business of the Council and would conform with current parliamentary practice. The Legislative Assembly has had such a provision for some time, and the Standing Orders Committee felt it was time we had a time limit on speeches in this place.

The PRESIDENT: Mr Heitman, would you explain to the Committee what the proposed time limit on the motion that the Council take note of a tabled paper has to do with the proposed amendment to Standing Order 151? Up to this point the explanation given is not fully relevant to new Standing Order 89A.

The Hon. J. HEITMAN: It refers to another Standing Order which the Standing Orders Committee considered ought to be amended. I think that for the present we could leave out the discussion on that later amendment. When we have agreed to the amendment to Standing Order 151, it will have added meaning. That is the reason we should have some specified time. If this Committee is in favour of the amendment to Standing Order 151 members will know that in respect of papers tabled 30 minutes will be the specified time.

The PRESIDENT: I suggest that the honourable member should explain that portion of Standing Order 151 which is intended to apply to the time limit on a motion that the Council take note of a paper tabled.

The Hon. CLIVE GRIFFITHS: In the interests of clarity could it be assumed that if new Standing Order 89A is agreed to by this Committee, and subsequently the recommendation in respect of Standing Order 151 is not adopted, it would follow automatically that the part of new Standing Order 89A which is applicable to Standing Order 151 would disappear for the reason that it would not be relevant?

The Hon. G. C. MacKinnon: The President has gone to extreme lengths in saying that he is prepared to listen to arguments as to why the amendment to Standing Order 151 should be inserted.

The Hon. CLIVE GRIFFITHS: New Standing Order 89A contains a very significant departure from the existing practice, as does the proposed amendment to Standing Order 151. To deal with the two together would create a difficult situation. I am asking for guidance as to whether or not it would follow automatically, if the amendment to Standing Order 151 is not agreed to, that new Standing Order 89A as set out will apply.

The PRESIDENT: As a result of the discussion that has taken place, no doubt members have been acquainted of the fact that portion of new Standing Order 89A has relevance to a later Standing Order. If the amendment to Standing Order 151 is not agreed to it will be necessary to recommit new Standing Order 89A, so as to take out the reference to Standing Order 151, otherwise new Standing Order 89A will contain a reference to something which does not exist.

In the light of the discussion that has taken place members should be prepared to allow new Standing Order 89A to be dealt with as a whole. In the unlikely event that we are obliged to recommit new Standing Order 89A we will have the opportunity to delete the reference I have mentioned.

The Hon. D. K. DANS: I am opposed to the inclusion of new Standing Order 89A for a number of reasons. Firstly, I refer to the remark made by Mr Heitman that in his opinion this new Standing Order would expedite the business of the House. Personally I do not think it would.

Whilst from time to time we hear debate as to whether or not this is a House of Review, there is a difference; and the difference is that a member may rise to his feet, make a speech, and examine legislation at his leisure.

In my short time as a member of this Chamber there have been a couple of occasions only when long speeches have been made. I can recall one which probably gave rise to the erroneous belief that some members waste the time of this Chamber.

It was only some days ago that Mr Wordsworth made a fairly long speech by way of explanation in the Address-in-Reply debate. I do not say this with tongue in cheek: I listened intently to what Mr Wordsworth had to say on that occasion because I found his comments to be interesting, and they certainly contained a great deal of information which was of benefit to me.

The PRESIDENT: I would remind the honourable member that new Standing Order 89A does not affect the Address-in-Reply.

The Hon. D. K. DANS: I agree. I am giving an example of the kind of speech that can be made by members at any time. The explanation given by Mr Wordsworth in that debate was of great value to me, although it might not have been of great value to all members. However, that is the way in which Parliament operates. Individually we do not have the expertise or mental capacity to take note of all the comments that are made in this Chamber. Some members are prepared to deal with certain Bills, and other members with other Bills.

To say that new Standing Order 89A will expedite the business of this House is quite incorrect. Let us assume the time limit is 45 minutes, but in this respect I know that there are exceptions. For instance, the Leader of the Government and the Leader of the Opposition have unspecified time, and they may allot such unspecified time to other members to speak for them. It seems that in other places and other Parliaments there is a requirement to speak for 45 minutes when the time limit is specified as 45 minutes.

The Hon. N. E. Baxter: This is like the speed limit!

The Hon. D. K. DANS: Facetious as that remark may sound, it is just that, and often the maximum becomes the minimum. Any member who wanders occasionally into the Assembly will find much more tedious repetition there than in this Chamber, because the members there struggle to fill in their time limit of 45 minutes. If there is to be a difference between the two Houses, let the existing practice remain.

If we were to examine the time spent on speeches in this place it would be found that no more time is wasted here—and that is what is implied—than is wasted anywhere else. If one member in this Chamber makes a two or three-hour speech there is no evidence to suggest that every other member would wish to make a two or three-hour speech. In fact a member's time can be eaten away by interjections.

Some members deliberately select the Legislative Council for election because the more gentle style of debating—if I may put it that way—which occurs here is more to their liking.

The Hon. I. G. Medcalf: I think it might be the six-year term.

The Hon. D. K .DANS: The six-year term implies that more time is available for a member to say what he wants to say. Even that has some relevance.

I do not think we should be shaving away the time allowed for speeches in this place just because there are time limits in the Legislative Assembly of this State Parliament, and because this is the only Chamber in the Commonwealth of Australia which does not have a time limit on speeches. If that is to be used as an argument we could reach a situation of saying there are rules in our Standing Orders which do not appear in any other Standing Orders throughout Australia, and that would be a very good starting point from which to make them all conform.

If we agree to the inclusion of 89A we would do a grave injustice to the intention of our Standing Orders. I do not agree with the existence of this Chamber; that is in our platform. However, the intention of this House is to review legislation and sufficient time should be available to us for that purpose. Just because some necessarily very long speeches have been made in this Chamber is no reason to suddenly take away a Legislative Councillor's right to put forward his point of view.

Our Standing Orders apply to every member in this Chamber, whether he belongs to the National Country Party, the Liberal Party, or the Labor Party. A member of this Chamber should have the fullest opportunity to put forward his view. For that reason I do not think we

should be reducing the time available to a member. The present conditions have prevailed for 70 or 80 years and they have not caused any problems until the last few months. I bet pennies to peanuts that if an examination were carried out of the time taken in debates it would be found there is not a great deal of difference.

As Mr Baxter said by way of interjection—and he was ably supported by Mr MacKinnon—time limits on speeches would become like speed limits on our roads. The maximum would become the minimum. Members who have been able to make a speech in 10 or 15 minutes will be inclined to use their full time if there is a time limit. I hope the Committee will not accept the recommendation of the Standing Orders Committee.

The Hon. N. McNEILL: There is a great deal of merit in what the Leader of the Opposition has said. To begin with, let me express the point of view that I have never been one who thinks there should be necessarily a time limit on speeches in this House. Nevertheless, the fact that we are required to give consideration to this recommendation, and have some regard for the proposition, is a matter for some regret. I am sure we regret the fact that it has been even contemplated. Obviously, the Standing Orders Committee has carried out a full enough examination of the question to satisfy itself that a case has been substantiated for time limits to be imposed. The reason given by the Standing Orders Committee is that time limits would expedite the business of the Legislative Council. Perhaps—and making an allusion to what the Leader of the Opposition said—the business of the Legislative Council might be expedited but, more particularly, at certain times. In other words, while the Council is sitting through the normal hours of the day time or the early evening there may be no expedition of business because of a time limit, but if the time was 3.30 or 4.00 in the morning there could be an expedition of business.

The Hon. D. K. Dans: I might support that proposition.

The Hon. N. McNEILL: I think we must have regard for that situation. Obviously, in the view of the Standing Orders Committee, there has been some abuse of privilege—and perhaps "abuse" is not the most appropriate word—and now the Committee considers it is time for consideration to be given to time limits. In particular cases there is something to be said for the imposition of time limits. Nevertheless—and perhaps I am having a little money each way—I also think there should perhaps be opportunity in particular circumstances for time limits to be extended. That would require, in the opinion of the House, some justification for an extended period for any particular member. A member would need the support of the House in order to obtain a 15 minute extension, and it would be up to the House to make a judgment as to whether that member should be heard beyond that point.

The recommendation does bear serious consideration. On balance, I would favour a limit being imposed, but in the circumstances outlined by Mr Dans opportunity should be available for some extension.

I say again it is a matter of some regret that there is necessity for serious consideration of this matter. In conclusion, there is merit in what the Leader of the Opposition has said. By placing time limits on speeches members will be more prone to use their full time. However, we only assume that may be the situation and we are making a blind judgment. I do not know that it could be substantiated but there is the distinct possibility that it could.

I am not completely convinced the business of the House would necessarily be expedited by the imposition of time limits. I think the deeper background to this proposition is that in fact it will be a convenience to the House in relation to long speeches rather than to the expedition of the business of the House.

The Hon. R. THOMPSON: I do not like the placing of time limits on speeches for reasons which I will give. When I look back over the time since I came to this place—my first session was in 1959—I recall that in my early days here it was not uncommon for members of this Chamber to go home at 2, 3, 4, or 5 o'clock, or as late as 6 o'clock in the morning. I think over the years speeches on Bills have become considerably shorter in this Chamber.

The Hon. G. C. MacKinnon: Very much so.

The Hon. R. THOMPSON: We are not overworked as far as the business of the Chamber is concerned. It is now uncommon for us to sit after midnight. By imposing a time limit, I think we will inhibit the review of legislation.

Let us face it: this all came about over the fuel and energy Bill. If we go back two or three years before that, we had a dairying industry authority Bill before Parliament, and had this restriction been placed on speeches the speech of the present Leader of the House would have been cut down by 23 hours because he spoke for something like 24 hours.

The Hon. G. C. MacKinnon: Not at one stretch. Cut it out!

The Hon. R. THOMPSON: I know that. Had we sat continuously, his speech would have lasted for 24 hours. I am not placing all the blame on him because I spoke for 21 hours on that Bill. The object of that long debate was to extract all the necessary information to enable the Chamber to make a judgment on the Bill.

I have been involved in long debates in this Chamber and sometimes an hour of my speech has been taken up with interjections.

Let us turn to another angle. It is suggested in the new Standing Order 89A that the Leader of the Government and the Leader of the Opposition, or someone deputed by them to take the adjournment, have unlimited time. If the Government of the day introduced a Bill, the Minister handling it would have unlimited time. The Leader of the Opposition, or a member to whom he delegated the job of handling the Bill for the Opposition, would have unlimited time. Let us suppose the Bill dealt with Co-operative Bulk Handling. I suggest Mr Gayfer would be the authority on Co-operative Bulk Handling. The Leader of the House might take up 23 minutes in introducing the Bill. The speaker on the Opposition side might take 10 minutes or an hour to reply. But Mr Gayfer, who is the authority on this subject in Western Australia, under this proposed Standing Order would have a maximum of an hour—three-quarters of an hour plus one extension of 15 minutes.

The Hon. G. C. MacKinnon: He would be an exception.

The Hon. R. THOMPSON: The proposed Standing Order refers to the Leader of the Government or a member deputed by him, or the Leader of the Opposition or a member deputed by him. A Government Bill would be handled by a Minister. Mr Gayfer is not a member of the Opposition.

The PRESIDENT: Perhaps I could save the honourable member some time by saying the interpretation placed on the matter by the Minister for Education is not correct.

The Hon. R. THOMPSON: We would be denied the expert knowledge of Mr Gayfer on that matter.

The Hon. G. C. MacKinnon: The point is well made.

The Hon. R. THOMPSON: I think Mr Medcalf would agree with me that over the years we have debated and interjected during debate on various Bills—not in a nasty or mischievous manner but in order to obtain clarification of the meaning of legislation. If a member is interested in the subject matter of a Bill, he should have the right to speak and endeavour to draw out the full answers. Very often that cannot be done in an hour. If a member were not liked, it is possible he would not be given an extension of time. At 3.00 or 4.00 a.m., when members are niggly and wanting to go home, a member who had spoken for three-quarters of an hour and wanted an extension would probably not get the extension because other members might be completely disinterested in the debate.

Sitting suspended from 3.46 to 4.02 p.m.

The Hon. R. THOMPSON: Over a period of years we have seen the attitude of members change as the composition of the Chamber has changed. I recall that early in the piece when I was called upon to handle Bills, if they came from the Assembly I was able to get copies of the Bills and the second reading speeches and on several occasions I proceeded with the Bill after its introduction. I had my knuckles rapped for doing so. The feeling then was that the debate should always be adjourned after the Minister's introductory speech. I disagree with this because in my opinion if a member is prepared to work and be ready to handle legislation the work of this Chamber can be expedited.

Members now have secretaries, as does the Leader of the Opposition, and the secretaries can do a lot of preparation. In one case a Bill did not even get onto the notice paper in this Chamber; it was introduced, dealt with, and passed without appearing on the notice paper. That occurred last session, and we were able to do that because we had done sufficient research and knew the contents of the Bill beforehand.

We cut down the time of sitting in this place by adopting that attitude towards legislation. If the Opposition agrees with the legislation there is no point in adjourning the debate and allowing the Bill to remain on the notice paper for a week and then having to get up and recapitulate what the Minister has said. If we do not recapitulate the Minister's speech, the debate does not make sense in *Hansard*, because a person reading it would not know what the Minister said.

On both sides of this Chamber there has been some recognition of the fact that members can expedite and reduce the sittings of this House. In recent times probably hundreds of hours have been saved in this Chamber during a busy year. As I have said, we are not overworked and we do not sit for excessively long hours. Therefore I can see no valid reason to place a time limit on members.

We have a Standing Order under which the President may take action if a member is needlessly repetitious. The President may exercise that prerogative. The introduction of a time limit is a different matter; and although I do not agree with this Chamber as such, if it is to be a House of Review members must have as much time as they need.

The Hon. T. Knight: This recommendation would still allow as much time as you want in Committee.

The Hon. R. THOMPSON: I am aware of that, but there is no prize for being second. Probably a back-bencher who has done his homework would often have more knowledge of the subject than the Minister handling the Bill or the Leader of the Opposition or the person deputed

by him to speak. I referred to Mr Gayfer earlier. As a further illustration I could point out that Mr Abbey could spend considerable time informing us of the problems of brucellosis in the cattle industry, but if a Bill were introduced in respect of this matter he would be restricted to one hour if the recommendation is adopted.

The Hon. T. Knight: If he argues for or against a particular point, surely in the Committee stage the clauses can be amended if necessary.

The Hon. R. THOMPSON: How often have we found that a member has bored others to such a degree that they have left the Chamber?

The Hon. J. Heitman: Yes, and when you come back half an hour later and the same chap is still speaking you have to walk out again. We should have a bell to let us know when he has finished.

The Hon. T. Knight: That does not normally happen in Committee. Usually we have a full Chamber listening to what is going on.

The Hon. R. THOMPSON: That may be true at times. However, members are sent here to represent the point of view of their electors, and this is a matter we should take into consideration. If a member requires more than an hour in which to express the point of view of his electors, then he should have the right to take as much time as he needs. Therefore, I oppose the proposed new Standing Order.

Reference has been made to proposed new Standing Order 151. I would not oppose a time limit in respect of that provision, because it applies to different circumstances. That applies to papers tabled in this place, and it would enable members to have a look at the Consolidated Revenue Fund Estimates. If my understanding is correct the matter would remain on the notice paper and any member, if time permits, may speak for a period of 30 minutes on the subject matter of the paper that has been tabled. However, he may not refer to other matters as he can during the Address-in-Reply or the debate on the Appropriation Bills.

I have no objection to a time limit of 30 minutes in that case, because I understand a member is not restricted to speaking on only one occasion. I can see you indicating, Mr President, that a member may speak only once, but as I read the proposed Standing Order it does not say that. If a member spoke to the Budget papers under proposed new Standing Order 151, would this bar him from speaking on the formal motion when the Bill is being put through?

The PRESIDENT: It would be a substantive motion if the member is referring to proposed Standing Order 151, and therefore his time would be limited to 30 minutes.

The Hon. R. THOMPSON: But that is only in respect of the tabled paper; then the Minister introduces the Bill and all members then are free to speak again if they so desire.

The PRESIDENT: Yes, when he introduces the Consolidated Revenue Fund Bill all members are free to speak, but it is proposed they shall be limited then to 45 minutes.

The Hon. R. THOMPSON: Yes, if this is carried. I have no objection to a time limit of 30 minutes in respect of speeches made concerning various tabled papers. At present virtually any member can speak for 30 minutes on the motion for the adjournment of the House if he so desires, and proposed Standing Order 151 will merely allow him to speak on a specific matter in respect of which a paper has been tabled.

However, I think we would be inhibiting debate and doing a disservice to members if we adopt a restrictive time limit. I do not think we can justify to the general public that we are overworked and that we debate matters too long. Quite often the reverse is the case; often few members exercise their option to debate important legislation.

We find the attitude of this place in this respect has changed considerably over the years. Whereas once we had Opposition, Government members, backbench, and cross-bench members all speaking on many Bills, we now find one or two, or maybe four at the most, speaking on legislation. Therefore it is evident that the time of debate has been changed considerably over the years. I do not think we should change it further by restricting the time for which a member may speak.

The Hon. G. C. MacKINNON: Often we appoint committees which go into a subject matter at great length, and then we come along here and discuss the whole matter again. I am always extremely reluctant to take any action contrary to the decision of the Standing Orders Committee, but on this occasion I feel absolutely constrained to do so.

The PRESIDENT: I point out to the Minister that these are merely recommendations.

The Hon. G. C. MacKINNON: I realise that, Sir, and I will oppose this recommendation. I agree with Mr Dans in this respect. I do not believe this has the fundamental, basic ingredients to reduce debate. If that is what we want to do, other means of doing it are available. In my opinion the proper way to do so is to limit the number of speakers. It has been my experience that by the time three speakers have said their piece in respect of a Bill, there is nothing new to be said.

I have sat in this place and listened to debates longer than anyone in the Chamber with the exception of you, Sir, and

Mr Baxter. Over the years I have heard some very long speeches. However, I can only recall two speeches which to my mind were unnecessarily long in the sense that they were made with the total object of being long.

Mr Bennetts used to make very long speeches because he visited every place in his electorate. One or two members will remember him. Mr Bennetts was here two decades ago. But two weeks ago Mr Wordsworth made a long speech simply because he wanted to cover a lot of subjects. I can recall only two speeches in this place which were made not for those reasons but for the sake of being long.

I think there are other ways in which this matter could be handled. We could have an amendment to the Standing Orders by which we could move that a speaker be no longer heard. As happens in the American Senate, we could ask for a member to yield so that one could cut in on his speech provided one had enough voices in support. There are a number of alternative methods. In the House of Commons there is a limitation on the number of speakers. Generally, after we have heard three speakers, very little new matter of any real merit is brought to light. Because of my very firm belief in this matter I feel constrained to indicate my lack of support for this recommendation.

I can understand why the Committee brought in this recommendation; it would be at the request of a considerable number of members. I am quite sure we all know why. I believe that in the light of history we ought not to agree to this recommendation for some of the reasons Mr Dans enumerated. I indicate that for those reasons this recommendation will not get my support. We could have before us Bills of a complex nature such as one to amend the Local Government Act, to which Mr Thompson referred and which kept us here for a considerable period during two sessions with a number of sittings through to dawn. That was a very complex measure in which lots of matters were debated at great length. I believe there are other methods of accomplishing the excellent purpose the Standing Orders Committee set itself. Perhaps it would look at what appear to be more complex methods but which in fact would better accomplish the purpose. If every member were to speak for the full time allotted to him there would be an awful lot of tedious repetition which would be hard to pinpoint, but we would certainly take a long time to get through.

I am not suggesting the time has come when we should limit the number of speakers. I think better sense will prevail. Therefore, I believe we ought not to agree to this recommendation. I am always extremely loath to oppose any suggestion of a Committee because the members of the Committee will have given far greater consideration to the matter than anybody else and have made their recommendations. In the main I am always inclined to accept such recommendations with a minimum of debate provided there is a way to accept them. But there is no way in which I can accept this recommendation.

The Hon. C. R. ABBEY: I support the recommendation of the Standing Orders Committee. The three previous speakers have expressed opposition, basing some of their arguments on the fact that there is no need to expedite business. I do not think that is the main purpose of this amendment. In my view, anyone who speaks beyond an hour, which will normally be the case with an extension of 15 minutes, will lose the attention of the House. Surely the purpose of a speech is to put forward a point of view. I think I would be speaking for most people when I say that if a speech goes beyond an hour I find my attention wanders. I have noticed that this is the case with most other members.

Mention has been made of members with specialist knowledge; for example, I have specialist knowledge of brucellosis and Mr Gayfer has specialist knowledge of Co-operative Bulk Handling. If any member with specialist knowledge cannot put forward a point of view in an hour—I am speaking purely of members who will be restricted if the recommendation is accepted—he will lose the attention of House and he will not be affected by this proposed amendment. I think this is a quite reasonable recommendation and we ought to see how it works. I support it fully.

If we find in the future that it is unduly restrictive—and I do not think it is—of course it could be reviewed. The Leader of the House has suggested that a further 15 minutes, making an hour—or an extension to an hour and a quarter or even an hour and a half—would be a better way of handling this matter, but I think there is a reasonable limit to which speeches ought to go. What Mr Knight said with regard to the Local Government Act Amendment Bill is not necessarily so because undoubtedly that was recognised as a Committee Bill. No-one could cover the complexities of 600 clauses in a second reading speech. In the Committee stage the discussion was long and varied and I believe that to handle the Bill in this way, with a proper discussion at the Committee stage, was the fairest and best way of doing it. I support the recommendation.

The Hon. N. McNEILL: The subject matter of this debate has obviously raised considerable difference of opinion amongst members. As this is the first formal opportunity which the Committee has had to consider the recommendations

of the Standing Orders Committee, I feel, now the subject has been opened, that there is possibly some merit in giving members the opportunity to come to a firm determination as to the attitude to be adopted. We are deciding an important matter. I say without any lack of respect for the members of the Committee that possibly members have not given close study to the propositions which are contained in this report. Having said that, my purpose is to suggest that perhaps progress be reported and that the matter be discussed at another sitting of the Committee. I think this will be of advantage to members and will clarify their thinking.

Progress

Progress reported and leave given to sit again, on motion by the Hon. N. McNeill (Minister for Justice).

QUESTIONS (13): ON NOTICE

1. ROAD TRAFFIC AUTHORITY

Collection Centre: Boans Ltd.

The Hon. R. F. CLAUGHTON, to the Minister for Health representing the Minister for Police and Traffic:

Will the Minister advise the reason the Road Traffic Authority collection centre in the R. & I. Bank, Barrack Street, Perth, was closed and moved to the basement of Boans Ltd., Murray Street, Perth?

The Hon. N. E. BAXTER replied:

The R. & I. Bank requested the authority to vacate their premises.

2. ABORIGINES

Hostels: North-West

The Hon. H. W. Gayfer for the Hon. J. C. TOZER, to the Minister for Community Welfare:

(1) Was the Charles Perkins Hostel for Aboriginal children in Halls Creek scheduled for major upgrading in this financial year?

(2) Has this work now been removed from the current programme?

(3) If so, why?

(4) If not, when will the upgrading work be carried out?

(5) What is the final estimated cost of the comparable major maintenance work carried out on—

(a) Moorgunya Hostel at Port Hedland?

(b) Gilliamia Hostel at Onslow?

(6) When is it proposed to upgrade—

(a) Weerianna Hostel at Roebourne; and

(b) Oolanyah Hostel at Marble Bar?

(7) Is it anticipated that the same high standard will be reached at Halls Creek, Roebourne and Marble Bar, as has been achieved at Onslow?

(8) Is it planned that finance be made available for the major improvement of—

(a) the Community Welfare Department Hostels at Fitzroy Crossing and Derby;

(b) St. Joseph's Hostel at Derby?

The Hon. N. E. BAXTER replied:

(1) Yes, but sufficient funds were not received for work to commence.

(2) No. Charles Perkins is still listed for major upgrading. It is expected it will be started in 1976/77, again depending on funds being available.

(3) Answered by (2).

(4) Answered by (2).

(5) (a) Moorgunya Hostel—$332 645.

(b) Gilliamia Hostel—$354 638.

(6) (a) Weerianna Hostel, Roebourne, should be commenced in 1976/77.

(b) This depends on the availability of finance and the priorities given to each of the several hostels in the total upgrading programme. It is not anticipated that Marble Bar will proceed before 1978/79.

(7) The same standard will be required.

(8) (a) Urgent upgrading work has already been completed and further finance committed at Fitzroy Crossing and Derby hostels. Both hostels are also included in the total upgrading programme.

(b) No. This hostel is not under the control of the Department for Community Welfare.

3. LYNWOOD HIGH SCHOOL

Upgrading

The Hon. Clive GRIFFITHS, to the Minister for Education:

(1) Would the Minister advise whether or not a final decision has been made in regard to upgrading Lynwood high school to take year 11 students in 1977?

(2) If no final decision has yet been made, would the Minister advise me as soon as it is?

The Hon. G. C. MacKINNON replied:

(1) and (2) The school will be upgraded in 1977.

4. LICENSING COURT

Appointment of Chairman

The Hon. D. K. DANS, to the Minister for Justice:

(1) Referring to question 3 of the 6th May, 1976, regarding the Licensing Court, can the Minister advise if during February 1976, he had any official or unofficial discussions with any member of the Australian Hotels Association regarding the Liquor Act and the Licensing Court?

(2) In view of the fact that newspaper reports indicate the new Chairman of the Court will be Mr R. W. Nowland, what understanding does the Government have with Mr Nowland in this regard as obviously approach(es) have been made to him?

The Hon. N. McNEILL replied:

(1) I can recall a brief phone conversation with the President of the Australian Hotels Association on or about the 25th February, 1976 concerning violence on hotel premises.

There may well have been brief conversations of a completely informal and general nature with persons who are members of the A.H.A. at social or similar functions, but none of any particular significance that can be recalled.

(2) An approach was of course made to Mr Nowland prior to the Hon. Premier's statement to the press on the 29th April.

Mr Nowland has advised that he is prepared to accept the appointment following the expiration of the term of the present Chairman on 31st May, 1976.

Mr Nowland understands that subject to approval of the legislation now before Parliament, that the appointment will be for a period of 7-years and will carry a salary and entitlements of a District Court Judge.

5. UNDERGROUND WATER SCHEMES

Effects

The Hon. R. F. CLAUGHTON, to the Minister for Justice representing the Minister for Water Supplies:

(1) Is the Minister aware of correspondence of the Town of Cockburn with the Metropolitan Water Supply, Sewerage and Drainage Board, seeking information and assurance on the effects of the proposed Jandakot Ground Water Scheme?

(2) Will the Minister advise the number of complaints that have been received from property owners that claim water levels in their bores have been lowered due to the operation of the Mirrabooka or Gwelup ground water systems?

(3) (a) How many of these complaints have been investigated; and

(b) what were the findings of these investigations in respect of causes due to the operation of the above schemes?

(4) Has compensation been made to any of the property owners referred to above?

(5) (a) Has an investigation been made of the effect of the operation of the ground water scheme on—

(i) the level and duration of water in natural lakes and swamps;

(ii) the natural vegetation;

(b) if so, what conclusions have been reached on the likely long term effects of the operation of the scheme?

The Hon. N. McNEILL replied:

(1) Yes.

(2) Mirrabooka—nil; Gwelup—one.

(3) (a) One.

(b) The finding was that the peak pumping discharge rate had diminished, suggesting that the bore was drawing air. The irrigation of the property, however, was contained satisfactorily at the normal rate.

(4) No.

(5) (a) (i) and (ii) Yes. This is continuing and includes assistance from Departments of Agriculture and Fisheries and Wildlife and close liaison with the Department of Conservation and Environment.

(b) The design endeavours to achieve a balance between annual recharge and annual extraction by settlers and the Board.

6. STATE SHIPPING SERVICE

North-west Ports

The Hon. H. W. Gayfer, for the Hon. J. C. TOZER, to the Minister for Health representing the Minister for Transport:

(1) Has an assessment been made of the impact on local communities caused by the reduction and/or the cessation of calls by ships of

the State Shipping Service to northern ports in respect to employment of Harbour and Light personnel, wharf workers, ancillary transport, etc., workers, and consequential service sectors?

(2) Has the Service explored the availability of additional cargoes for major industrial consignees in the Pilbara?

(3) Does the Minister anticipate that the new interstate service will introduce cargoes which leave the eastern seaboard with Pilbara ports as the ultimate destination?

(4) With the termination of the scheduled service to Port Walcott/Point Samson area, and the withdrawal of Harbour and Light staff, and the dispersement of waterside labour, can it be anticipated that we will not see regular calls at Cape Lambert in the future?

(5) What is to become of Harbour and Light properties at Point Samson?

The Hon. N. E. BAXTER replied:

(1) With the exception of Port Walcott, there is not expected to be any reduction in the work force at any northern port following a reduction of calls by vessels of the State Shipping Service. We have ascertained that there will be some reduction of Harbour and Light Department staff at Port Walcott, but this aspect will be answered by the Hon. Minister for Works.

The waterside workers in this port are employed on an irregular and casual basis and the work force will not be dispersed. A guaranteed wage is paid to waterside workers by the Australian Stevedoring Industry Authority and this will continue although on a reducing basis.

(2) Yes. A vigorous and continuous marketing programme is maintained.

(3) No.

(4) Yes. Calls will be made on occasions when warranted by sufficient tonnages.

(5) Houses of retrenched Harbour and Light personnel will be retained and offered to other Government employees requiring accommodation.

Arrangements are in hand to lease space in the freezer and goods shed.

7. LOCAL GOVERNMENT

Honorarium for Councillors

The Hon. R. F. CLAUGHTON, to the Attorney-General representing the Minister for Local Government:

(1) Has the Minister for Local Government received a deputation from the City of Stirling to discuss reasons for seeking an honorarium for councillors?

(2) If so, will the Minister inform the House what decision, if any, he has made on this matter?

The Hon. I. G. MEDCALF replied:

(1) No.

(2) Answered by (1).

8. WATER AND ELECTRICITY SUPPLIES

Point Samson

The Hon. H. W. Gayfer, for the Hon. J. C. TOZER, to the Minister for Education representing the Minister for Industrial Development:

(1) (a) Is it proposed to provide a reticulated electric power supply to the householders and the prawn receiving depot in Point Samson;

(b) if so, when;

(c) if not, will an early statement of intention be made by the Government?

(2) (a) Is it proposed to provide an expanded and unrestricted reticulated water supply for the people of Point Samson;

(b) if so, when?

The Hon. G. C. MacKINNON replied:

(1) The matter is still under consideration in view of the substantial costs to be involved.

The Hon. member will recall that I had personal discussions with him on this subject and offered to further discuss the matter with him.

(2) This question ought to be directed to the Hon. Minister for Works.

9. SUPERPHOSPHATE

Subsidy

The Hon. D. J. WORDSWORTH, to the Minister for Justice representing the Minister for Agriculture:

(1) Has the Phosphatic Fertiliser Bill yet been passed by the Federal Parliament?

(2) If so—

(a) does the price now being charged for superphosphate include the subsidy;

(b) when will refunds be made to those who paid the full price while awaiting passing of the Bill?

The Hon. N. McNEILL replied:

I am advised by the management of C.S.B.P. and Farmers that the following answers are applicable:—

(1) Yes. 7th April, 1976.

(2) (a) Yes, from 8th April, 1976.

(b) Bounty on sales made prior to the passing of the Bill was paid by the Commonwealth on 30th April, 1976. Farmers' accounts have been credited or refund cheques sent to farmers who paid cash.

10. COMMUNITY RECREATION OFFICERS

City of Stirling

The Hon. R. F. CLAUGHTON, to the Minister for Recreation:

(1) How many community recreation officers are currently allocated to the City of Stirling?

(2) How many further officers are to be allocated to the city for 1976/1977?

(3) How many officers have been requested by the city for 1975/76 and 1976/77.

The Hon. G. C. MacKINNON replied:

(1) Three Recreation Officers are at present allocated to the City of Stirling.

(2) It is not intended to allocate any further officers to the city in 1976/77.

(3) 1975/76—3 officers requested.
1976/77—nil.

11. PRE-SCHOOL CENTRES

Levy: Removal

The Hon. R. F. CLAUGHTON, to the Minister for Education:

(1) Is it the intention of the Government to remove the levy on children attending pre-school centres?

(2) If so, when will this action be implemented?

The Hon. G. C. MacKINNON replied:

(1) and (2) It is the Government's intention to remove the levy but I am not in a position to indicate when this will occur.

12. LAMB MARKETING BOARD

Costs

The Hon. A. A. LEWIS, to the Minister for Justice representing the Minister for Agriculture:

(1) Is the Minister aware that the answer to my question 5 of the 11th May, 1976, relating to the Lamb Board, gave a different monthly cost to those figures given in reply to question 1 by the Hon. D. J. Wordsworth on the 20th March, 1975?

(2) (a) Is there any reason for this; and

(b) If so, what reason?

The Hon. N. McNEILL replied:

(1) The Minister is aware that costs referred to in reply to the Hon. D. J. Wordsworth on March, 20, 1975 differed from those given on May 11, 1976.

(2) (a) Yes.

(b) The answer given in March 1975 is expressed in cents per pound and includes bank interest.

The answer given on May 11, 1976 is expressed in cents per kilogram and excludes bank interest, which is shown as a separate item as it is considered to be an industry direct cost.

13. RAILWAYS

Sheep Cartage: Rolling Stock

The Hon. D. J. WORDSWORTH, to the Minister for Health representing the Minister for Transport:

Further to my question 1 of Tuesday, the 11th May, 1976, concerning railways rolling stock—

(1) If sheep are to be imported into Western Australia for ultimate export alive, would Westrail containers go to the Eastern States to effect their cartage to this State?

(2) If so, for how long would the containers be required for such a journey?

(3) What is the theoretical time interval between consecutive use of a container?

(4) Is Westrail able to handle the demand for train loads of sheep particularly in regard to loading of ships which can now carry over 30 000 head?

(5) Are added charges being made for this trade on—

(a) week days;

(b) Saturdays;

(c) Sundays and holidays?

The Hon. N. E. BAXTER replied:

(1) It would be unlikely that they would be required due to there being adequate capacity on Eastern States systems.

(2) It would depend on the distance involved e.g. Victoria—in the vicinity of 14 days.

(3) One day.

(4) Only with great difficulty because the lack of holding space at ships side restricts the turnround of wagons.

(5) (a) No.

(b) Yes.

(c) Yes.

House adjourned at 4.35 p.m.

Legislative Assembly

Wednesday, the 12th May, 1976

The SPEAKER (Mr Hutchinson) took the Chair at 11.00 a.m., and read prayers.

QUESTIONS ON NOTICE

Postponement

THE SPEAKER (Mr Hutchinson): I have some information for the House. Firstly in regard to questions, I propose that these be taken at an appropriate time after the afternoon tea suspension.

ADJOURNMENT OF THE HOUSE

Procedure

THE SPEAKER (Mr Hutchinson): Following the resolution agreed to by this House last night it is possible that at a later stage in this sitting the House will come to a point where an adjournment of the House must take place, nothwithstanding that some business may be before the House at that particular time.

Should this occur it is my intention to follow the established practice now applying to the closure of non-Government business at a specified time on a Wednesday.

This will mean—

In the House: I will interrupt the debate and ask the member then speaking to seek leave to continue his remarks in accordance with Standing Order 152. If he fails to do so, or leave is not granted, I will put the main question to the House and accept an adjournment motion, or the question will be decided by a vote of the House.

In Committee: The Chairman will accept a motion that progress be reported in accordance with Standing Orders 336 and 347 or, alternatively, if such motion is not moved, he will interrupt the Committee and report progress in the same form.

NATIONAL PARKS AUTHORITY BILL

Report

Report of Committee adopted.

BILLS (2): THIRD READING

1. Perth Medical Centre Act Amendment Bill.

   Bill read a third time, on motion by Mr Ridge (Minister for Lands), and passed.

2. Acts Amendment (Port and Marine Regulations) Bill.

   Bill read a third time, on motion by Mr O'Neil (Minister for Works), and transmitted to the Council.

BILLS (3): INTRODUCTION AND FIRST READING

1. Western Australian Tertiary Education Commission Act Amendment Bill.

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

2. Road Traffic Act Amendment Bill (No. 2).

   Bill introduced, on motion by Mr O'Connor (Minister for Traffic), and read a first time.

3. Fremantle Port Authority Act Amendment Bill.

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

STATE GOVERNMENT INSURANCE OFFICE

Release of Royal Commission Report: Motion

MR HARMAN (Maylands) [11.08 a.m.]: I move—

> That in the opinion of this House the Government should immediately make public the report of the Royal Commission into matters relating to the State Government Insurance office.

Mr Speaker, when you reflect upon the history of the Royal Commission report and the delay of two years by the Government to make public this report, you will very quickly see that this motion could have been anticipated, and certainly the Government would have expected a motion such as this.

Firstly, let us look at the history of this matter. In 1973 the Tonkin Labor Government decided to appoint a Royal Commission to investigate certain matters; and I intend to touch on them so that the case will be presented correctly. First of all, we wanted a Royal Commission to examine