

the surveillance of that section of Guidance Branch that generally supervises these "Special Class" activities?

The Hon. J. DOLAN replied:

- (1) Yes.
- (2) (a) Children in the metropolitan area normally have to pay the cost of their transport to school. To make an exception in the case of East Perth children could create a costly precedent.
- (b) A meeting of parents to discuss the closure of East Perth could quite easily be arranged if the parents desire this.
- (c) The information about Highgate is accurate in terms of present proposals for the school.
A library-resource centre is planned for Highgate this year.
Present proposals are that Highgate will be restructured into Junior Primary and Senior Primary Schools in 1974. There are three language classes for migrant pupils. There are two special classes—one junior and one senior.
- (3) The two special classes come under the surveillance of the Guidance Branch and provide remedial teaching and learning activities adapted to children with special learning difficulties.

5. HOUSING

Brownlie Flats

The Hon. CLIVE GRIFFITHS, to the Leader of the House:

- (1) How many units are currently vacant at the State Housing Commission's flats "Brownlie Towers"?
- (2) What are the reasons for these vacancies?
- (3) Is the occupancy rate considered to be equivalent to that which would normally apply to a block of privately-owned flats of similar size?

The Hon. J. DOLAN replied:

- (1) 21 of the 320 apartments are vacant.
- (2) Approximately 54 per cent of vacancies are due to Tenant turn for alternative accommodation provided by the Commission under both purchase and rental schemes.

- (3) There are no comparable private projects in Perth. However, checks indicate that in like medium rise projects the vacancy rate ranges from 15 to 25 per cent per annum depending on location and rentals. The vacancy rate for the Commission project was 7 per cent during 1972-73—a period in which housing demand was much easier than when the Bentley Project was built.

6. STATES' LEGISLATIVE POWERS

Federal Government's Policy

The Hon. A. F. GRIFFITH, to the Leader of the House:

In respect to the answer to question 1 of the 8th August, 1973—

- (1) To what extent are the statements inaccurate?
- (2) What steps has the Hon. Premier made to correct these Press inaccuracies?

The Hon. J. DOLAN replied:

- (1) and (2) To the extent that it is not a verbatim report. Experience has shown me that it is fruitless to attempt to correct Press inaccuracies. Apart from this, however, the slight discrepancy does not warrant any action.

House adjourned at 3.40 p.m.

Legislative Assembly

Thursday, the 9th August, 1973

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

LEAVE OF ABSENCE

On motion by Mr. Bateman, leave of absence for eight weeks granted to Mr. Bertram (Mt. Hawthorn) on the ground of public business.

On motion by Mr. McPharlin, leave of absence for seven weeks granted to Mr. Stephens (Stirling) on the ground of public business.

BILLS (2): INTRODUCTION AND FIRST READING

1. Juries Act Amendment Bill.
Bill introduced, on motion by Mr. T. D. Evans (Attorney-General), and read a first time.

2. Broken Hill Proprietary Company's Integrated Steel Works Agreement Act Amendment Bill.

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

**INDUSTRIAL ARBITRATION ACT
AMENDMENT BILL**

In Committee

Resumed from the 16th May. The Deputy Chairman of Committees (Mr. A. R. Tonkin) in the Chair; Mr. Harman (Minister for Labour) in charge of the Bill.

Progress was reported after clause 3 had been agreed to.

Clause 4: Amendment to section 2—

Mr. O'NEIL: It is now some time since the Committee considered the proposed amendments to the Industrial Arbitration Act and, to date, we have discussed the Bill in Committee only as far as clause 3. That clause seeks to amend the long title of the principal Act by inserting the word "Mediation".

A considerable amount of debate ensued as to whether or not the word "Mediator" should be included for the purpose of including such a person in the system of conciliation. We on this side of the Chamber have not changed our minds.

The clause purports to add a new part to the Act and a new title to that part. The object is to insert a new part, being part IVB dealing with mediation and conciliation. There is no need for us to canvass the matter of mediation and mediators again. We did express our views quite clearly and we have proved conclusively that the system of mediation as proposed in the Bill is most unlikely to be workable. In fact, rather than facilitating the resolution of industrial disputes under the existing system, it will simply introduce another avenue which will have the effect of delaying the resolution of such disputes, and not of speeding up the resolution of them.

In the course of my remarks last night on the Supply Bill I did caution the Government on the actions it is taking generally in the matter of industrial legislation, and particularly in the matter of industrial arbitration. Whilst the Government might be acting in good faith, it is certainly acting on wrong advice. The Government would do well to examine all of its proposals relative to matters such as working conditions, annual leave, sick leave, and the like.

If one stands off and looks objectively at the legislative programme one will be able to see that little by little, and piece by piece, all the matters on which negotiations take place and which are the subject of compromise in arriving at a reasonable

decision under industrial awards and agreements are gradually being removed from the area of negotiation.

I have mentioned that legislative attempts have been made to remove the entitlement to sick leave from industrial arbitration, long service leave from industrial awards and agreements, and the like. At the present time Parliament, to a degree, has modified, and in one case has rejected, the proposals of the Government. We on this side have not changed our minds, and therefore our intention is to oppose the clause.

Mr. HARMAN: The Government does not accept the view put forward by the Deputy Leader of the Opposition. As the subject of mediation and mediators has been canvassed for some hours in this Chamber previously, it is not the desire of the Opposition to discuss this matter again at length. I appreciate the reasons that have been given. I, too, do not want to canvass this matter again; however, as the new Minister handling this legislation I believe there is a place in our industrial legislation for mediation. I think it will work.

There are some areas in which I can see great advantages being gained through mediation, and it is unwise to oppose mediation for the sake of opposing it by merely saying it will not work.

Mr. R. L. Young: Can you tell us how it will work?

Mr. HARMAN: We should at least give this concept of resolving industrial disputes a chance to succeed.

Mr. R. L. Young: It is a good idea, but within the framework on which it is built tell us how it will work.

Mr. HARMAN: I can give an example. Let us assume that an industrial dispute arises at Kununurra which involves the employees of the Public Works Department, and relates to some safety angle of their occupation; they have a discussion with the management, but are unable to arrive at a compromise; so arrangements are made to appoint a mediator in Kununurra who is acceptable to both parties. He might be the chairman of the local authority, the local clergyman, or the headmaster of a school. Obviously he would be a person with some skill in mediation.

He could bring the parties together so that they can discuss the problem. It is quite possible for an industrial dispute relating to a safety feature of work to be resolved in that way. Thus the opportunity for a strike to occur would be prevented or inhibited. This would also obviate the need for an industrial commissioner to fly all the way from Perth to Kununurra to attend a compulsory conference.

Mr. R. L. Young: Under the provisions of the Bill does he not have to be one of the persons included in the list?

Mr. HARMAN: That is not so under the terms of the Bill.

Sir Charles Court: You are being pious.

Mr. HARMAN: The honourable member might have some examples to give. I contend this is one area in which mediation might work. It is possible—and this might have occurred in some cases—that the employers and the unions have lost confidence in the existing system of conciliation and arbitration. They therefore consider that some other avenue, by which the parties can get together, should be available to enable mediation to proceed.

Mr. R. L. Young: A figure of 93 per cent is not a bad batting average.

Mr. HARMAN: I agree that this new concept has been practised in some other countries of the world but it is too early to assess the result. It will not cost the Government a huge sum of money; the only cost will be for the payment of the services of the mediator when and if he is used.

The provision will not be used unless both parties agree, and if one party decides not to continue with the mediation that will be the end of it. The Deputy Leader of the Opposition has stated he believes the system will not work and, of course, he could be right. However, I believe we should give it a try.

Mr. JONES: It is obvious to me that from the view expressed by the Deputy Leader of the Opposition we can expect this legislation to have a short life in another place. Delays are caused in the industrial sphere because of disputation and if we do not do something to bring mediation before the authorities much quicker than has been the case in the past we will be failing in our duty. I think the Deputy Leader of the Opposition would know of the weaknesses in our existing structure and it will not be denied that in some instances it takes up to six months to bring matters before the Industrial Commission.

Mr. O'Neill: Before the State Industrial Commission?

Mr. JONES: I understand that is the situation. It could be said that in some instances delaying tactics are used because of the stringent provisions in the Western Australian industrial arbitration legislation. Such delays are to the benefit of the employers. We should attack the problem to bring about speedier settlements of industrial disputes.

There may be weaknesses in the proposition put forward but, at least, let us have the opportunity to see if it is workable. I do not think anyone on the Opposition side would deny that there is need for some change in our industrial system. A change is desirable in the interests of both

the workers and the employers. The problem is to get matters before the proper authority as quickly as possible.

Sir Charles Court: That will not occur under the mediation provision in this Bill.

Mr. JONES: It will not be difficult to obtain the services of a mediator.

Sir Charles Court: It will be difficult under the provisions of this Bill. The member for Collie has not read the Bill.

Mr. JONES: I have read the Bill. It is obvious that we are in disagreement, as I think we will be right throughout our industrial programme. We should have an opportunity to put into operation the recommendations contained in this legislation.

Mr. O'NEIL: I commenced my remarks in a low key, purposely. We spent eight hours discussing this Bill at the second reading stage—mainly dealing with the matter of mediation—and we have spent a total of 21 hours on the Bill up to date. If the Government wants some stonewalling it is going the right way about it.

Mr. Jones: I am not stonewalling.

Mr. O'NEIL: A new Minister is in charge of the Bill and we are attempting to discuss these matters with which we are vitally concerned in a low key. However, once again we have heard an explanation of the system of mediation even though I think every member present will be aware of our attitude to the situation.

The committee will also be aware of our attitude towards getting matters under consideration as quickly as possible. I agree with the member for Collie that one of the major reasons for industrial disputation is the time it takes to get a matter heard. There can be as many conciliators as one desires to have but the final decision will satisfy one party only.

It is clear that a system of mediation will not work when the conciliator must be drawn, primarily, from panels of names submitted by the two parties. The mediator must be acceptable to both parties. However, in an industrial dispute I guarantee that most employers would not find the union nominee acceptable, and most unions would not find the employer nominee acceptable.

Mr. Jones: Have mediators not been agreed on previously?

Mr. O'NEIL: No, not under the Industrial Arbitration Act. Mediators are operating in America where there is no such law, and they are appointed by the President.

Mr. Jones: Does the Leader of the Opposition deny that mediators have been of some benefit?

Mr. O'NEIL: Irrespective of whether or not there are mediators I do not believe one man would be acceptable to both parties involved in the dispute. It further happens that the mediator must express his willingness to act. It could take from seven to 10 days to appoint a mediator. I feel certain that if we were to resolve the matter now before the Committee through a mediator, and the member for Collie had the option of nominating a mediator, I would not accept his selection, and if I had the option of nominating a mediator the member for Collie would not accept my selection.

Mr. Jones: You do not go along with mediation, in that case.

Mr. O'NEIL: I go along with the resolution of industrial disputes by conciliation. A complete new tier of amateurs who are not skilled in the matter of industrial awards and conditions is being introduced under this proposal.

Mr. Jones: Some of our commissioners were not skilled in those matters.

Mr. O'NEIL: They have been in the job for long enough to have some knowledge now.

Mr. Jones: Perhaps the Chief Industrial Commissioner was not skilled in industrial matters. I am not criticising his capabilities.

Mr. O'NEIL: Perhaps not, but surely in carrying out his responsibility he has now gained some skill.

Mr. Jones: But he did not have it when he first took up the position.

Mr. O'NEIL: An amateur called a mediator seems to be regarded as being preferable to a professional called a conciliator. It is a lot of poppycock. I did not intend to develop the argument to this extent because I thought we had already canvassed this area to the point where the Premier gave notice of a guillotine motion, which no longer appears on the notice paper. If the Government wants to carry on with the same arguments over and over again, we on this side have plenty of time and plenty of speakers.

Mr. Jones: All I want to do is make the position clear.

Mr. O'NEIL: I am not sure for how long the honourable member spoke.

Mr. Jones: About three minutes.

Mr. O'NEIL: On a previous occasion.

Mr. Jones: About three-quarters of an hour.

Mr. O'NEIL: I simply rest on this clause, which is a matter of inserting a new part into the Bill and giving it a title, by saying we express the same point of view as we expressed in the major debate. Our opinion has not changed.

Clause put and a division taken with the following result—

Ayes—20

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

(Teller)

Noes—19

Mr. Blaikie	Mr. Nalder
Mr. Charles Court	Mr. O'Neill
Mr. Coyne	Mr. Ridge
Dr. Dadour	Mr. Runciman
Mr. Grayden	Mr. Rushton
Mr. Hutchinson	Mr. Sibson
Mr. A. A. Lewis	Mr. Thompson
Mr. E. H. M. Lewis	Mr. R. L. Young
Mr. W. A. Manning	Mr. I. W. Manning
Mr. McPharlin	

(Teller)

Pairs

Ayes	Noes
Mr. Bertram	Mr. Stephens
Mr. Taylor	Mr. David Brand
Mr. McIver	Mr. W. G. Young
Mr. Bateman	Mr. O'Connor
Mr. Hartrey	Mr. Mensaros

Clause thus passed.

Clause 5: Section 4A repealed—

Mr. O'NEIL: This clause proposes to repeal section 4A of the Act, which was inserted in 1963 to enable those matters which were before the then Industrial Court to be kept alive and saved to come up for consideration before the new Industrial Commission set up under the parent Act. We have no objection to this clause.

Clause put and passed.

Clause 6 put and passed.

Clause 7: Amendment to section 6—

Mr. O'NEIL: This clause contains some amendments in respect of definitions or interpretations. The first amendment is to delete any reference to a certifying solicitor. We have recognised—and it was so stated during the second reading debate—that the requirement for unions to have their rules checked against the provisions of the Act by a certifying solicitor can be a somewhat onerous burden—not an expensive one but amounting to a little red tape which is not considered to be necessary. Provision is made later in the Act for the registrar to have some control to ensure that union rules are not *ultra vires* the Act. We have no objection to paragraph (a) of clause 7.

We oppose paragraph (b) which places into the interpretations the definition of "Mediator". We have previously explored that matter. We have pointed out that we do not believe a system of mediation can work when we already have a system of arbitration and conciliation regulated by Statute.

We also raise objection to the manner in which it is intended to give special status to shop stewards. We have canvassed that area quite widely. We do not disagree that on the factory floor there should be a person who, acting in the interest of the workers, can be an intermediary between the management and the workers. However, we do disagree with his being given some statutory status. The ordinary paid and elected officials of unions have certain entitlements extended to them in respect of entering shops, factories, and other premises to carry out the duties associated with their office. This has always been accepted. However, these officials are in fact paid by the union and therefore are subject to the membership of the union with regard to the efficiency of their work.

We do not believe that a person who is to become a statutory official of a union—and who, under these provisions, does not even have to be elected by the union, but simply selected—should be paid by his employer. The measure does give him a great deal of protection in respect of his activities at work. It entitles him to use some of the time of his employer when carrying out the work of the union. In some respects that is fair enough because if problems occur in the shop or factory the management would not object to the shop steward being a go-between, but by giving this officer statutory authority we are giving him far more protection in respect of his duties than an elected official of the union. We cannot agree with that, so we will oppose the inclusion of the definition.

Clause 7 (d) redefines the word "strike". We have already been through this argument. The definition of "strike" is to be inverted. Strikes will not be illegal *ab initio*, but will be regarded as legal from the beginning. Only in extremely limited circumstances will they be able to be declared illegal. We do not believe that is in the best interests of the legislation because under the provisions of this amending Bill the only time a strike may be declared illegal is when it relates to an industrial dispute subject to an award by virtue of its term. The so-called political strike, or the sympathy strike, or a strike relating to industrial conditions in an award which is out of term and extended temporarily cannot be declared illegal under any circumstances in this proposition. So it would be extremely doubtful

whether any strike or lockout could be declared illegal. We do not propose to support that paragraph.

Similarly, paragraph (e) amends the definition of "Worker" and includes a class of worker to which the Government appears to be giving some consideration. I refer to domestics.

I think a domestic is not regarded as a worker for the purposes of the Act, unless he is one of five or six employed in a lodging house. If the proposed definition of "Worker" is accepted, then an ordinary domestic who works in a private home will be covered. I mentioned previously that there is a danger of doing these people a grave injustice. Many deserted wives and widows with children who receive some form of pension or social service payment, either with the knowledge of the appropriate department or otherwise, manage to make a little extra money by undertaking domestic work, not necessarily on a full-time basis, but on a part-time basis.

If we legislate to recognise and control these people we might deny them the opportunity to obtain a little extra financial assistance that they have had in the past, and which I think probably even the Taxation Department and the social welfare authority may well be aware of but do not police because of the humanitarian attitude they adopt.

Mr. Brady: On the other hand, wouldn't some employers take advantage of the position?

Mr. O'NEIL: I doubt it because those who will be covered under this provision are mainly individual people working singly. Possibly an employer could take some advantage of them, but if so the solution is in the hands of the employees because although there may not be many jobs offering I understand there are some.

Once such people are classed as "workers" the home owners for whom they work will be required to maintain books of wages, time sheets, taxation returns, stamp sheets, etc.; and they must make their premises available for inspection by factories and shops and industrial inspectors. So the proposition is impracticable. We have not been able to do it before except in a case where a number of people are employed in a lodging house.

Mr. Jones: In all sincerity, do you think this would affect many people?

Mr. O'NEIL: It could, and it brings to the forefront what I said last night. Probably the Government thinks it is doing the right thing, but if it stands off and looks objectively at some of these proposals it will see that it is falling for the thimble and pea trick because this provision will not in any way enhance the status of the type of domestic to whom I have referred.

Mr. Jones: What about contractors?

Mr. O'NEIL: That matter has already been widely canvassed. We have clearly established that it is totally impracticable to have a contractor declared a worker. In most cases a worker must be a member of a union. By law a contractor is not entitled to be a member of a union, although the T.W.U. insists that he must be. In my view that union is taking money from people under false pretences.

The DEPUTY CHAIRMAN (Mr. A. R. Tonkin): The member has two minutes more.

Mr. O'NEIL: Today a contractor may be a worker; he may be working for wages. But tomorrow he may be doing a job in his own right. So if he is a worker one day and an employer the next—and therefore not entitled to be a member of a union—it is impracticable to cater for him under this Act. We propose to oppose the provision.

Mr. HARMAN: The Opposition is being consistent in opposing the definition of "Mediator" because it has mounted an argument against mediation in the past. I am not so sure they are consistent in opposing the definition of "shop steward". They are out of kilter with the rest of the thinking in Australia and in the world. The Deputy Leader of the Opposition has said there is a place for a shop steward, but he does not wish to give him any statutory recognition. I am sure he realises that in Australia, where industry is growing at a great pace and the lines of communication are being extended every day, we do need to have a job representative or a shop steward on the plant floor. He agrees with that.

If we are to recognise the position of shop steward or job representative in industry then we should think about giving such a position some statutory recognition as well. The matter of shop stewards has been canvassed quite widely at conferences of the International Labour Organisation in Geneva. As long ago as 1967 these conferences adopted a recommendation concerning the selection of these people within the undertaking with a view to settlement and communication between management and workers. Such conferences have given recognition to the position of job representative at the floor or the plant level.

It is interesting to note that when the Minister for Labour of New South Wales was speaking at a luncheon given by the Employers Federation on the 3rd November, 1972, he made reference to industrial relations. He said that training would have to be considered at more than one level; for example, to cater for the requirements of shop stewards and ultimately the whole field of industrial relations. What he was pointing out was the need to train shop stewards.

Mr. O'Neill: That is fair enough.

Mr. HARMAN: We have been doing that in Western Australia since the present Labor Government came into office in 1971. The Government has been allocating money to the Trades and Labor Council to enable it to arrange education classes within industry, particularly classes pitched at those who will become shop stewards and union delegates at the floor level. To allay the fears of the Opposition I should point out that the Government has also provided funds to the Employers Federation to enable it to conduct classes in management and classes designed to improve industrial relations. There is a growing recognition of the importance of the status of a shop steward.

I want to refer to the publication *Procedures for Dealing with Industrial Disputes*. This is issued jointly by the Department of Labour and National Service, the Australian Council of Trade Unions, and the National Employers Policy Committee. On the question of shop stewards and job representatives the publication points out that unions and employers should notify each other in writing the names of their duly accredited job representatives who would be responsible in the first place for dealing with matters arising on the job. So, those bodies give recognition to the status of shop stewards.

Under the definitions contained in the existing Act of Western Australia we find one covering the term "office". This enables a union to elect or nominate a person to an office. In the same way under its rules a union may appoint or elect a shop steward; in that case the shop steward will have a status conferred on him under the definition of "office".

I do not wish to go into great detail; I merely wish to indicate that in international circles, Australian circles, and Western Australian circles, emphasis is being placed on the position of shop steward. It is time that we legislated to give such a person recognition under the Act.

Under the proposed new definition of "strike" all we are attempting to do is to bring the definition back to that applying prior to 1952. We are making a simple request. We believe that a strike, subject to amendments that will be made to the Bill, is something which affects an industrial matter. That being the case it should be resolved by the Industrial Commission.

If we talk about strikes in the political connotation we believe they should not come within the province of the Industrial Commission. The Industrial Commission should look after strikes which are solely related to industrial matters, and what happens outside that area should not come within its jurisdiction.

Mr. O'Neill: It would stop that happening under the provisions of the Bill. One can only take civil action if the matter is an industrial one.

Mr. HARMAN: Surely the honourable member will concede that the Industrial Commission should have the right to deal with industrial strikes. It should not have to make decisions on strikes within the political connotation.

Mr. O'Neill: The court thinks that but you want to take that away from it.

Mr. HARMAN: I have given the reason as to why we should adopt the definition which applied prior to 1952. In respect of the definition "Worker", this matter was canvassed very extensively by the Minister who introduced the second reading of the Bill, so it is not my intention to go over the same ground again.

On the question of domestics I am not greatly impressed by the argument of the Deputy Leader of the Opposition. He made a good attempt, but I think it is time he recognised that domestics in our society are financially the weakest of the workers. The reason that we have unions is to enable them to protect people who work in positions where they do not wield much strength either industrially or politically. I cannot understand why in the last 50 years the domestics have not been recognised as workers. It is time we did so and included them in the definition.

Mr. JONES: I must make the position clear as I see it. I was very pleased to hear the Deputy Leader of the Opposition say he agreed to the deletion of clause 7 (a). When I was a union secretary I could not understand why the provision had ever been inserted by his Government.

Mr. O'Neill: The draftsman may have had some legal eagles as friends.

Mr. JONES: Perhaps so, but the provision has involved the trade union movement in a great deal of expense. The movement opposed the amendment when it was first inserted, and I am glad that the Deputy Leader of the Opposition has at long last recognised the plight of some of the unionists.

We have made our position clear concerning the mediator. However, I would briefly like to refer to the extension of the duties of shop stewards. The Deputy Leader of the Opposition opposed further recognition of them.

Mr. O'Neill: We do not disagree with shop stewards, only with statutory recognition.

Mr. JONES: Members should be more realistic and study the situation in industry today. If a dispute occurs, a certified union officer may be miles away at another dispute. The union organiser must locate him and ask him to attend immediately. That is one of the problems.

Mr. O'Neill: It might be a problem, but it is not the issue.

Mr. JONES: The Deputy Leader of the Opposition knows that some unions have perhaps only two full-time officers. With the expansion of the State it is quite likely that several disputes could occur at the one time in various parts of the State. If, then, a dispute occurs in the city, the shop steward must try to contact one of the union men to handle it. How stupid is that? I cannot understand the attitude of the Deputy Leader of the Opposition. We merely ask that the status of the shop steward be extended to assist conciliation in Western Australia.

I was a union official in the coal industry for 17 years. If disputation occurred between the management and the men at a colliery I would be contacted and asked to attend to the dispute immediately. I might be in the bush miles away with timber cutters because of a dispute they are having with a contractor. As I am the only full-time official I must be sent for to consider the dispute.

Is not the amendment a step in the right direction? It will merely give the shop steward more status to enable him to handle disputes. I have made my position clear so I do not wish to say any more. There are no bogies or red herrings involved. We are merely asking that the duties of shop stewards be extended.

During my second reading speech I dealt with strikes. All I have to do to be termed a striker is to refuse my labour whether I am on my own or with a group of workers. During my second reading speech I mentioned many instances of workers being compelled to take strike action. This applies particularly in matters of safety. As the Minister has indicated, we desire the interpretation of "strike" to be amended.

I do not agree with the Deputy Leader of the Opposition on subcontractors. They have been covered by awards in this State. A test case involved the Collie union when open-cut drivers were in disputation with the transport association. The chairman of the tribunal (the late Mr. Wallwork) heard the case and came down on the side of the union. Then an appeal was made to the then Arbitration Court which also found in favour of the union. It indicated that the contractors could be covered by an industrial union.

I do not go along with the views expressed by the Deputy Leader of the Opposition because contractors are already covered by a union in Western Australia.

Mr. O'Connell: I do not believe they should be.

Mr. O'Neill: You are talking about the Act as it was prior to 1963.

Mr. JONES: Yes. I think the Deputy Leader of the Opposition said that in his opinion no contractors had been covered by an award. However it has already been established under our industrial machinery that contractors are covered by an industrial union.

All we seek is to extend the definition, and this is provided for in clause 7. I do not wish to delay the Committee any further. I do not agree with the views of the Deputy Leader of the Opposition for the reasons I have outlined.

Mr. R. L. YOUNG: Firstly I desire to say a word or two about the matter raised by the Deputy Leader of the Opposition and touched on briefly by the Minister. I am referring to domestic servants. Let us remove the word "servant" from that connotation and refer to them as people who voluntarily go into someone else's private house to do some work from time to time at such reward as the persons between themselves are happy to agree upon.

The Minister indicated he could not see the objection of the Deputy Leader of the Opposition because these people have for many years suffered by not being under an award as a result of which they may be to some extent underprivileged and not protected. It is fine for the Minister to say that but let us have a few facts.

Mr. Harman: I have had personal experience of this.

Mr. R. L. YOUNG: My mother was one of those people. It was a shame that people of her generation had to take on that sort of work and tolerate all that she had to put up with in those days.

Mr. Harman: You should see some of the things which are happening on stations.

Mr. R. L. YOUNG: It was a shame and I hope to be able to make it up to her at some time.

Mr. Brady: Surely there is no shame in being a domestic?

Mr. R. L. YOUNG: I am not suggesting that. Had the member for Swan listened he would have heard me say it was a shame that my mother had to tolerate all that she had to put up with in those times and under those circumstances. Some members in the Chamber can recall the early 1930s when it was possible for a clerk with a permanent job in a bank, say, to employ a maid and treat her in any way he liked. This was something of which the community should have been ashamed.

What I am saying is that in this day and age—although there may be, and probably are, some exceptions—the majority of people to whom these provisions will now apply are those who simply want to work part time. It is a nicety of judgment as to what language one uses.

As I said when I spoke to the second reading, I do not believe that people who are liable to pay income tax should avoid it. I am not saying that an employer who is liable to keep certain records should be allowed not to keep them. This is not my Bill.

At the moment a great number of people are quite happy, under good and normal circumstances, to do the work they have undertaken to do. If the Minister intends to impose upon the employer the task of keeping books and upon the employee that of paying income tax and perhaps losing a pension, he has an obligation clearly to say that this is his intention and he wants it to happen. This will cause a great deal of hardship to a number of people.

Mr. Harman: Why should domestics be in a different situation?

Mr. R. L. YOUNG: I have made it quite clear that I do not believe they should be. The Minister's predecessor, when drawn on this point, failed to answer when he replied to the second reading. I want the present Minister to indicate clearly and record in *Hansard* that this is what he believes; that he knows this is what the law will be; and that he accepts it gladly as the Minister handling the Bill in the Chamber.

My second point relates to the definition of a shop steward within the terms of an officer of a union under the Act. Some of the reasons advanced by the member for Collie were quite reasonable as were some advanced by the Minister. We must remember that clause 79 provides that, in the course of an industrial dispute, any officer of a union who commits what is known in law as a tort and which, under all other circumstances, would have been a tort will, under this measure, not be guilty of having committed that tort. In other words, that officer who commits a private or civil wrong in the course of his duty will not be responsible for what he would otherwise have been responsible for under the law.

To some extent that would apply to a union secretary, as the member for Collie said, and in some circumstances it may be reasonable. Doubtless clause 79 will be discussed at length at a later time but, if we bring a shop steward within the meaning of an officer for the purposes of that clause and exempt him from any action for a private or civil wrong he may commit during the course of an industrial dispute, we start to come to the marrow of what we see happening in industrial disputes time and time again.

It is not the paid, responsible union secretary who causes the trouble which could be described in law as a tort; it is the shop steward who causes action to be taken

which may eventually become a tort within the meaning of the law or else he encourages others to take that action.

If we allow a shop steward to be recognised as an officer for the purposes of clause 79, I believe we would not be doing justice to the people whom the legislation is supposed to protect. We have all seen people flare up from time to time during industrial disputes; if they did not they would not be human. Things happen which, under the normal processes of law, can be actionable. Under this legislation they will not be actionable unless the person wilfully causes death or physical injury to a person; or causes wilful physical damage to property; or commits a wilful act which constitutes a defamation. If he does anything else during the course of an industrial dispute he will be exempt from the law even though the action would, but for this clause, constitute a tort.

I believe a union secretary, acting within his capacity, would be able to keep out of such trouble but, in the main, a shop steward would not. In actions whereby a shop steward is of necessity involved he could commit torts within the meaning of the law but, under this provision, he would be exempt from the law.

If we make a shop steward an officer within the meaning of the Act I think he should be specifically excluded from clause 79 of the Bill. I will be interested to hear the Minister's views when we discuss the penultimate clause of the Bill.

I call on the Minister to say unequivocally that he knows what he is doing in regard to domestic servants and the responsibilities of both the employer and the employee. I ask him to assure us that he accepts what he is doing as being right and that the meaning of the clause with all its ramifications expresses his intention. I also wish to hear his opinion on the definition of a shop steward who will, as I have said, become an officer under clause 79.

Mr. O'NEIL: To facilitate the consideration of the clause I move an amendment—

Page 3, lines 1 to 40 and page 4, lines 1 to 41—Delete paragraphs (b) (c), (d), and (e).

I wish to make only one further point in respect of the matter of the shop steward. If we recognise a shop steward by virtue of including a definition with respect to that position in the Industrial Arbitration Act we provide that person with a considerable amount of protection under industrial law. I refer the Minister to section 135 of the parent Act which reads in part—

No employer shall dismiss any worker from his employment or injure him in his employment or alter his

position to his prejudice by reason merely of the fact that the worker is an officer or member of an industrial union or association. . . .

We have said that we do not object to shop stewards and I am certain that most employers do not object to them, either. A good shop steward can be of great assistance both to the workers and to the management. What we object to is that the legislation proposes to give a shop steward a status in respect of industrial arbitration law which is different from that of the workers with whom he works. We object to his being given this status. Firstly, he is not elected by the union as such, and he is not strictly speaking, an elected, paid officer of the union. He is a worker probably selected by the workers themselves to represent to their employer any problems they may have in relation to their work.

So we are not objecting to the system. We believe it works well. There would be very few people in the Chamber at the moment who would not recognise that many of our workers come here from a different industrial scene where the shop steward is a rather powerful person. Many of our migrants have come from Great Britain and their lack of knowledge of our industrial arbitration law has been responsible for a great deal of industrial dispute and upset.

I therefore feel it is a good thing that the Trades and Labor Council, with the assistance of finance from the Government, and similarly the Employers Federation, intend to establish schools of instruction for shop stewards, supervisors, and foremen. This is a good move towards assisting in the resolution of industrial disputes and the prevention of the escalation of disputes on the shop floor.

Mr. T. D. Evans: To hear that comment from you would appear to me to be a big breakthrough. I admire your thinking.

Mr. O'NEIL: This has been in the minds of people involved in both administration and labour for some time. We are getting away from the idea of confrontation all the time.

Mr. T. D. Evans: Unfortunately the idea is very seldom echoed by management.

Mr. O'NEIL: I doubt that that is really the case. I suggest to the Attorney-General that perhaps if the Minister for Labour is absent for a few weeks, he should administer that portfolio and he would find that some of the relationships between management and employees are quite cordial. In fact, it is only on rare occasions they are not cordial and tempers flare.

It is in the interests of both employers and workers to avoid industrial confrontations on the work floor. What we are

amending is a piece of legislation designed by a Labor Government to try to obviate confrontation, disputation, and strikes, as far as possible.

A fair percentage of our work force has been accustomed to an entirely different industrial scene—different rules, laws, and methods. To some extent, although not totally, some of our problems have been caused by a straightout lack of knowledge of the Australian methods of resolving disputes.

Let me say quite frankly, and without fear of contradiction, the great majority of unionists do not believe that the statutory recognition of the shop steward *per se* is correct. The great majority of unionists feel, certainly at this point of time, without adequate education and knowledge of our industrial law, the shop steward can cause more harm than good. It may well be that in years to come, by virtue of training and experience, the shop stewards will be given additional statutory recognition. With the passing of this legislation, the shop steward will have no more authority. He will be—

Mr. Jones: An official of the union.

Mr. O'NEIL: —an official of the union. He will be protected in regard to the capacity of his employer to dismiss him. An official of the union is usually an elected, paid officer.

Mr. Jones: But he has more power than the shop steward. Would you deny that?

Mr. O'NEIL: Of course he has.

Mr. Jones: That is why we are asking for the additional jurisdiction.

Mr. O'NEIL: This measure does not give him one iota of power. It simply puts him a little above the rest of the workers and gives him the protection provided in section 135 of the parent Act; that is, protection from dismissal by virtue of actions which he may take in relation to his duties as an officer of the union. In my view it does not improve the situation; the shop steward will be put on a pedestal above the other workers.

Mr. T. D. Evans: The other workers put him on that pedestal by electing him.

Mr. O'NEIL: But he is not elected.

Mr. T. D. Evans: He is chosen by his fellow workers.

Mr. O'NEIL: I do not know that he is chosen by his fellow workers.

Mr. T. D. Evans: They have, in fact, put him on the top.

Mr. O'NEIL: I will get to the practicalities of this. Members of different unions may be employed at the same place of employment. A shop steward may be elected from a union with only a small

representation. The shop steward may get the idea he has more power than he has if he is clothed with a blanket of statutory authority. He may represent the minority of workers in the factory but he would have authority over the majority.

Mr. Jones: He is still an elected officer.

Mr. O'NEIL: The honourable member keeps using the word "elected". There is no provision in this measure to elect a shop steward.

Mr. Jones: Well, appointed—what is the difference?

Mr. O'NEIL: I am saying that it may be that 100 men in a factory belong to one union and 10 men to another and the shop steward may be one of the 10.

Mr. Jones: That happens now. It has to happen. You must have a steward looking after a particular union.

Mr. O'NEIL: If that one man believes he has power which he has not, disruptions will follow.

Mr. Jones: There is the ulterior motive again.

Mr. O'NEIL: We commenced this debate on a reasonable level. We explained, as carefully as we could, what we believe to be the advantages of the position. As expressed by the member for Collie, there are no advantages at all.

Mr. Jones: We are allowed our opinions. Surely that is why we are here?

Mr. O'NEIL: All I get seems to be inane interjections in a loud voice from the member for Collie. The tenor of the debate has changed course. The member for Collie does not have a gallery here today.

Mr. May: I do not think you are fair.

Mr. O'NEIL: The Minister for Mines need not use that tone either. Perhaps while he is here I could make the request that we attempt to discuss the real merits of the proposition. We should not be heated about it. I also made the statement, quite loudly and clearly, that if the Government wants a rough time with this measure it will get it.

Mr. May: You have been saying that ever since the session commenced. You ask to keep the debate on a level plane and then you say this type of thing.

Mr. O'NEIL: The Minister for Mines could not have been here when I commenced my speech. I made that statement when the debate went into the Committee stage, and it drew an immediate attack from the Government. I then said, "If we cannot deal with these matters coolly and calmly, then we will be as rough as the Government wants us to be."

Mr. May: I thought the debate was going along smoothly.

Mr. O'NEIL: The Minister for Mines interjected when he did not know what was going on.

Mr. May: I have been here all the time. As a matter of fact, I did not think you had gone home.

The CHAIRMAN: Order!

Mr. O'NEIL: I have moved an amendment which would have the effect of deleting paragraphs (b), (c), (d), and (e) from clause 7.

Mr. JONES: I refer to the statements made by the member for Wembley, because he tried to create an impression that under the new definition shop stewards would be able to do just about anything.

Mr. R. L. Young: No, I did not. What he does comes within the meaning of the word "tort".

Mr. JONES: We need to get the facts straight. Clause 71 seeks to amend section 79 of the principal Act, and that clause clearly spells out that only an industrial matter is referred to.

Mr. R. L. Young: That was the point I raised.

Mr. JONES: I draw the attention of members to the definition of an industrial dispute set out on page 6 of the Industrial Arbitration Act, because that clearly spells out how far the duties of a shop steward extend.

Mr. R. L. Young: It does not do that. Up to that point you were right.

Mr. JONES: We have to look at how far to go in a matter of this kind.

Mr. R. L. Young: We certainly do when people are exempted from the law in connection with an industrial dispute.

Mr. JONES: As long as we understand what an industrial dispute is and the difference between that and an industrial matter. I do not think it is necessary for me to read to the Committee the definition of an industrial matter.

Mr. R. L. YOUNG: I agree with what the member for Collie has said except he did not follow his argument through to the end. I do not deny that that applies to a situation only until such time as there is an industrial dispute. The industrial dispute referred to by the member for Collie clearly leaves many things open. If there is an area of industrial unrest between a union and an employer and action arises from that unrest it becomes an industrial dispute. If somebody decides to go on strike that becomes an industrial dispute. If in the course of that industrial dispute an officer of the union, as defined in clause 79, commits a tort, under the present law he would be responsible for the commission of that tort. However, under this clause he will not be.

Mr. Jones: He has only certain jurisdiction.

Mr. R. L. YOUNG: The member for Collie cannot say he has only certain jurisdiction, because if he reads the definition of "tort" in regard to the responsibilities of officers he will understand that it covers a wide field.

Mr. Jones: Not as wide as you are making it.

Mr. R. L. YOUNG: If the honourable member looks at the definition he will find that it is fairly wide. There are things an officer of a union can do which at this time under the present law can be regarded as being the commission of a tort, but under this Bill he will not be held so responsible.

I agree with the Deputy Leader of the Opposition that both employers and employees need good shop stewards to mediate between the two parties, but within the definition of "shop steward" or "officer" under this legislation those who become involved in an industrial dispute will be responsible for getting the men off the floor when tempers become frayed. I say that because at that time many things occur which could cause physical damage to people although they may not be wilful actions.

Mr. Jones: I do not go along with you on that.

Mr. R. L. YOUNG: Does the honourable member deny that there are no such occurrences in an industrial dispute?

Mr. Jones: I can recall when a dispute occurred in 1956 at Collie, photographs appeared on the front page of a local newspaper depicting men doing all sorts of things, but those reports were entirely incorrect.

Sitting suspended from 3.46 to 4.05 p.m.

Mr. R. L. YOUNG: Before the afternoon tea suspension I was saying that the member for Collie was trying to indicate that I had suggested that in all industrial disputes there will always be some sort of physical or personal trouble. I do not suggest that at all. I am simply saying that if the possibility exists and we do give a shop steward the power to become an officer of a union he will be exempt from certain actions that otherwise he would not be exempt from under section 79.

Mr. FLETCHER: The Deputy Leader of the Opposition stated his intention to delete certain paragraphs, including paragraph (f).

Mr. O'Neill: There is no paragraph (f).

Mr. FLETCHER: He took exception to the provision to give statutory recognition to the status of shop stewards. During the second reading debate I referred to the role shop stewards play. I am pleased

that members on the other side agree with me that they are playing an important role as intermediaries. I pointed out that I was a shop steward for years, and the Deputy Leader of the Opposition paid me the courtesy of saying that I was one of the better types of shop stewards. I thank him for that.

Mr. O'Neil: It was a wild guess.

Mr. FLETCHER: Many decent shop stewards play a splendid role in industry. I pointed out previously that it can be a very lonely job. At one stage I worked on the site of a new power house with over 600 men. Not only was I shop steward for the S.E.C., but I was also convenor for all the shop stewards on the site. Consequently I am in favour of any proposal to give additional status to shop stewards. I support the statutory protection this Bill will give them.

When I was a shop steward all I had was a little blue ticket given to me by the union. That was the only thing I could take to an employer to indicate that I was a recognised shop steward; but I was recognised only by the union. This Bill will give statutory recognition to shop stewards, and will give them greater status. If they have statutory recognition employers will be reluctant to question their status.

I agree there could be a cranky type of shop steward who when dressed with authority allows that authority to go to his head. However, he is subject to removal from office by his workmates if he does not live up to the status of his office. He is democratically elected by them, and he can be democratically removed from office by them. I would like to see the clause retained as it is, and I ask the Deputy Leader of the Opposition to adopt a different attitude.

At the moment we are doing nothing more than engaging in shadow sparring. We have an elected Government at this end of the building, but the other Chamber decides the fate of legislation.

Mr. HARMAN: I oppose the amendment. On the question of domestics I repeat what I have said. The time has arrived when domestics ought to be given the advantage of industrial coverage.

Mr. R. L. Young: Will you spell that out clearly? Do you understand what it does?

Mr. HARMAN: Yes. On the question of shop stewards and their relationship to clause 79 I would point out to the honourable member that we are now discussing clause 7. Later on we will be able to discuss his arguments when we deal with clause 79.

Mr. R. L. Young: It is too late when we deal with clause 79.

Mr. HARMAN: Under the existing Act it is quite competent for a union to make provision under its rules for the appointment or election of a shop steward. When elected such a person is regarded as an officer under the Act. Already in our legislation provision has been made to recognise the position of shop steward. All we are saying is that he should come under a special definition.

Amendment put and a division taken with the following result—

Ayes—20.

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

Noes—20

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

Pairs

Ayes	Noes
Mr. Stephens	Mr. Bertram
Mr. David Brand	Mr. Taylor
Mr. W. G. Young	Mr. McIver
Mr. Runciman	Mr. A. R. Tonkin
Mr. A. A. Lewis	Mr. J. T. Tonkin

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

Amendment thus negated.

Clause put and passed.

Progress

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

QUESTIONS (39): ON NOTICE

1. LOCAL GOVERNMENT BOUNDARIES

Royal Commission

Dr. DADOUR, to the Minister representing the Minister for Local Government:

On what date will the Royal Commission to investigate local government boundary alterations begin hearing submissions?

Mr. HARMAN replied:

The date is not yet fixed, but an early commencement of hearings is expected.

2. This question was postponed.

3. STATE FINANCE

Budget Expenditure 1971-72

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

- (1) Was the budgeted expenditure figure for the year ended 30th June, 1972 exceeded or reduced in that year?
- (2) If the budgeted expenditure figure was reduced, by how much was it reduced?
- (3) What items were reduced to make up the total reduction and what were the amounts of those reductions?
- (4) If the budgeted expenditure figure was not reduced, what income was increased to reduce the overall deficit from \$3,525,000 to \$891,000?
- (5) (a) Do the answers to the questions (1) to (4) agree with the Treasurer's answer to part (3) of my question 26 of 7th August, 1973 and subsequent questions without notice on that day;
(b) If not, in what particular do they disagree?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

- (1) and (2) Expenditure fell short of the estimate by \$3,037,288.
- (3) Details of underspending and excesses on votes are contained in the estimates of revenue and expenditure for the year ended 30th June, 1973.
- (4) Not applicable.
- (5) (a) Yes.
(b) Answered by (a).

4. MEDICAL STUDENTS

Non-matriculated

Dr. DADOUR, to the Minister for Health:

- (1) How many of the present first year medical students have not matriculated?
- (2) If any, please give reasons why they were accepted?

Mr. DAVIES replied:

- (1) None.
- (2) Answered by (1).

5.

FREEWAYS AND EXPRESSWAYS

Banning in Capital Cities

Mr. HUTCHINSON, to the Minister for Works:

- (1) Is he aware that the Commonwealth Minister for Urban and Regional Development, Mr. Uren, has called for an urgent report from the Bureau of Roads on the effects of banning all freeway and expressway construction within 20 miles of Australia's capital cities?
- (2) As traffic problems vary greatly from city to city for a variety of reasons has he considered representing Perth's present and proposed future highway situation to Mr. Uren or to the Bureau of Roads to ensure a logical continuation of policy and thus avoid a "ragged end" conclusion to road planning?
- (3) If not, will he make the necessary representations as soon as possible?
- (4) If he will not make representations will he explain why?

Mr. JAMIESON replied:

- (1) Yes.
- (2) Yes. Information has been forwarded to the Bureau of Roads on the effect of curtailing freeway construction in the Perth Metropolitan Region.
- (3) and (4) Answered by (2).

6.

RED BROWED FINCH

Ban on Importation

Mr. BATEMAN, to the Minister for Agriculture:

- (1) Following research carried out in Western Australia into the red browed finch (Sydney waxbill) did the findings reveal that the bird was not a threat to agriculture and to other indigenous birds?
- (2) If so, why therefore is this bird in the category of a prohibited import?

Mr. H. D. EVANS replied:

- (1) A limited research project was undertaken on the red browed finch (Sydney Waxbill) to ascertain the extent of its colonisation.

The findings indicated that it was apparently doing little, if any harm, to agriculture, and was not seriously competing with any native species.

- (2) On the recommendation of the West Australian Wildlife Authority, the Department of Fisheries and Fauna is not issuing import licenses for this species. That department would prefer people interested in obtaining these birds to do so from wild stock, rather than from introductions.

The species is not declared vermin, and the Agriculture Protection Board places no restrictions on how this bird may be kept.

7.

SEWERAGE

Bunbury: Rate Increase

Mr. SIBSON, to the Minister for Works:

- (1) Is the Government aware of the very sharp increase in sewerage rates accounts currently being issued by the Public Works Department in Bunbury?
- (2) As these accounts are causing grave concern to a large number of residents in Bunbury would he please have the matter investigated as a matter of urgency?

Mr. JAMIESON replied:

- (1) Yes.
- (2) The Town of Bunbury was re-valued by the State Taxation Department in March 1973, in accordance with the approved programme of reviewing valuations in a four-yearly cycle. The previous revaluation was carried out in March 1969 and adopted 1st July, 1969.

The additional revenue resulting from the increased valuations will enable the Public Works Department to budget for a small surplus for 1973-74. For 1972-73 a loss in excess of \$36,000 was incurred.

8.

FIREARMS

Accidents

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

- (1) In connection with the use of firearms in Western Australia will he advise for the years 1971, 1972 and 1973—
 - (a) reported minor accidents;
 - (b) reported major accidents;
 - (c) fatalities?
- (2) Would he indicate the various types of firearm accidents which are causing concern?

Mr. BICKERTON replied:

- (1) 1st July to 30th June in each case:

	1971	1972	1973
(a)	11	18	14
(b)	1	3	1
(c)	1	3	1

- (2) All types. In this connection, a nation-wide survey is being carried out in New South Wales to determine the cause of the most prevalent type of accident.

9.

MOTOR VEHICLES

Carbon Monoxide Fumes

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

- (1) Are random checks on the carbon monoxide content of fumes from motor vehicle exhausts being carried out?
- (2) What is the permissible standard?
- (3) What action is undertaken when this level has been exceeded?
- (4) How many vehicles are being checked?
- (5) Do such checks include the monitoring of unburnt hydrocarbons?

Mr. BICKERTON replied:

- (1) No.
- (2) Australian design rule 26 states not to exceed 4.5% of volume of exhaust gases when engine idling. This rule only applies to vehicles manufactured on or after 1st January, 1972.
- (3) No action.
- (4) None by Police Department, but the Health Department has tested a number of vehicles.
- (5) Australian design rule 27 concerning the control of hydrocarbons is not effective until 1st January, 1974, on new vehicles. The Health Department has carried out such tests on vehicles when pollution control devices have been under test.

10.

POLICE

Mock Auction at Morley

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

- (1) Is he aware that a mock auction occurred at Morley on 7th August?
- (2) Is he aware that force was used and scuffling occurred to the extent that The Queen's peace was threatened?
- (3) Does the Government contemplate any action in connection with this kind of practice?

Mr. BICKERTON replied:

- (1) Yes.
- (2) Yes.

(3) Action has been taken in similar cases under the Auctioneers' Act. Legislation is being prepared to more effectively deal with mock auctions. Disorderly conduct can be dealt with under the Police Act.

11. NON-GOVERNMENT SCHOOLS

Per Caput Grants

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

Will the Minister indicate the aid per caput from—

(a) State Government;

(b) Commonwealth Government, sources to non-Government schools for the 1969-70, 1970-71, 1971-72 and 1972-73 financial years?

Mr. T. D. EVANS replied:

Year	State Government		Commonwealth Government	
	Primary	Secondary	Primary	Secondary
1969-70	20	30, 36*	35	50
1970-71	20	30, 36*	35	50
1971-72	30	40	50	68
1972-73	53	91	62	104

* \$30 per annum—secondary students years 1, 2, 3.
\$36 per annum—secondary students years 4 and 5.

12. EDUCATION

Reading Retardation

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

- (1) Is the State-wide position of the degree of reading retardation of students entering the first year of Government high and senior high schools known by the Education Department?
- (2) If "Yes" what are the details?
- (3) If "No" will a policy be implemented so that the position can be gauged and the effectiveness of reading instruction in primary schools consequently ascertained?

Mr. T. D. EVANS replied:

- (1) No.
- (2) Not applicable.
- (3) A programme has already been initiated to assess the degree of reading retardation in individual schools and to upgrade the primary class teacher's capacity to handle remedial instruction in reading and, hence, to reduce this particular problem in schools.

13. TEACHERS' TRAINING COLLEGES

Graduates: 1969 to 1973

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

- (1) What were the number of teachers' college graduates in each of the years 1969, 1970, 1971 and 1972?
- (2) How many graduates are anticipated for 1973?

Mr. T. D. EVANS replied:

(1) —

	Departmental	Private	Total
1969	668	22	690
1970	716	13	729
1971	774	24	798
1972	938	54	992

(2) —

Estimated 1973	970	11	981
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14. This question was postponed.

15. EDUCATION

Secondary and Technical Scholarships

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

- (1) In view of the reported (*The West Australian* 5th July, 1973) alterations to the Commonwealth scheme for secondary and technical scholarships, can he table the comprehensive conditions of the new schemes?
- (2) If he does not have these conditions, will he undertake to acquire them from the relevant Commonwealth authorities with the view to tabling them within the shortest possible time?

Mr. T. D. EVANS replied:

- (1) and (2) The Education Department does not have details of the Commonwealth scheme but these can be obtained from the Western Australian branch office of the Commonwealth Department of Education.

16. YUNDERUP CANALS DEVELOPMENT

Liability of State, and Loan Repayments

Mr. MENSAROS, to the Premier:

Under the Government's guarantee towards the Rural and Industries Bank loan to the Yunderup canals developers—

- (a) what is the present liability of the State, and how much liability does this include for outstanding interest;

- (b) what was the highest liability at any time of the State up to date and how much outstanding interest payment did this include;
- (c) at what dates are interest payments due;
- (d) have all interest payments been met at due dates so far;
- (e) if not, what outstanding interest payments at what times and for how long caused increased liability of the State;
- (f) has there been any reduction from the principal amount of loan (and therefore guarantee) applied so far on account of proceeds to the developers from blocks sold;
- (g) if so, at what times and to what amounts?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

- (a) \$1,810,000, being principal only.
- (b) \$1,810,000, being principal only.
- (c) Interest is paid on the various roll-over dates of commercial bills. Interest on the Rural and Industries Bank overdraft is charged on 31st March and 30th September each year.
- (d) Yes.
- (e) Answered by (d).
- (f) No.
- (g) Answered by (f).

17. YUNDERUP CANALS DEVELOPMENT

Blocks: Condition

Mr. MENSAROS, to the Premier:

- (1) Is he aware or was he advised about the recent condition of the subdivided blocks at the Yunderup canal development?
- (2) Especially is he aware that during the recent wet weather—
 - (a) an average of one-fifth of each block was under water which causes the erosion of filling behind the corrugated asbestos retaining sheets at the water edge of each block;
 - (b) on about another quarter of each block—nearest to the water—the clayey filling was so soft that any person trying to walk on it sinks knee deep into mud;
 - (c) the clay filling on the remaining highest part of the blocks was in a condition which

would render it impossible to receive any footing for a brick building without the danger of sinkage;

- (d) any soakage of domestic waste or rainwater would be impossible and therefore no satisfactory septic tank or French drain system could be built on the blocks;
- (e) the above conditions were to be expected to develop because of permission having been given to use the clayey sand dredged from the inlet and because the height of filling was reduced by two feet?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

- (1) No.
- (2) No, but inquiries are being made.

18. YUNDERUP CANALS DEVELOPMENT

Blocks: Unsuitability

Mr. MENSAROS, to the Minister for Consumer Protection:

- (1) Has he or his department inspected the Yunderup canals development project lately?
- (2) Will he warn the public about the dangers of purchasing home sites at the Yunderup canals development project as the sites are totally unsuitable for safe erection of brick houses and coping with domestic waste disposal by any method of septic tanks and French drains?

Mr. HARMAN replied:

- (1) The project is regularly inspected by officers of various departments.
- (2) I have no evidence of their unsuitability for brick buildings but this is controlled by the local authority.
Septic tanks and French drains for this area have been approved by the Health Department subject to supervision by the local authority.

19. WATER SUPPLIES

Reservoirs: Storage

Mr. RUSHTON, to the Minister for Water Supplies:

- (1) Will he please give the comparable water stored in our major reservoirs at this time last year and now?
- (2) Is it now clear there should be no need to ration water in the coming summer?

- (3) Has he now a firm programme of construction of additional reservoirs and will he advise the details?
- (4) When will the Wungong reservoir at Armadale be constructed?
- (5) What is the Government's policy on the recycling of water?
- (6) If it has not determined a policy what progress has been made in examining the issue?

Mr. JAMIESON replied:

- (1) It is presumed the question refers to the metropolitan area only and storage at 8 a.m. this morning and on the corresponding day last year was—

	million cubic metres
Serpentine	120.010
last year	118.637
Canning	63.961
last year	54.113
South Dandalup	42.019
last year	5.906

- (2) Whilst the storage is in excess of that at this time last year, it is too early to state whether water rationing will be necessary next summer. If it did become necessary to reduce consumption, compulsory restrictions should be avoided provided the public co-operate as they did last summer.
- (3) No. Future supplies will come from surface storages and ground water resources and the programme of development will depend upon the location of the water supply requirements, finance, etc.
- (4) This reservoir will be designed to permit the commencement of construction in 1974-75 subject to the availability of funds.
- (5) and (6) When water is recycled will be determined by costs and public acceptance. For example, water is currently recycled in country areas to irrigate ovals.

20. *This question was postponed.*

21. LAND LEGISLATION

Deferment

Mr. RUSHTON, to the Premier:

- (1) From which organisations has the Government received requests for the three land Bills to be withdrawn or deferred?
- (2) What has been the Government's decision upon and answer to the co-ordinating committee of the

many organisations requesting deferment of the land Bills for six months?

- (3) Does he intend to proceed with the three land Bills in this session of Parliament?
- (4) If "Yes" to (3), when are the Bills expected to be debated?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

- (1) (i) Australian Institute of Urban Studies (W.A. Group).
- (ii) Land & Housing Co-ordinating Committee.
- (iii) Royal Australian Institute of Architects (W.A. Chapter).
- (iv) Urban Development Institute of Australia (W.A. Division).
- (v) Land Legislation Study Group.
- (2) See letter tabled herewith.
- (3) Yes.
- (4) The Government does not intend to rush this legislation. It is conscious that the Land Control Bill, in particular, is causing uncertainty among owners in the two areas defined in the schedule. Commensurate with such considerations, debate will be deferred until the later stages of the session.

The letter was tabled (see paper 255).

22.

SEWERAGE

Commonwealth Unprecedented Grant

Sir CHARLES COURT, to the Premier:

- (1) Did the Federal Minister for Works, Senator Cavanagh, confer with him or his other Ministers, about the "unprecedented grant" for sewerage works which Senator Cavanagh said would be forthcoming from this year's Federal budget?
- (2) If so, with which Ministers did the discussions take place, and when?
- (3) What is the amount of the "unprecedented grant" that is to be made?
- (4) In which areas and on what works will the money be used?
- (5) (a) Is the Government fully aware of the conditions negotiated by Senator Cavanagh with the executive committee of the Building Workers' Industrial Union;
- (b) if so, does it agree with these conditions;

- (c) if the Government is not aware of the conditions directly from Senator Cavanagh, does it agree with the conditions Senator Cavanagh enunciated in the *Daily News* dated 1st August, and *The West Australian* dated 2nd August?
- (6) If the Government is aware of the conditions proposed or the general concept of those conditions, will it table details?
- (7) Does the Government agree with the Commonwealth Ministers' idea of bypassing both the State Government and the appropriate industrial arbitration commission in fixing conditions of employment direct with the Building Workers' Industrial Union and giving the union such strong powers of direct provision of labour?
- (8) Will the State Government be pursuing the same or similar policies in respect of its own works?
- (9) To what extent will the State Government be involved in the planning and actual implementation of the sewerage works to be undertaken by this "unprecedented grant" for sewerage works?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

- (1) No. The Government has no information whatever concerning the so-called "unprecedented grant for sewerage works."
- (2) to (9) See answer to (1).

23. TOWN PLANNING

Canning Vale Industrial Complex

Mr. BATEMAN, to the Minister for Town Planning:

- (1) Can he advise when it is anticipated the newly rezoned land in the Canning Vale industrial complex will be available for purchase?
- (2) To whom are approaches to be made for the purchase of this land when available?

Mr. DAVIES replied:

- (1) Depending on demand and availability of development funds it is estimated that completion of detailed engineering designs and construction of services will enable lots to be available in 2-3 years. Where facilities exist it may be possible in special circumstances to make sites available earlier.
- (2) Industrial Lands Development Authority.

24. SYNTHETIC MEAT

Content and Price

Mr. McPHARLIN, to the Minister for Health:

- (1) Will he ascertain what is contained in the manufacture of synthetic meat?
- (2) Is there any degree of animal meat contained in the product?
- (3) What is the price per pound at which the product is sold?

Mr. DAVIES replied:

- (1) Synthetic meat consists of vegetable protein, mainly soya bean, "textured" protein and isolate (70-90% protein), flavourings, colouring and permitted food additive.
- (2) No.
- (3) The prices of lines offered by a Perth retail store are—

	per lb.
	\$
Synthetic chicken	1.49
Synthetic beef	1.50
Synthetic ham	1.56

25. WATER SUPPLIES

Ongerup

Mr. W. G. YOUNG, to the Minister for Water Supplies:

- (1) When was the storage capacity of the Ongerup town water supply increased, and by how much?
- (2) When was the catchment area last upgraded?
- (3) What is the present area of sealed catchment?
- (4) What is the current shortage position of the town dam?
- (5) Has any further investigation of the proposal to connect Mills Lake to Ongerup by pipe been undertaken and, if so, with what decision?

Mr. JAMIESON replied:

- (1) The storage capacity of the Ongerup town water supply has not been increased.
- (2) In 1972-73.
- (3) 9 acres.
- (4) Assuming that this question refers to "storage", the storage capacity of the dam is 26,990 cubic metres: at present 12,535 cubic metres of water are impounded.
- (5) Yes. Original investigations showed Mills Lake to be too unreliable as a source for a town water supply. However, further investigations are currently being made

to determine the degree of unreliability, in order that the financial risk involved in the investment of any funds in water supply works based on this source may be assessed.

Investigations are also currently in progress on alternative sources to augment Ongerup town water supply. These are orientated towards the location of a site, suitable for an excavated tank and associated bitumen catchment.

26. SOIL EROSION

Ravensthorpe Area

Mr. W. G. YOUNG, to the Minister for Agriculture:

- (1) Has a report been received regarding the Department of Agriculture's meetings held in various centres of the Shire of Ravensthorpe to discuss the soil erosion problem caused by the severe wind storms last summer?
- (2) If not, when is this report expected?

Mr. H. D. EVANS replied:

Although the honourable member refers to wind storm damage last summer, I think he meant to refer to damage caused later in the season.

- (1) and (2) Following extensive wind damage in May, two meetings have been held with farmers at Jerdacuttup on 23rd May and 1st August to discuss the causes, control and prevention of soil erosion. Resumes of these meetings have been distributed to participating farmers as well as others in the area.

27. ABATTOIRS

Lambs: Irregularities in Weighing

Mr. McIVER, to the Attorney-General:

- (1) Are any charges in connection with alleged irregularities in regard to weighing of lambs received to be laid against any abattoirs?
- (2) If so, what is the nature of such charges?
- (3) Against what abattoirs are such charges to be laid?
- (4) When and where will such charges be heard?

Mr. T. D. EVANS replied:

- (1) Yes.

- (2) That Tip Top Abattoirs Pty. Ltd. had in their possession for trade a weighing instrument which was unjust, contrary to sections 30 and 40 of the Weights and Measures Act, 1915-1969.

- (3) Tip Top Abattoirs Pty. Ltd.

- (4) 24th August, 1973, Midland Court of Petty Sessions.

28.

VERMIN

Bird Species

Mr. THOMPSON, to the Minister for Agriculture:

- (1) What species of birds are listed as vermin in this State?
- (2) What criteria were taken in declaring each of these species vermin?
- (3) How frequently is the review of vermin classification with respect to each of these species?
- (4) When last was a vermin classification lifted from a particular bird and which was involved?
- (5) When last was a new bird listed as vermin?
- (6) Is it his intention to bow to the request of those who seek preservation of our bird life and lift the vermin classification?

Mr. H. D. EVANS replied:

- (1) A list is submitted for tabling.
- (2) The criterion used in assessing all Australian species is whether they are pests of agriculture in this State; or, because they are pests in other States they are a potential threat to agriculture in this State.

In the case of non-Australian species, only those for which there is substantial evidence to presuppose that they would not become a pest to agriculture if they were to become established, are exempt from the declaration.

- (3) The list is reviewed and republished once in every calendar year, but reviews are made whenever evidence is produced to warrant a change in status of the species.

- (4) December 1972 in respect of the following species—

African Fire-Finch (*Estrilda senegalensis*);

Aurora Finch (*Pytilia phoenicea*);

Cordon Bleu and Blue-breasted Waxbill (*Estrilda angolensis*);

Cuban Finch (*Tiaris canora*);

Golden-breasted Waxbill (*Estrilda subflava*);

Goldfinch (*Carduelis carduelis*);
Jacarini Finch (*Volatinia jacarina*);

Lavender Finch (*Estrilda caerulea*);

Melba Finch (*Tiaris olivacea*);

Olive Finch (*Tiaris olivacea*).

At present, four other species of local parrots, the "28", the smoker, the W.A. King and the Western Rosella are the subject of research work which could result in the eventual lifting of the declaration on those species.

- (5) A general revision of the lists took place in December 1972. At that time, one bird (The Rainbow Lorikeet) was overlooked but was subsequently added to the list in April 1973.

- (6) The vermin declarations have been made, and corresponding action taken by the Department of Fisheries and Fauna, in an effort to protect our primary industries and local native fauna from competition from exotic birds.

The declaration of a species as vermin does not necessarily mean that that species must be destroyed or eradicated. In the case of the majority of the birds declared vermin, the declaration has been made so as to enable the Agriculture Protection Board to place restrictions on the keeping of the birds by aviculturists. Security requirements are being laid down with the aim of preventing the escape of vermin species.

The list of species of birds was tabled (see paper No. 254).

29. FAUNA RESEARCH COMPLEX

Mullaloo

Mr. THOMPSON, to the Minister for Fisheries and Fauna:

- (1) Has the fauna research complex near Mullaloo yet been completed?
- (2) If not, will he state the anticipated completion date?
- (3) What area of land is held for the complex?
- (4) In general terms, what fields of research will be undertaken?
- (5) What is the anticipated total cost of building and equipment at the centre?
- (6) How many persons will be employed at the unit?

Mr. BICKERTON replied:

- (1) Yes, inspection with architect arranged for 14th August, 1973.

- (2) Answered by (1).

- (3) Ninety six acres.

- (4) Biological survey, reserve management, kangaroo, water fowl, estuarine wading birds, pesticide residues in wild life, rare species requirements and other ad hoc research as required.

- (5) \$170,000.

- (6) Initially sixteen persons.

I would like to add, for the benefit of members, that we will be having an opening of the research complex shortly. I would like as many members of Parliament as possible to come along; the necessary arrangements will be made. Unfortunately, we were not able to obtain the amount of money which my advisers, within the department, would have liked. However, I think members will be most impressed after they have seen the actual research complex and seen the possibility of its being able to assist in the study of wildlife in Western Australia.

30.

SEWERAGE

Vacuum Line System

Mr. THOMPSON, to the Minister for Works:

- (1) Has the Metropolitan Water Board or officers of the Public Works Department investigated the possibility of using vacuum sewerage lines as an alternative to the conventional system of deep sewerage?
- (2) If "Yes" to (1), with what result?
- (3) If "No" to (1), will he cause such an investigation to be made with a view to establishing sewerage reticulation in hills residential areas?

Mr. JAMIESON replied:

- (1) to (3) Such a scheme was installed by a company at Shay Gap. It was approved by the Public Works Department and its operation and maintenance is being observed with interest by officers of the Public Works Department and the Metropolitan Water Board. The economics of such a scheme are assisted under conditions such as apply in the hills areas, where excavation costs are particularly heavy.

31.

JOHN FORREST NATIONAL PARK

New Tearooms-Restaurant

Mr. THOMPSON, to the Minister for Lands:

- (1) How many tenders were received for the proposed new tearooms/restaurant complex at John Forrest National Park?

- (2) What facilities were proposed by each tender and what was the sum tendered in each?
- (3) As the new building is not to be ready until June 1976 will the work required to bring the present premises up to the required standards be done and, if so, when?
- (4) If it is his intention to ignore the orders of health authorities to bring the present facilities up to the required standard, will he explain why a Government body should be treated differently from any other individual?

Mr. H. D. EVANS replied:

- (1) None.
- (2) Answered by (1).
- (3) and (4) The tender is with the Public Works Department. Work should commence almost immediately.

32. DIANELLA HEIGHTS SCHOOL

Enrolments and Classrooms

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

- (1) What is the present enrolment for the Dianella Heights primary school?
- (2) What is the enrolment expected to be in—
 - (a) December 1973;
 - (b) February 1974?
- (3) What extra classrooms will be needed by—
 - (a) December 1973;
 - (b) February 1974?
- (4) What action is contemplated so that the extra classrooms will be provided?
- (5) What is the size of the various classes together with their respective grade composition?
- (6) When will the new activity area and toilets be erected?

Mr. T. D. EVANS replied:

- (1) 314.
- (2) (a) 320;
(b) 350.
- (3) (a) Nil;
(b) 1.
- (4) A demountable classroom will be provided.
- (5) Grades 6 and 7—41.
Grades 5 and 6—42.
Grades 4 and 5—41.
Grades 3 and 4—40.
Grade 3—36.
Grades 2 and 3—41.
Grades 1 and 2—37.
Grade 1—36.

There is a non-teaching headmaster plus another teacher who is used throughout the school with remedial groups.

- (6) An architect has been commissioned to provide the new toilets and practical area.

33. BUSSELL HIGHWAY

Margaret River-Augusta: Completion and Cost

Mr. BLAIKIE, to the Minister for Works:

- (1) When is it anticipated that road works will be completed on Bussell Highway, Margaret River to Augusta?
- (2) What is the total cost of works involved?

Mr. JAMIESON replied:

- (1) Road work to the primed stage is planned for completion in the 1975-1976 financial year and sealing completed in the following year.
- (2) The present estimate of cost is \$1,500,000.

34. BLACKWOOD RIVER

Dredging

Mr. BLAIKIE, to the Premier:

Further to the Shire of Augusta-Margaret River requesting advice from the Premier in March 1971, concerning the advisability or otherwise of permitting dredging of the Blackwood River at Augusta, would he give details of the progress to date?

Mr. T. D. EVANS (for Mr. J. T. TONKIN) replied:

A report by the Environmental Protection Authority regarding this matter has been received by the Minister for Mines, and is being studied.

35. EDUCATION

Regulation 57 C (3) (c): Meaning

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

Would he please explain the exact meaning of the passage: "goods and services supplied or paid for by the Minister in relation to a scholar", as it appears in the re-drafted Education Act Regulations 57 C (3) (c), gazetted on 8th June, 1973; in particular would he state under which category (if any) of items—as listed in the Treasurer's

reply to part (2) (a) of question 28 on 11th October, 1972—these “goods and services” fall?

Mr. T. D. EVANS replied:

“Goods and services” refer to textbooks, school stocks and subsidies that are provided to non-Government schools by the Education Department and refer to the following items in question 28 of 11th October, 1972—

subsidies on swimming pools, school stocks, free primary text books and text book grants to secondary students.

36. EDUCATION

Teachers Tribunal: Appeal

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

- (1) Adverting to question 35 of 7th August, can he indicate the decision of the Teachers' Tribunal with respect to appeal No. 1?
- (2) In view of the instruction to his representative to oppose this clause, is it his intention to proceed with Education Act Amendment Bill (No. 2)?

Mr. T. D. EVANS replied :

- (1) The decision of the tribunal has not yet been handed down.
- (2) At this stage the Government intends to proceed with all legislation in the notice paper.

37. GOVERNOR

Appointment

Mr. RUSHTON, to the Premier:

- (1) Will he advise the House whether we are to have a Governor or Lieutenant-Governor after Sir Douglas Kendrew's retirement?
- (2) When does he intend to make this appointment known?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

- (1) It is proposed to appoint a Governor.
- (2) At the appropriate time.

38. ABORIGINES

Desert Farms Project

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

- (1) Referring to the sale of the Desert Farms citrus operation at Wiluna, would the Minister indicate the

present strength of the Ngangganawili Tribe in terms of numbers?

- (2) From what region did this tribe originate?
- (3) How many of these people are located in or adjacent to the Wiluna township?
- (4) What amount of money is to be made available to the Ngangganawili to purchase the Desert Farms project?

Mr. T. D. EVANS replied:

- (1) There is no existing Ngangganawili tribe as such. The name has been adopted by the Wiluna Aboriginal community for the purpose of incorporation as an association because it has traditional connotations with the Wiluna region. A recent study has indicated that the Aboriginal population of the area approximates 440 persons.
- (2) Many of the present Wiluna Aboriginal population have immigrated from the east and north east of Wiluna over the past 70 to 80 years.
- (3) Wiluna is the home base for the group referred to although some mobility exists for ceremonial and employment purposes.
- (4) The Australian Government is negotiating the purchase of desert farms and has not released details of the transaction.

39. EATON SCHOOL

Sports Ground Reticulation

Mr. I. W. MANNING, to the Minister for Works:

What progress is being made with the provision of a water supply to serve the proposed sports oval at the Eaton school?

Mr. JAMIESON replied:

Subject to the proposed oval being prepared, installation of a bore and reticulation is programmed for this financial year. It is anticipated that tenders will be called by November 1973.

QUESTIONS (8): WITHOUT NOTICE

1. ROAD MAINTENANCE TAX

Premier's Intentions

Sir CHARLES COURT, to the Premier: I assume, in the absence of the Premier, the Attorney-General will be answering questions addressed to the Premier.

With reference to road maintenance tax and the Opposition's understanding that the Premier told the Legislative Assembly that he would not proclaim the Road Maintenance (Contribution) Act Repeal Bill, if passed by both Houses, unless the Traffic Act Amendment Bill (No. 2) were also passed by both Houses, will he please clarify his intention in view of the answer given by the Leader of the House in the Legislative Council (The Hon. J. Dolan) to The Hon. J. Heitman yesterday?

Unless you desire me to do so, Mr. Speaker, I do not propose to read out the relevant extracts from the *Hansard* of our own House, but the reference is page 1700 of *Hansard* No. 9 on the 15th May, 1973. I also do not propose to read out the answer which was actually given in another place yesterday. However, if it is preferred to have these recorded I can make the answers available. I have sent a copy of this question and the *Hansard* extracts to the Premier.

The SPEAKER: I do not think it is necessary to read them out.

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

I acknowledge notice of the question and advise that the Premier has supplied the following answer—

I made it clear to the deputation that the circumstances could be such that the repeal Bill would not be dealt with unless the Traffic Act Amendment Bill were passed but in the event of the former Bill being passed it would be proclaimed.

2. STATE FINANCE

Expenditure: Warrants

Mr. O'NEIL, to the Premier:

I understand the Attorney-General has the answer to the question I intend to ask. This is—

- (1) Since the 30th June, 1973, what sums of money, not previously appropriated by Parliament, have been made available for—
 - (a) General Loan Fund purposes,
 - (b) Consolidated Revenue Fund purposes,
 - (c) Advances to Treasurer, by warrants under the hand of the Governor, or any other means, for the service of the State?

(2) What additional amounts in each of the categories in question (1) can be made available by warrant, or by any other means, for the service of the State pending the passing and proclamation of the Supply Bill currently before the Parliament?

(3) Over what period can the Government expect funds to be made available from these sources?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

I acknowledge that adequate notice was given by the Deputy Leader of the Opposition of his intention to ask this question. The Premier has supplied the following answers—

- (1) (a) \$5,351,998.
(b) \$39,354,762.
(c) \$350.
- (2) and (3) It has been the practice of successive Governments to carry on the services of the State from the 1st July each year, pending the granting of supply by Parliament in due course.

As an example, the Brand Government incurred expenditure in the early part of each of the 12 financial years 1959-60 to 1970-71 before Parliament granted supply for those years.

In accordance with past practice, such amounts as may be required would be made available to carry on the services of the State in 1973-74 to the date supply was granted or was refused by Parliament. If supply is not granted, the Government would have no option but to cease incurring expenditure from the date supply was refused.

3.

SEWERAGE

Commonwealth Unprecedented Grant

Sir CHARLES COURT, to the Premier:

My question arises out of the answer given to question 22 on today's notice paper. I think the Minister for Works is also involved. Question 22 relates to my query in regard to the recent visit of the Federal Minister for Works, Senator Cavanagh, and his public statement about the "unprecedented grant" for sewerage works.

The answer given is that the Government has no information whatever concerning the so-called "unprecedented grant" for sewerage works. This seems quite amazing. Would the Attorney-General, on behalf of the Premier, undertake that the Government will get in touch with Senator Cavanagh to find out the details so that the Parliament and the public can be advised officially?

Mr. T. D. Evans (for Mr. J. T. TONKIN) replied:

I will acquaint the Premier with the question asked by the Leader of the Opposition. I regret I am not able to answer it.

4. EDUCATION

Boarding Allowances: Withdrawal

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

Will he table the file or files covering the withdrawal by the State of the boarding allowances it paid until the 31st December, 1972?

Mr. T. D. EVANS replied:

I thank the member for Moore for giving adequate notice of his intention to ask the question and I reply as follows—

The file concerned will be used in a submission before Cabinet next week. The Minister will give consideration to tabling the file as soon as possible thereafter.

5. ROAD MAINTENANCE TAX

Nonpayment: Mr. N. Brandstater

Mr. O'CONNOR, to the Attorney-General:

(1) In view of the Premier's past promises, does he intend to take immediate action to release from the Carnarvon gaol Mr. Neville Brandstater, a married man with 11 children, who has been arrested and gaoled for non-payment of road maintenance tax?

(2) As the amount of road maintenance tax totals approximately \$8,000, does this mean 1,200 days of imprisonment must be served by Mr. Brandstater, or is the term decreased because some charges may be cumulative?

Mr. T. D. EVANS replied:

(1) and (2) I am aware of an offer I made personally to the person concerned some three or four

weeks ago in an endeavour to assist him to regulate his affairs. I am not aware of the latest developments but I will have the matter examined. If the honourable member wishes to ask the question again next week, I will then be in a better position to advise him.

6.

SEWERAGE

Rates: Bunbury

Mr. SIBSON, to the Minister for Works:

Would the Minister explain why the sewerage rate in Bunbury is so high—for example, 15c in the dollar—when the rates in other areas in the country and the city range from 5.5c to 11.6c in the dollar?

Mr. JAMIESON replied:

My recollection of the situation is that with about two exceptions all country town sewerage rates are 15c in the dollar. As regards comparing the rates with those in the city, the Metropolitan Water Board runs as a business with its own finance and is obliged to balance its budget. It has to do so in accordance with the Act and its rates cannot readily be compared with rates in other areas. However, all the country town sewerage supplies, with the one or two exceptions I mentioned, run at a substantial loss. I undertake to have the honourable member supplied with a list of the charges in the various country towns.

7.

ROAD MAINTENANCE TAX

Nonpayment: Mr. N. Brandstater

Mr. O'CONNOR, to the Attorney-General:

How does he reconcile the answer he gave to my last question without notice with the Government's undertaking that no-one would be gaoled for nonpayment of road maintenance tax?

Mr. T. D. EVANS replied:

I have already stated I will have the matter examined. I made a personal offer to the person concerned through the police sergeant in Carnarvon, in an endeavour to assist him to regulate his affairs. I am not aware that he is in prison but I will have the matter investigated.

8. SICK LEAVE

Coverage

Mr. JONES, to the Minister for Labour:

- (1) Is the Minister aware that on the 8th August, 1973, the member for the Lower West province in the Legislative Council, when speaking to the Sick Leave Bill, was reported to have said that only 11.3 per cent. of employees in Western Australia were not covered for sick leave and that this figure could be reduced to less than 2 per cent. when regard is had for the Factories and Shops Act and private arrangements between employers and employees?
- (2) If the Minister is aware of the report, does he agree with the assessment?

Mr. HARMAN replied:

- (1) and (2) The statement cannot be substantiated because I understand no statistics are available to allow such an assessment to be made. Even if it were true, 20 workers in every 1,000 are surely entitled to some protection. But the statement misses the point: under awards generally, workers are entitled to five days paid leave, cumulative for five years, and the purpose of the Bill, which was rejected in the Legislative Council yesterday, was to introduce a minimum standard for all workers of 10 days paid leave per annum, fully cumulative.

IRON ORE (MURCHISON) AGREEMENT AUTHORIZATION BILL

Second Reading

MR. MAY (Clontarf—Minister for Mines) [4.56 p.m.]: I move—

That the Bill be now read a second time.

This Bill has been framed to authorise the Government to enter into an agreement to formalise the terms and conditions under which a new iron ore mining and processing operation may be established in the Murchison region by Northern Mining Corporation N.L.

The draft agreement scheduled to the Bill has been the subject of detailed negotiations between the State and the principals of Northern Mining Corporation N.L., and the Bill provides for an agreement, substantially in the terms of the draft before the House, to be executed.

The agreement provides for the mining of deposits in the Weld Range, Mt. Gould, Mt. Hale, and Robinson Range locations

under terms and conditions generally the same as those of the Rhodes Ridge agreement and the McCamey's Monster agreement, with the exception that the railway will not be operated as a private one as has been the case in previous agreements applying to Pilbara projects.

Briefly, this agreement will allow a project of great regional significance to proceed. The project will call for initial expenditure to the order of \$140,000,000 in opening up at Weld Range the first of a number of new iron ore deposits in the Murchison. It will mean the construction of a new standard gauge railway which will become a State asset at no cost to the State, a new port north of Geraldton which will be controlled by the Geraldton Port Authority and which will be able to dock bulk carriers capable of transporting 150,000 tonnes of ore, significant growth in the town of Geraldton, and a new mine site town to be based on an existing town in the area.

Employment for 650 people will be created during the early stages of mining while the project will also provide employment for a substantial construction work force.

Northern Mining Corporation N.L. is the only party to the agreement at present, but the company has made it clear that once it has a firm agreement on which to proceed it will seek partners among the parties showing considerable interest in the project. It is proposed that a joint venture, which will require State and Commonwealth approval, will carry out this development.

The provisions of the agreement relating to the railway are substantially different from those in previous agreements relating to an iron ore project of this magnitude. Because of the relationship of the project to the existing State Government railway system, and the feasibility of linking the new railway serving the project and other mineral resources in the region with the existing State network, the Government has negotiated a maximum degree of State control over the railway. The agreement is a compromise between a private railway, as operated by the Pilbara iron ore producers, and a State-owned facility.

This combination seeks the best of two worlds. The first aim is a single purpose unit train operation, with exclusive efficient use of the railway at lowest possible operating cost.

The second aim is maximum flexibility to handle any traffic offering and to place management in the hands of the Railways Commission, and freight rates reflect the overall operating costs of the commission.

The company will construct a new standard gauge railway line to Railways Commission standards on a route to be approved by the Minister, having regard for the shortest practical distance between the mine and port site. The State will acquire all necessary land at company expense, and grant an 18-year lease over that land at a peppercorn rental. In effect, the lease will cover a three-year construction period and 15 years of operation of the railway. At the end of the lease period the railway will become State property without payment or compensation.

The Railways Commission will operate and maintain the railway from commencement of mining and will transport all bulk materials for the company at freight rates which will reflect actual operating and maintenance costs plus a management fee not exceeding 12½ per cent. of those costs.

Necessary replacements to the railway will be effected by the commission at cost to the company.

Provision of rolling stock will be a company obligation, but maintenance will be carried out by the Railways Commission. Locomotives and brakevans will, if required by the commission, also be provided by the company, to be leased by the commission on terms to be agreed.

The agreement allows the commission to connect the new railway to the existing, or any new State system and to negotiate joint use of the line with any other potential users, subject to continued performance for Northern Mining and, during the term of the lease, equitable *pro rata* capital contribution to the company in recognition of the third party's use of the facility which has been financed by the company.

Because the railway will become State property at no cost to the State, and because of the company's difficulty in raising loan finance for an asset over which its ownership rights are clearly limited, the Government has undertaken to guarantee a loan of up to \$42,000,000 for the construction of the railway once the project has been proved viable to the Government's total satisfaction.

Such a guarantee will not be issued until after the State has approved the company's proposals required under clause 7 (1) and until after the company has separately furnished to the State's satisfaction in all respects, evidence of profitable marketing arrangements and of the availability of finance necessary for the fulfilment of all obligations under the proposals.

With respect to mining areas shown in plan A attached to the agreement, at the conclusion of negotiations with the company the agreement was framed to include in the company's mining areas all or any part of temporary reserves specified in the

plan over which it had at that time been granted occupancy rights—coloured green on the plan—or over which it might be granted such rights either before or after the agreement is executed—coloured blue on the plan.

The company now holds both the Weld Range and the Robinson Range reserves and the Minister for Mines has given this formal approval of occupancy rights over the reserves at Mt. Hale and Mt. Gould.

There are two Aboriginal reserves associated with the company's Weld Range areas which, since they do not comprise part of the temporary reserve, are clearly excluded from the terms of the agreement and cannot form part of the prospective mineral lease.

The first is Aboriginal Reserve No. 21850, known as "Little Wilgie Mia"; it is completely surrounded by the company's proposed Weld Range mining area. The company has no interest in this reserve and it will not be affected in any way by the project.

The second is Aboriginal Reserve No. 16670, known as "Wilgie Mia" which intrudes into the company's proposed Weld Range mining area. The company has emphasised that iron ore reserves in this reserve are a continuous part of the Weld Range ore formation and form an important part of the ore available for the first phase of the project.

The company has initiated discussions with the Aboriginal Affairs Planning Authority and the Mines Department with a view to securing conditional mineral rights over the Wilgie Mia Aboriginal Reserve. It was considered that such negotiations should proceed unfettered by any special provisions entered prematurely in the agreement. At this stage, the talks have led to tentative terms of agreement.

When, and if, the company successfully concludes negotiations for such conditional rights with the authority, it will be open to the company to negotiate with the State for the inclusion of the area in the mining areas defined under the terms of the principal agreement by way of an amendment agreement.

The agreement requires the company to carry out, at company cost, studies which include further geological and geophysical investigations and proving of the various iron ore deposits; engineering investigations of the route for the railway and of the site for the port; planning in collaboration with appropriate authorities of mine and port townsites, and investigations of water supplies for townsites and for mining and industrial operations.

These investigations are to be carried out and reported to the Minister, along with reports of any consultants before the submission of development proposals.

The State reserves the right to make a determination in regard to the location of the port without recourse to arbitration.

It has been necessary for the State to retain this right in order that due account may be taken of other developments, either actual or proposed, which could make joint use of port facilities.

Development commitments under the agreement are similar to those in the McCamey's Monster and Rhodes Ridge agreements. They bind the company to submit to the Minister, within five years of the execution of the agreement, all proposals for development of the port, railway, mine, and townships.

If proposals are not submitted and approved within five years the company's occupancy rights over mineral areas will cease and determine.

However, if proposals are lodged within the specified five years, and the proposals are approved by the Minister, the company may be granted a mineral lease.

Within four years of receiving approval of proposals the company must complete construction of the project at a cost of not less than \$80,000,000, to provide a capacity for actual shipments from the port of an average of not less than 1,000,000 tonnes of ore per year for the first two years.

Within 10 years of the date of first exports, the company is required to submit proposals for secondary processing having a capacity by the end of year 12 to process not less than 500,000 tonnes of ore a year; building up to not less than 2,000,000 tonnes of ore a year by the end of year 16.

Within 20 years of the date of first exports, the company must submit proposals for an iron and steel industry producing by the end of year 25 not less than 125,000 tonnes of processed products a year, building up to 250,000 tonnes of steel a year by the end of year 31.

As an alternative to the steelmaking obligations, the company may submit proposals for joining with an existing or proposed steelmaking venture within Western Australia as long as this action in no way reduces the company's obligations on timing and volume production.

Royalty provisions of the agreement are comparable with those of the Rhodes Ridge and McCamey's Monster agree-

ments at a rate higher than that established for earlier agreements. The company will pay 7½ per cent. of the f.o.b. value of lump ore, fine ore, and fines; 14.7631c per tonne on iron ore products where local ore has been used for secondary processing within the State, and 7½ per cent. of the f.o.b. value of any other iron ore products sold and shipped overseas.

Rental rates established in the Rhodes Ridge and McCamey's Monster agreements for all temporary reserves, mineral leases, and Crown lands needed for other purposes associated with the project have, with the exception of some rounding off as a result of the use of metrics, been retained in this agreement.

The passage of this Bill is essential to allow the project to proceed and desirable because of the significance of the project for the Murchison region and the whole of Western Australia. This will be a pioneer project opening up an area in which there is currently no major mining development.

However, the Murchison is an extremely mineralised region in which other companies are actively exploring, or examining the feasibility of mining operations, and these include nickel, uranium, and ferrovanadium. I mention that there are other active areas of exploration in this region for minerals which have not been referred to in this speech.

The development of a new port and industrial facilities in reasonable proximity to Geraldton will be significant for the future of Geraldton. The industry will provide job opportunities, the need for service industries and services, and the beginning of an industrial centre of major regional importance.

The railway which will serve this project will also be of major significance to the future development of the region, perhaps allowing projects which would otherwise not be viable to become profitable undertakings and perhaps providing an eventual link with railways in the Pilbara. I commend the Bill to the House.

Plan "A" was tabled (see paper No. 256).

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

House adjourned at 5.11 p.m.