Legislative Assembly

Wednesday, the 26th October, 1977

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

SEWERAGE

Hardaker Street, Eden Hill: Petition

MR TONKIN (Morley) [2.16 p.m.]: I present a petition from 67 citizens of Eden Hill who are praying that this Parliament will reconsider its policy in respect of the absence of a plan to give sewerage to residents of Hardaker Street, Eden Hill, and to the nearby areas and that further action will be taken to provide this amenity as soon as possible.

The petition conforms with the Standing Orders of the Legislative Assembly, and I have signed a declaration to that effect.

The SPEAKER: I direct that the petition be brought to the Table of the House.

See petition No. 4.

RENTAL ACCOMMODATION

Rent Increase: Petition

MR WILSON (Dianella) [2.17 p.m.]: Mr Speaker, I present a petition from 1 766 residents of Western Australia praying that the Government will not proceed with the increase in State Housing Commission rents to take effect from the 1st October, 1977.

The petition conforms with the Standing Orders of the Legislative Assembly, and I have certified accordingly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

See petition No. 5.

PILBARA PLAN

Nonperformance of Government: Grievance

MR B. T. BURKE (Balcatta) [2.21 p.m.]: Throughout my four years in this Parliament I have heard—as I am sure have most members who have been here during that period—the Premier constantly defending his Government's record with regard to its failure to produce the famed Pilbara plan. We have been told time and time again of the Government's blueprint for prosperity in the north.

We have been told this despite the fact that this Government has failed to initiate one substantial development in any part of the State; we have been told time after time that this blueprint will ensure the prosperity of all those people in the north-west and in the rest of the State too, for that matter; we have seen the Premier trumpeting time and time again about the need to borrow as a State from overseas sources, bypassing the Loan Council, saying this is what is necessary to provide infrastructure. We have heard the Premier saying the lack of this ability is what is preventing the Government from proceeding with so many of those projects; to initiate so many of those developments which the Government says time and time again are just around the corner. This is despite the fact that the Government has had four years in office now and has failed to initiate one new significant development in the north-west of the State or elsewhere.

There is a very good reason why the Premier is unable to produce the Pilbara plan. Members will be told of that reason in a moment or two. Quite simply, it is because the Pilbara plan does not exist; it never has existed except as a figment of the Premier's imagination. It has never existed except as a broad concept when the Premier has been on the defensive.

I am going to show members the Pilbara plan in just a moment. It has never existed except when the Premier, in his extremely defensive moments, is talking about a broad concept; something that cannot be put down on paper. It exists as a conjurer's means of tricking the people at times of elections.

Mr Laurance: It does exist.

Mr B. T. BURKE: There is a plan; the member for Gascoyne is quite right. It is this plan I hold here and I am pleased to be able to provide for the House something which this Premier has never seen fit to do; something about which this Premier has seen fit only to talk of and I refer to the "Pilbara and Development Concept".

I congratulate the Government for compiling this concept and I wonder why it was not produced; if you wonder why, Mr Speaker, I will tell you now the Pilbara plan was the work of the Australian Labor Party Government when it was in office. That is why it has never been produced.

Mr Young: You knocked it up in three weeks.

Mr B. T. BURKE: The Premier will not produce it because it is the work of the Hon. John Tonkin and the Hon. Herb Graham.

Mr Mensaros interjected.

Mr B. T. BURKE: Go and talk to the "onions". If the Minister denies it is the Pilbara plan the Government may care to produce what it says is

the Pilbara plan. It has not done so in reply to questions posed in debate or at other times. There has been no plan; there has been pie in the sky; promises that have not been fulfilled; and promises that cannot be fulfilled. There has been the struggling of a Government and its Premier trying to produce something.

Let us move on to this fabled plan to borrow money from overseas sources; how the Government had come up with a magical idea for obtaining money for infrastructure. This Government, through its Premier, has said it is going to progress towards the goal of obtaining money from overseas, outside the Loan Council. Despite the dangers involved little heed has been paid to them until the Government in its wildest flight of fancy has seen fit to tell the people of its latest progress. However, the Premier has made no progress at all. All the Premier has been able to get the Federal Government to do is agree to talks with State Ministers and their Federal counterparts and to agree to discussions with Treasury officials for specific proposals.

This is a mere confidence trick. The Premier has again seized on what is a Labor Party initiative and has taken it as his own, and is misleading the people. Now we will see. This is a Cabinet minute of 1972. I will read the recommendations and we will see whose idea it was. We should face facts. This Government came to power in March, 1974 and the Premier, like St. Paul on his horse, was struck by a lightning bolt shortly afterwards.

Two years before this Government came to office the Hon. H. E. Graham made a recommendation to Cabinet. He must have read the future Premier's mind, which would have taken only 10 seconds, and he came up with a recommendation which is identical with the one the Premier now says is his. Not only did the Premier not have a Pilbara plan, but the means of financing it were contained in the Labor Party policy!

Mr O'Connor: You should keep off those pills.

Mr H. D. Evans: Get out of the gutter.

Mr B. T. BURKE: The Premier has said the Minister for Development and Decentralisation said there were two ways of financing the projects that were included in the Pilbara plan; this is not the Premier's plan, as that does not exist. This is the Australian Labor Party's Pilbara plan, which we are pleased to let the Premier use if only he would give credit to the brains who developed it. The then Minister said there were two means of financing the plan; one was by Commonwealth Government approval and assistance and the second was contained in this Cabinet minute, which was to borrow overseas outside the Loan Council. That is what the Cabinet minute said in 1972.

If members opposite want to maintain that this idea was the Premier's then was he the unofficial adviser to the Government at that time? I do not think the Government would have been silly enough. But this Cabinet minute by two years pre-empts the Premier's decision; no-one can deny that; it is here in black and white. If the Premier wants to say he solved the problems with certain initiatives he should look at the records and then look at the proof. The recommendation was made in 1972.

It took the Premier two years to discover it and another year after that to realise its worth and take it as his own; that is the story of this Government. The Government has failed to initiate—

Point of Order

Mr MENSAROS: Mr Speaker, could you advise what the honourable member's grievance is?

The SPEAKER: I assume that the grievance of the member for Balcatta is in regard to the performance of the Government with respect to the Pilbara region.

Debate Resumed

Mr B. T. BURKE: Thank you, Mr Speaker. I admire the way in which you put it. I would rather have said, "The non-performance of the Government with respect to the Pilbara region." I would rather someone had said, and I will say it now, that it is the grievance of an outraged public which has been promised everything but has been given nothing.

Mr Old: What a beauty!

Several members interjected.

Mr Clarko: You are suffering from "dementia praecox"; that is, delusions of grandeur.

Mr SPEAKER: Order!

Mr Tonkin: If you are going to use words like that, why don't you pronounce them correctly?

Mr B. T. BURKE: Mr Speaker, I would prefer members opposite to condemn themselves from their own mouths. However, I shall continue. Let us face facts. After I have sat down, the Minister or the Premier may rise and tell me about all the projects they have started. They may tell me that these Cabinet minutes are fakes; they may tell me I have had them printed; they may tell me we are

all the Premier's brain children. They may ask us to accept that but we know we cannot.

The Cabinet minutes set out the position. The Pilbara plan which we produced exists. Where is the Premier's plan? It does not exist; it has never existed except as a broad collection of concepts that may be drawn together, tied with a bow, and used to mislead the public. Nothing has been done by this Government in the Pilbara. Nothing will be done. The Japanese are already gearing up to put pressure on us either to decrease the consignments of iron ore we sell, or to lower the contract price. The Premier knows that from the statements Mr Tanaki made in Queensland recently. The time will come when history will judge harshly the non-performance of the Premier and the Government.

SIR CHARLES COURT (Nedlands—Premier) [2.32 p.m.]: The Opposition must be absolutely desperate.

The Government members: Hear, hear!

Mr O'Neil: And destitute!

Sir CHARLES COURT: The Opposition must have taken the hat around and said, "Who will speak today?" I remind the honourable member that before the Hon. Herbert Graham, or any other member of the Tonkin Government, started to talk about the Pilbara, the area had already been developed with a magnificent system of 800 miles of the heaviest standard gauge railway line in the world; with three magnificent ports where there was previously none; with about 10 new towns, properly designed; with water supplies and power; with schools and hospitals; and with housing of a standard never previously achieved in mining towns anywhere in the world.

Government members: Hear, hear!

Sir CHARLES COURT: That is what had happened. If the honourable member wants to know about the plan, I just remind him that the reason that—

Mr Tonkin: You are living in the past.

Sir CHARLES COURT: —the railways are in the present position is that there was a plan, because the original concept—

Mr B. T. Burke: Where is the Pilbara plan?

Sir CHARLES COURT: —was to put all of the railways leading into a port in the Dampier area. Because of the Brand Government and the policy it adopted on my recommendation, we insisted there had to be two railway systems servicing two different port structures. Had we not resisted that original concept, we would have had one railway line and one port complex and about half the development we have at the present time. The reason for the two railways being there is it was part of a total concept to ensure that the total region and the total resources were developed and not just a small amount here and there.

I also remind the honourable member—as apparently he is not up with the play and is either too young to remember or has not bothered to rehearse himself in this matter that it was his supporters on the other side, and our opponents, who used to wave the agreements that we brought to this House in order to achieve the development of the Pilbara as "pie in the sky" and "pieces of paper". They waved them around as if they were scraps of paper; worthless pieces of paper.

Mr B. T. Burke: Tell us what has happened since 1970.

Sir CHARLES COURT: We have now these magnificent railways and these magnificent ports.

Several members interjected.

The SPEAKER: Order!

Sir CHARLES COURT: I want to remind the honourable member that during the life of the Tonkin Government nothing happened in the Pilbara. I also remind members opposite that when the first opportunity arrived for the people to pass judgment on what had happened in the Pilbara, they gave that seat to us for the first time in 1974 and they repeated that in 1977. That is how satisfied they were with the piece of paper which was produced at huge cost by the Tonkin Government. The document to which the honourable member referred was, to my knowledge, a trumped up PR stunt that contained no substance at all. Subsequently, by arrangement with the Whitlam Government and at huge cost, a Pilbara study was undertaken which has not been of much value in the development of the Pilbara. As a result, we have reverted to the policies and the plans of the Brand Government which are still effective.

I remind the honourable member, in case he has not read the papers, that one of the great projects negotiated and started by this Government in the Pilbara is already well in process. It involves only an investment of $350 million in a concentrator plant and is a further important expansion of the programme of the Brand Government to develop the total resource, to take the ore out of a dump and convert it into a high-grade premium product of a special quality, instead of the ore just remaining in a dump.

Again I repeat, that is part of the total concept to develop the total resource for the benefit of the nation and to give the area a life of 200 years

instead of a life of about 30 or 40 years, if one takes the best and leaves the rest.

To add further to this, Mr Speaker, I remind the honourable member that we have had the second loading facility, the most magnificent installation of its kind in the whole world, opened in the life of this Government in Port Hedland. As a result of the programme to expand the Robe project, we have expansion going on at Cape Lambert. There is also expansion going on at Dampier for Hamersley Iron.

Mr B. T. Burke: Have you any projects going on there at the present time?

Mr O'Neil: How many times have you been there? Never.

The SPEAKER: Order!

Sir CHARLES COURT: I remind the honourable member that on top of this there is further expansion—

Mr B. T. Burke: I have been there.

Several members interjected.

The SPEAKER: Order! Will the Premier resume his seat? There are too many interjections. The arguments as between the members sitting in their seats are starting to become a little more predominant than the speech of the Premier.

Sir CHARLES COURT: Just to rub salt into the wound, I remind members opposite that already an extension of the Robe River project and the Mt. Newman project has been announced. I come back to the other point, which is the North-West Shelf, and I remind members opposite that it was because of the exploration policies and the off-shore legislation introduced in the time of the Brand Government that the exploration started and resulted in the magnificent find that has taken place.

Again to rub a little more salt into the wound, I remind members that because of the Whitlam Government's policies in respect of off-shore exploration and exploitation the whole project came to a stop and it took our Government to get back into office and do something about it, because the Labor Government could not defy its masters in Canberra. Our Government came into office and defied the Federal Government and renewed the permits which enabled the negotiations which have been carried on in respect of the North-West Shelf since that time.

As soon as there was a change of Federal Government and the Fraser Government came back into power in December, 1975, we were able to completely revitalise this exercise, get the companies working again, and get the companies interested again with the result that we have now been able to get the next phase in operation so that the final phase can commence operation by March, 1979, with a huge and sophisticated construction programme.

I remind members opposite also that this will cost no less than $3 000 million, whereas had there been no Whitlam Government and had the project continued uninterrupted, it would have been undertaken at a cost of about $1 250 million and instead of having to wait until 1984 before we see the gas coming ashore, we would have had the gas coming ashore in 1981.

Mr Jamieson: You tell the truth. It was never intended it come ashore before 1984.

The SPEAKER: Order!

Sir CHARLES COURT: The Leader of the Opposition is always blowing his mouth off about these things. He just picks phrases up here and there and does not bother about the facts.

Mr Jamieson: Why don't you tell the truth?

Sir CHARLES COURT: I will remind the honourable member if he will be quiet for a moment that his then Minister for Mines used to get literal hell when he went over to see R. F. X. Connor the then Federal Minister. The Leader of the Opposition should talk to the former member for Pilbara to see what he thought about the former Whitlam Government's policies.

The former member for Pilbara would tell the Leader of the Opposition, as would the former State Minister for Mines, as would the members of the Tonkin Government who remember the facts, that the whole of the exploration programme came to a halt with a loss of priority for North-West Shelf gas.

Mr Jamieson: That is not true.

Several members interjected.

The SPEAKER: Order!

Mr Jamieson: It was never intended to proceed with that before 1984.

Sir CHARLES COURT: The member for Balcatta gives the impression that this idea of borrowing overseas was something Labor invented in 1972. I have news for him and I also have news for another reason. It was his leader and former leader who used to criticise me for talking about borrowing this money outside the Loan Council. They said it never can happen, yet here it is being lauded today as a Labor Government initiative.

Several members interjected.

Sir CHARLES COURT: I want to remind the honourable member that there would not be an industry in the Pilbara today if we had not had

the courage, good sense, and initiative to get the private sector to develop it using huge quantities of overseas funds.

Several members interjected.

The SPEAKER: Order!

Mr Jamieson: Get up on your box and then fall off.

The SPEAKER: Order! The Premier has one minute.

Sir CHARLES COURT: This is one soap box on which I do not mind getting. Because of private enterprise and overseas money from outside the Loan Council and outside the Government altogether, we have the railways, towns, schools, hospitals, water supplies, power, and magnificent ports.

Several members interjected.

The SPEAKER: Order!

EMPLOYMENT

Job Creation: Grievance.

DR DADOUR (Subiaco) [2.41 p.m.]: I rise to grieve on a slightly different tangent. My grievance is about a situation which is intolerable to me. Although we are a free-enterprise Government we are continuing to find jobs and create positions in areas where there is no need. We should have our priorities worked out and they should be in the areas of greatest need. As I see these areas they are, firstly, housing and water supplies. We are very much behind with our housing and our water supplies. It is the duty of the Government to provide water for the people of Perth and Western Australia. It is the duty of the Government of the day to allow people to continue their present life style so that they may enjoy verges, swimming pools, and so on. In addition to housing and water supplies, sewerage is another area of need because much of Perth remains unsewered. Another area is transport. The railways system is slowly but surely being neglected and inevitably it will be abandoned altogether. This will be detrimental in the long run.

Jobs are being created in areas where they are not needed; for instance, in education. This year 1 090 jobs have been created. The number employed last year was 18 347 while this year it was 19 437. This is inherently wrong in principle. I know that many of those employed have been trained, but too many people have been trained by the various teachers' training colleges, universities, and technical colleges so that we have too many teachers. However, we have retraining programmes, and, as a free enterprise Liberal Government—

Mr Tonkin: Free enterprise nothing. You favour monopolies and restrictive trade practices!

Dr DADOUR: Let me have a go. We have retraining programmes and we should be retraining these people so that we can use them in areas where they are needed.

There is an increase of 233 employees in the mental health system, and I find this quite intolerable. The system has enough people employed for the work they do, which is good. Too many people are being trained as social workers and so on, and then they must be employed.

There is an increase of 209 in public health services. I do not know the increased number to be employed in public hospitals because these figures have not been provided, but I have no doubt that they will be markedly increased also.

The training has been carried out in the wrong areas. I realise that the Commonwealth Government is at fault here, but I do not believe the State should have to suffer the consequences of that fault. We are employing these people where they should not be employed. We should not be creating these positions because once they have been created they will remain forevermore. I believe that as we are a free enterprise Government, this is totally wrong.

Mr Tonkin: You are not a free enterprise Government. You are a monopoly Government.

Dr DADOUR: This is the argument I have submitted since I have been here. I am consistent, and I am disappointed in the Government because it has not had the vision to plan wisely. It is not as if we did not know the situation. We knew how things were going and we should have been planning accordingly; this is why the fault lies with the State Government.

It is wrong that we should be wasting the State's money. We should have been using it in areas where it was needed most. We should have been retraining these people so that they could be utilised wisely. For instance, we are critically short of water and sewerage facilities. We are way behind the eight ball with our sewerage in the metropolitan area.

Mr Sibson: And the country.

Dr DADOUR: Another area of great priority is housing. We are way behind with our State Housing Commission building programme. We should be spending the money and gaining some benefit from it. At the moment we are not getting

the benefit of the extra money we are spending. We are creating jobs which should not be created.

I wonder at the short-sightedness of the Government in this respect because I believe that I could have produced far better results than those produced by the Government.

Members know that since I have been in this place I have been consistent in my complaints. I thought that when we became the Government we would do better than the Opposition had done when it was in office, but we are not doing much better than it did. In fact, I doubt that we are doing any better.

This State is a wonderful place, and I want it to stay that way. The only means by which we can be sure of this is by spending our money carefully and in the areas where it is needed. There should be co-operation between the State and Federal Governments. This is one of the problems; that is, a lack of co-operation. Too many people have been trained for jobs which are not required. We should establish retraining programmes to overcome the situation.

The worst thing is that once the jobs have been created they will remain. This is inherently wrong.

If we are to have economy of government—although I do not think that will ever come—we must have good government. However, we will never achieve economy of government if we spend our money where it is not needed.

Mr Tonkin: Or by having nuclear bombs.

Mr Pearce: That's right.

Mr Tonkin: That is what you are in favour of. How much do you think that would cost?

Dr DADOUR: The short-sightedness of the Opposition persists. We are trying to make this a better place in which to live and to guard it from the enemy. One wonders when one looks at the so-called pacifists on the other side—

Mr Tonkin: We are realists.

Dr DADOUR: —one wonders—

Mr Tonkin: I am not a pacifist, but a realist.

Dr DADOUR: The member for Morley is one of the pacifists.

Mr Tonkin: Nonsense. I am a realist, not a pacifist.

Dr DADOUR: If we had fewer people like the member for Morley this would be a much better place.

Mr Tonkin: Has Fraser developed a nuclear deterrent?

Several members interjected.

The SPEAKER: Order!

Dr DADOUR: Jobs have been created where they are not needed.

Several members interjected.

Dr DADOUR: I do not want war any more than anyone else does.

Several members interjected.

The SPEAKER: Order!

Dr DADOUR: We have to be prepared, and not turn the other cheek. We are most vulnerable. The best thing that could happen would be for somebody to get the member for Morley. I think it would be a better place without him.

The SPEAKER: The member has one minute.

Dr DADOUR: If I had the option of nominating who, on the Opposition side of the Chamber, should go, the No. 1 position would be filled by the member for Morley.

Mr Jamieson: It seems I have dropped!

Mr Tonkin: The member for Subiaco is saying that we should have the atom bomb.

Dr DADOUR: The member for Morley has no hair, no virility, and no nothing. With regard to virility, I would challenge him any day of the week.

Mr Tonkin: Is this a health speech?

Dr DADOUR: I would challenge the member for Morley any way he wishes, with any instrument or any weapon.

Mr Tonkin: I do not need to prove myself.

Dr DADOUR: I do not need to prove myself either, but I am prepared to prove how weak is the member for Morley.

Back to my grievance: I believe our spending has not been in the right places. It is time for the Government to listen to advice, and to be careful not to continue along the same lines when the next Budget is planned.

Point of Order

Mr TONKIN: On a point of order, Mr Speaker, I do not believe the member for Subiaco should call either the Premier of this State, or the Prime Minister, pacifists, as he did a moment ago.

Sir Charles Court: He did not call us pacifists.

Mr TONKIN: The member for Subiaco spoke about nuclear deterrents.

Sir Charles Court: He did not call me a pacifist.

The SPEAKER: Order! There is no point of order.

Debate Resumed

SIR CHARLES COURT (Nedlands—Premier) [2.52 p.m.]: In responding to the grievance by the member for Subiaco, let me make the following observations: I am assuming he is using his grievance as a means—quite legitimately—

Mr Tonkin: To get the atom bomb.

Sir CHARLES COURT: —to make a belated attack on the Budget strategy of the Government. The three areas he specifically mentioned—although he made reference to others by implication—are very sensitive areas of government. If we did not do what we could to provide adequate services in these areas the Government would be subject to some very severe and bitter criticism, not only in this place, but outside of it also.

The member for Subiaco referred specifically to teachers, mental health, and public health. I agree with him that we have a long way to go before we can say we are getting proper value for the taxpayer's dollar. However, I cannot say this means that in the foreseeable future there will be a reduction of the numbers employed in those services. I want to assure the honourable member there has been an abatement of the increase. If he were to see the numbers requested not only by the departments he mentioned, but also others, and what they regarded as their legitimate requirements, he would have a fit as I nearly did. Suffice to say, those departments did not get the numbers they requested. I think the member for Subiaco should be on my side for not allowing what the departments asked for.

Some of these people are empire builders; some have a dedication and a belief that they have a prior claim on the Budget, but it is the job and the work of the Treasurer, the Treasury, and the Government to resist those pressures.

Coming to the next point regarding the failure to anticipate the employment needs in education, I reject that criticism. This Government has been to the forefront of all Australian Governments in trying to alert not only the Federal Government, but also the people—with special reference to parents—that there would be need for a changing emphasis in education. We have quite publicly said that we would like to get tertiary education back under the control of the State, because since the Federal Government has had such a dominant interest in it, much extravagance has occurred.

The Minister for Education, with my complete support, issued a very strong statement on this matter just recently—not in the backwoods, but in the presence of the tertiary education people. He pointed out that in the opinion of this Government there was scope for economy and a need for a scaling down to provide better value for the taxpayer's dollar. We have only a very remote capacity to do that under the new arrangements and implement the things we would like to do, not only in the amount of spending, but also in the nature of the spending.

I agree readily that we do have to change the emphasis of the whole of the education system. I am hopeful we will find after the experience of the last three to five years that parents will adopt a different attitude to the educational requirements of their children. We have to face up fairly and squarely to the fact that the usual ambition of most parents—including the parents of most members in this Chamber—is to make sure their children have a better opportunity than they themselves had.

I know that in the case of most parents—coming from a tradesman's family myself—their idea of giving their children something better is to try to get them into a profession. The idea of many parents is to get their children into the situation where they can obtain a professional or a so-called white-collar job.

I am hopeful that parents will start to reappraise the situation because there has been a changed attitude towards tradesmen—getting back to the days of my father when there was no dignity attached to being a tradesman. That attitude has now changed and I think people will start to realise that those who will have the greatest success, whether measured socially, financially, or economically, will be those who have had a good solid basic education, and who follow a trade and then obtain added qualifications. They are then equipped not only to go into administrative or executive positions, but also possibly—and hopefully—into entrepreneural positions as a result of the combination of a good education plus technical training which equips them to take advantage of these modern occupational opportunities which will be available for the next couple of generations, at least.

We do not control Canberra, but we try to influence the Federal Government. I am hopeful that with the present Prime Minister—who has had a lot of holes to block up in the short time he has been in office—and after the negotiations we have had with Canberra—where we got a very good deal on Friday, and we need more of that—there could be a changed attitude towards the role of the Commonwealth and the States in relation to tertiary education.

If any Commonwealth Government does decide

to take the initiative and renegotiate the present position, which we are ready to do any day, it will be done on a basis whereby we can get access, as a right, to the money we require.

Our funds have to be built into our base revenue finance so that we do not have to go cap in hand to Canberra and plead on the basis of our growth in population etc. It will need to be built into the basic formula on which we all operate.

I think I have covered the main points raised by the member for Subiaco, apart from his little controversy with the member for Morley. I should imagine—heaven forbid—that if the member for Morley were to have an untimely death this evening the member for Subiaco would be the first suspect! We will have to make sure the member for Morley lives a healthy life, and when he does go it is from natural causes!

RAILWAYS

Rail Fasteners: Grievance

MR McIVER (Avon) [2.58 p.m.]: Yesterday I asked a question without notice of the Premier referring to the letting of contracts relating to the standard gauge railway. I will utilise the time available to me during this grievance debate to expand on that question and to relate to the House the reasons for asking it.

As the position stands at the present time, there are two main tenderers for the contract. One is Pandrol of Australia, and another firm which manufactures the railway fasteners known as Fist fasteners.

I understand from the reply to my question that the decision with regard to the contracts was made by two Westrail engineers who travelled throughout the world—I understand they travelled only to South Africa, Sweden, and the U.K. but I am unable to say for certain where they actually travelled or whether my information is authentic. I have questions on today's notice paper and as they have not yet been answered I am at a disadvantage to substantiate that point.

If ever a retrograde step could be made in Western Australia in relation to this very important lifeline from Kwinana to Kalgoorlie, it would be for the Government to go ahead and use these Fist fasteners. They have been condemned throughout the world but we are going to spend $1 million on them and do the job on the cheap—because evidently this was the lowest tender.

If the Fist fasteners are so good, why are they not to be used on the whole project? One-third of the fasteners to be used will be Pandrol fasteners, which are used by the railways in the major countries of the world. The Pandrol fasteners will go on the radial curves where the sleepers must be stable, especially concrete sleepers. The Fist fasteners are too unreliable to be used on the radial curves.

An extra cost of $1 million—$2 million as against $1 million—in a contract of such magnitude, running into millions of dollars, is nothing. We must produce a railway of world standard. We must sell our services if we are to expand in this field and get back the money we borrowed from the Commonwealth and the money spent on maintenance.

When this line was constructed, the rails used were too light. That may or may not be the fault of the present Government. But if the Fist fasteners are used, the Government will put $1 million of the taxpayers' money down the drain. I put it to members that if the Fist fasteners are so wonderful the big railways in the north—at Mt. Newman for instance—would have used them, but because of the tonnages carried and the pressure on those rails the best fasteners have been used, and they are the Pandrol rail fasteners which are recognised throughout the world.

Because of the present Minister for Transport's lack of knowledge and the fact that the Minister representing him in this House would not know about the matter because the portfolio was taken from him, I must appeal to the Premier to intervene. It is imperative that we have the best. The Fist fasteners were manufactured in Sweden, but the Government of that country condemned them and no longer uses them. The South African railways have also condemned them. Hundreds of thousands of the Fist fasteners are stockpiled in South Africa and no more contracts will be let for this kind of fastener.

So what do we do? The Western Australian Government has been sucked in and will accept the rubbish, which dovetails into the pattern of running down the State railways. I appeal to the Premier to have another look at the matter of the expenditure of another $1 million for this contract. We must look ahead not only two or three years but many years, when we will have larger trains. How can we sell our services with trains jogging along at 30 miles an hour? Our railways must run at 60 miles an hour to be equal to world standards.

If the Fist fasteners are so good, why do the railways of the United Kingdom not use them? There are concrete sleepers on every railway line in the United Kingdom and they use the Pandrol fasteners.

There is a further point to be considered; namely, the follow-up services. The manufacture of Pandrol fasteners in relation to the composite nylon insulator which is a component of them will generate employment in Western Australia.

We have been sucked in. I do not know who made the overseas trip but I do not condemn him because he was possibly instructed to look for something cheap.

If the statements I am now making to the House are proved to be wrong, I will apologise in writing or in any other way; but if the Premier checks the facts and writes to the Swedish and South African railways, he will find I am right, and surely that would be enough to persuade him to revise the contracts which have not yet been determined. I cannot emphasise too strongly that it is imperative that we use the Pandrol rail fastener for our standard gauge railway. We made a blunder when the railway was constructed. It is our lifeline and it will expand, but it cannot expand if we use rubbishy material. We must have the best and we deserve the best.

I ask the Premier in all sincerity to have another look at the matter and check with the people I have named. It is not a great decision to make but it will do the people of Western Australia a service, especially in providing employment.

From the answer given to my question, it looks as though the officers who investigated the matter went on a world safari. I challenge the Premier to name any country in the world which uses the Fist fastener—except perhaps Sweden, although it has been condemned by the Government of that country. They have been used in South Africa but that country uses Pandrol fasteners extensively on the curves. Does West Germany use Fist fasteners? No. Eighty major countries of the world extensively use Pandrol fasteners. On the new standard gauge railway to Tarcoola, are Fist fasteners being used? No. Pandrol fasteners are being used because they are recognised as the world's best.

I have no hesitation in saying that if I were dealing with this matter in Canberra and received a submission from the Premier of Western Australia for the allocation of money to purchase Fist fasteners, I would not give approval to the expenditure of one cent on them. Western Australia is entitled to the best. We have had a raw deal in many instances since this Government has been in office. We must rebuild our railways, and the commencement point can be with the present contract, which is important and must be carried out.

Many other projects will be put back to find the money for this contract, but it must be carried out to enable us to have a railway of world standard so that we can sell our services. I urge the Premier to reconsider the contract. I am sure after he has checked it out he will find the Pandrol rail fastener is the one to use.

SIR CHARLES COURT (Nedlands—Premier) [3.07 p.m.]: I do not know who is advising the honourable member.

Mr McIver: Personal research.

Sir CHARLES COURT: I assumed from his questions the other day, and from the point of reference he made in his question to the Deputy Premier, that he was in fact in consultation and wanted me to consult with the Australian Pandrol firm.

Mr McIver: I have not been in consultation with anyone.

Sir CHARLES COURT: I want to say here and now that the company concerned has been in touch with me to say it is not the party which is lobbying at the present time for the Government to go outside of the legitimate tender system, because it would be the first to understand that if we did what the honourable member is asking us to do the integrity of our tendering system would be in tatters.

Mr H. D. Evans: It might be a good idea.

Sir CHARLES COURT: The honourable member kept referring to a figure of $1 million and he said the Pandrol fasteners would cost us only $2 million. Let us put the matter into its proper perspective. The tenders to be approved by the Executive Council amount to something like $7 million. We are dealing with a big programme, and I would have thought the honourable member who has been bleating in this House about upgrading the railway from Kwinana to Kalgoorlie would applaud the fact that without awaiting Commonwealth approval, risking our own capacity to deal with the problem, one way or another, we have commited ourselves to a very large tender contract for concrete sleepers, and we are now committing ourselves to a contract for the fasteners which are an inseparable part of the deal. These sleepers have to be moulded to cope with the particular type of fasteners that are to be used.

The gentlemen who went abroad were officers from within the engineering section of Westrail, and men for whom I would assume the member for Avon would have a very high regard as he is always singing their praises. These gentlemen are the ones who made the recommendation on which

the commissioner and his other officers have come forward to the Government—

Mr H. D. Evans: It is a shambles.

Sir CHARLES COURT: Wait a minute. Members opposite are always singing the praises of these people and telling us what they can do if they are given the chance. It is these people who came forward and made these recommendations to the department.

Several members interjected.

Sir CHARLES COURT: We are not talking about "N"-class locomotives; that is another issue.

These gentlemen have made an exhaustive study of the matter abroad and they are quite emphatic, having regard for the technical as well as for the financial factors involved, that the Government should give approximately one-third of the order to Pandrol and two-thirds to Fist. The member for Avon said that we could have saved $1 million, but had we used Fist fasteners overall, we would have saved approximately $1.6 million.

Mr Tonkin: What about people's lives?

Several members interjected.

The SPEAKER: Order!

Mr Tonkin: You are courting disaster.

Sir CHARLES COURT: The fact that we were prepared to accept the advice and put in one-third of the fasteners from Pandrol to cope with the technical problems, if there are any, should satisfy the member that the technical considerations of safety and other engineering factors have been adequately taken care of.

Mr McIver: If they are so good why aren't they used completely?

Sir CHARLES COURT: I do not know what is biting the honourable member—something is getting at him.

Mr Tonkin: Safety.

Sir CHARLES COURT: I want to remind the honourable member of a very important railway by world standards, and that is the one to Saldanka Bay in South Africa. This is a very important railway as far as the iron ore trade of the world is concerned, and the Japanese, as well as people from other countries, are interested in it. This railway line is 800 miles long and the test on that line is of course more severe than ours because it is a narrow gauge railway which is being used to carry huge tonnages of iron ore over long distances. The critical factors of safety and maintenance are present with this line just as much as with any railway which we will build here. However, in the light of their experience, the builders of this line selected Fist, and so that explodes the argument put up by the member for Avon.

Mr McIver: Not a complete line, only a portion of it. Pandrol is also there.

Sir CHARLES COURT: The honourable member defeats his own argument because we are using Pandrol for one-third of the work. In different places where we have critical curve factors we are using Pandrol. What more then can he want? What is more, both the metal and plastic parts of the Fist fasteners will be made here. The other people put in no plan for any manufacture here. In fact, when the tender came back to me, naturally the first question I asked was, "How much will be made here?"

Mr McIver: They have land here to do it.

Sir CHARLES COURT: What is the use of having land? We want the employment, and I would have thought members opposite wanted this also.

Mr McIver: Yes, and you will get it if you utilise that fastener.

Sir CHARLES COURT: If we use Fist we will get it, but not if we use Pandrol unless this company changed its mind when it realised it would not obtain the tender on the price it put in.

Just forgetting the price, these experts have made this recommendation. The proposition put forward was that there are three alternatives: Pandrol complete; Fist complete, or a combination of one-third Pandrol and the balance Fist. The experts looked into all the factors and they came down with the recommendation of one-third Pandrol for certain critical areas, and Fist fasteners for the rest.

These things come across my table usually just before Executive Council meetings which take place about twice a month. The inevitable question I asked was: What about the maintenance factor? It is no good the price being good for today if the maintenance factor is so high that it will cost far more in three years' time. That is false economy. The answer came back to me that the maintenance situation is satisfactory. This answer was supplied not only after research by the people involved but also after examination of railways in other countries where these fasteners have been used, including South Africa.

The officers who made this recommendation knew me when I was the Minister for Railways. They know that when they come up with a tender I will want to know not only what it will cost

today but also what will be the life of the product and the maintenance factor involved.

I want to assure the honourable member that the Treasurer has not been lax about this matter. Questions such as these are basic when we are spending public money, and in this case the questions were asked and they were answered satisfactorily.

Mr H. D. Evans: What countries were visited?

Sir CHARLES COURT: I know for certain South Africa and Sweden.

Mr McIver: The only two?

Sir CHARLES COURT: The honourable member has the idea that these people were sent abroad to find a cheap fastener, and this is not so. They were sent abroad to make a survey of the types of fasteners in most common use and the outcome of this survey appears in their recommendations. They could have come back with something quite different.

Mr McIver: Why have they been condemned if they are so good?

Sir CHARLES COURT: They have not been condemned; we are buying some of them.

Mr McIver: This is what I want you to check out.

Sir CHARLES COURT: I want to tell the honourable member that no financial restraint was put on these people in regard to their recommendations. They were able to put their recommendations forward according to the technical advice they received and the economic assessment they made. The member for Avon seems to want to reject the advice of some of these people whom I have heard him praise before. Later this afternoon when he hears the names of these people in an answer to his question, I think he will agree that they are competent officers.

Mr McIver: I do not question that.

Sir CHARLES COURT: It is their reputation that the honourable member is questioning. They are competent people.

Mr McIver: They have been wrong before in their advice.

Sir CHARLES COURT: Every expert in the world has been wrong at some time in his career. However, we should not go along with the attitude that we, as laymen on a matter, know more than the experts because occasionally their advice is wrong, and their advice on this occasion does not seem to fit pur particular "quirk". I would have thought the member for Avon would want us to go ahead with the rehabilitation of this railway line. I want to tell him that the contract for the sleepers has been let, and the contract for the fasteners will be let.

Several members interjected.

Sir CHARLES COURT: I thought you wanted the railways rehabilitated.

Mr Tonkin: Yes, properly.

VASSE COASTAL STRIP

Utilisation: Grievance

MR BLAIKIE (Vasse) [3.17 p.m.]: My grievance is a plaintive plea for help, and I hope members will have suggestions in regard to a serious problem I have in representing the people in my electorate. We need some tangible help about a situation that I see as an ever-increasing problem.

In every electorate one expects a reasonable progress rate, and one expects also similar advantages as a result of progress to flow on to other areas. Because of the actions of Government bureaucracy and the like, many sections of my electorate have been slowly controlled and stifled and taken over by action of Government departments. It is to this area that I direct my grievance today.

Can I say right at the outset that I champion the cause of the Minister for Urban Development and Town Planning. Without his real understanding, goodness knows where we would be today. I would venture to say that probably 75 to 80 per cent of all the appeals made to the Minister have been upheld in one form or another, and that only emphasises the real nature of the problem I am indicating to members.

If the Minister did not have a clear understanding of town planning and local government matters, the situation would be far worse than it is.

The area to which I refer has been undergoing tremendous influence from "eco-nuts" and preservationists. Town planners set very strict lines, and they have inflexible attitudes. Conservationists, people involved with wildlife, and estuarine conservationists, all seem anxious to blockade development.

Can I say also that to appreciate the problem, one needs to understand the topography of the electorate. On the western coast there is the Leeuwin-Naturaliste ridge which has been largely taken over for conservation and forms part of a new system of natural parks.

Again, the backdrop behind the towns of Busselton, Vasse, Quindalup and Dunsborough is the formation of the water areas of the Vasse,

Broadwater and Wannerup esturaries. This is the problem we face, and the Opposition has certainly frightened all the people I have met, because on the 1st November a policy document was issued by the shadow Minister for the Environment, the member for Morley, which indicated what would happen if Labor won the election. It stated—

> Labor will reserve for public use a strip of land one kilometre wide along the entire W.A. coast, unless there are strong and compelling reasons why the land should be alienated from public use. Highway construction will have to take account of environmental stability as well as engineering needs.

He went on to make a comment about the Whitford nodes, and then he made a further comment as follows—

> Labor believes the public should have access to the whole of the coast rather than being shut out by private or commercial development, so long as such access is consistent with protecting the fragile coastal areas and their aesthetic qualities.

Mr Tonkin: Hear, hear!

Mr BLAIKIE: That may well provide an opportunity for the member for Morley to say "Hear, hear"; but it certainly does not cause me to say that. I condemn that policy, and I will debate the matter with the member for Morley on any occasion he wishes because he is talking about having a one-kilometre setback on the coastline which will effectively stifle development in the Shires of Busselton, Capel, and Augusta-Margaret River. Taking this policy to its ultimate, that is what would happen.

Point of Order

Mr H. D. EVANS: Mr Speaker, I am having some difficulty in reconciling this grievance to any part of Government policy.

Mr BLAIKIE: If the member for Warren waits for a minute I will come to that right now.

Mr H. D. EVANS: The reconciliation has been fairly elusive up till this time as you will agree, Sir.

Debate Resumed

Mr BLAIKIE: If I may continue and not allow the member for Warren to rob me of time as he is apparently trying to do, I point out it is my opinion that the Government is also doing this, anyhow; because the policy consideration of the Government after the 1977 election was also for a one-kilometre setback. The Environmental Protection Authority has issued a booklet which is almost identical with the policy of the Labor Party in respect of the coastal zones of Western Australia. It refers to the 7 000 miles of coastline of Western Australia and indicates there should be a one-kilometre setback.

Let me qualify that by saying the booklet to which I am referring is intended only for public comment; however, it has aroused a great deal of fear and suspicion, because the comments contained in it are very similar to the proposal of the Australian Labor Party. On the one hand the ALP produced a policy against which I fought strongly, and on the other hand a Government department has produced a policy document which in fact would indicate support for the ALP policy.

If the land in my electorate is so valuable, then land in other areas must also be valuable. One could build a very strong case in favour of closing down the Swan cement works because of its riverfront siting and locality in the metropolitan area.

Mr Jamieson: The members for the area have been trying to do that for years.

Mr BLAIKIE: That factory creates a great environmental problem, and I believe there should be some *quid pro quo* in this respect. I believe the policy guidelines suggested by the EPA are quite impractical; and I also believe the grabbing of land by greedy hands in my electorate is just as impractical and quite selfish.

Whilst on the subject of wetlands, I would like to point out that I have not noticed anyone expressing concern in respect of the future of Bibra Lake or Gnangara Lake and calling for ecological studies. I venture to suggest this is because the 800 000 people who reside in the metropolitan area need water, and as politics is a numbers game those 800 000 people must be right, and to hell with the 20 000 people who might live in my electorate. This is a matter about which I am most concerned. I have raised it previously, and I will certainly raise it again in the future.

I come back to the point at which I started. I have indicated that the document to which I have referred is intended only for public comment and discussion, and is not a document of policy. In 1974 a Government department released a series of documents relating to the Conservation Through Reserves Committee. Again, those documents were designed merely for public comment and were not final policy. However, they frightened many people. The documents related to Systems 1 and 2. Subsequently three

documents were released before common sense prevailed—and thank goodness it did. But of all the documents released, the final one created the least stability, and there was very little confidence in the processes of government.

The SPEAKER: The member has one minute remaining.

Mr BLAIKIE: May I also say that the proposed heritage Act created fear amongst Western Australians, and that fear was only subsequently removed when the Government said the Bill would be withdrawn. Policies such as these are having a disastrous effect on land values. I believe my electorate probably has the highest land values of any country area in Western Australia, but people are being frustrated by actions of the nature I have indicated. They are unable to subdivide; and those who are able to subdivide can do so only after tremendous effort and running the gauntlet of the various authorities which adopt the attitude that they will "grab" land at all costs.

I hope the Government is sympathetic to the matters I have raised, because they are of real and serious concern to me.

MR P. V. JONES (Narrogin—Minister for Education) [3.26 p.m.]: Mr Speaker—

Mr Jamieson: There is another member of the Government there; that is good.

Mr P. V. JONES: In respect of the points made by the member for Vasse, may I first indicate that the Government is very much aware of the matters he has mentioned. Certainly the Government appreciates the sensitivity of the area he represents. It is a tourist mecca, and rightly so; and it is not an area we would like to see hampered by any restrictive measures along the lines he has indicated.

So far as his town planning comments are concerned he is quite right in casting considerable credit upon the Minister for Urban Development and Town Planning, because that Minister is very well aware that planning is a guiding discipline and not a controlling discipline. I think the number of appeals upheld by the Minister reflect that fact. In fact, this recognises that there must be some form of controlled development. However, that does not mean stifling development, and it is along those lines that the Minister has pursued with considerable vigour and confidence the planning procedures within the development area to which the member for Vasse referred.

The member would be aware that the area of the State to which he has referred is being affected by development of a unique kind. It is not only development resulting from tourists and the pressures of population, but also coastline development which is typified more in his area than in other areas of Western Australia. This reflects the fact that we live behind a very high energy coastline and one which is very fragile and requires a certain degree of sympathetic management.

I suggest to the member for Vasse that the guidelines which have been produced regarding coastline management are exactly those he has suggested, and one cannot emphasise too much the fact that the documents produced are only for public comment. It would be totally unrealistic to suggest the Government will accept or even entertain the idea that no development of any kind will occur in a strip one kilometre back from the coast, because that is impractical.

Mr Tonkin: We recognise that practicality in our policy.

Mr P. V. JONES: There needs to be an awareness by the public of the problems which pertain to increasing population and increasing people pressure through tourism or whatever it might happen to be. Therefore, we would hope the Government would respond to the guidelines and assist in making practical, realistic comment to which further consideration can be given.

I think we come back to the one cardinal point; namely, that in terms of the State's land development and usage, Western Australia is not necessarily ours alone but in fact is a heritage which we hold in trust for future generations. Whilst we need to develop, we must bear in mind the fact that such development needs to be flavoured with a degree of management and of comprehension which reflects the sensitive nature of the property we hold in trust.

In that regard, I remind the House that the heritage legislation, to which reference was made by the member for Vasse, was introduced entirely to attract comment and reaction. Certainly, opportunity was taken by various sections within the community to attempt to convey the impression that the legislation was more powerful than in fact it actually was; that it contained powers of management, acquisition and so on which were not present in the legislation; and, more importantly, that the legislation was the end product, and that it would not be changed by weight of public opinion.

Mr Blaikie: I believe the methods adopted by these people have done a great deal of harm to the heritage movement.

Mr P. V. JONES: I agree with the member for

Vasse; those who engendered this feeling within the community damaged the cause of responsible management within our community. I emphasise the word "responsible"; I am not referring to the emotive rubbish we sometimes hear.

As the House is aware, there has been a review of the heritage legislation and, in due course, the Government will proceed to frame further management measures which will allow a degree of flexibility, which will reflect the basic property rights of individuals and landowners, and which will provide a measure of management of our physical heritage to which the legislation was originally applied.

We should bear in mind there are other Statutes, management procedures and authorities, such as the National Trust, the Museum and the Art Gallery, all of which have the opportunity to preserve for future generations in Western Australia items of cultural and natural heritage.

The member for Vasse made some very valid points in his grievance and has made us aware that in the development of our State we must bear in mind the practical realities of the situation. That development must occur is beyond question; we have a responsibility to provide future population growth with services and facilities, and we must not allow ourselves to be locked inside some false form of environment management which restricts our ability to develop.

The SPEAKER: Grievances have been noted.

BILLS (2): INTRODUCTION AND FIRST READING

1. Main Roads Act Amendment Bill.

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

2. Workers' Compensation Act Amendment Bill.

   Bill introduced, on motion by Mr Tonkin, and read a first time.

SEX DISCRIMINATION

Need for Legislation: Motion

MR H. D. EVANS (Warren) [3.36 p.m.]: I move—

> That in the opinion of this House, the Government of Western Australia should introduce an Act to render unlawful certain kinds of discrimination on the grounds of sex or marital status; to provide effective remedies against such discrimination and promote equality of opportunity between men and women generally; and to deal with all other related matters without any unnecessary delay.

Mr Speaker, you will recall that just three weeks ago, on the 5th October, I introduced a private member's Bill which was aimed at rendering illegal, discrimination on the grounds of sex and marital status.

I do not propose to go through the full gamut of the remarks I made at that time. However, I should like to summarise and recapitulate the essential points of my address and to draw the conclusions which should have been obvious to all members.

Firstly, a matter as complex as this must be broken down into its various component parts to the greatest degree possible. Members will recall I discussed anti-discrimination legislation not only in Australia but also elsewhere in the world. I mentioned that legislation of this kind was already in force in three Australian States, with the prospect of legislation being introduced in Tasmania and with action to be taken in Queensland in the near future. South Australia, Victoria, and New South Wales already have enacted anti-discrimination legislation. Action also has been taken in the United Kingdom and New Zealand, and it is only Western Australia which lags in this regard.

I also pointed out that legislation had to be placed in its proper perspective, having regard to the role which it played. The role my legislation sought to play was a part in changing community attitudes. Of course, legislation in itself cannot bring that about, but it can assist. Similarly, community attitudes need the strength and backing of legislation if they are to undergo any significant change.

In a similar vein, I showed that the media played a vital role in developing, influencing and changing community attitudes. The media of today exert a strong influence on our lives, probably transcending in the field of education the influence of schools and parents. I clearly demonstrated the significant contribution the media have made to the community attitude with regard to discrimination against sexes.

This attitude was very clearly illustrated in the course of the reports and the headlines of the newspapers during the year 1975, which was International Women's Year. The papers displayed the bias and the journalistic trends throughout this last decade and longer.

It pointed to the changed role of women in our modern society. It is a change that has become increasingly evident and which reflects the

number of women who have become part and parcel of the work force and the economic life of this nation. It must not be forgotten that these women have brought with them on entering the work force a high level of expertise and the fruition of training over the years which would otherwise have been lost.

Between 1947 and 1971 the percentage of married women in the work force rose from 8 per cent to 33 per cent. This was the largest and fastest growing segment of the economy. It must be remembered likewise that of the total population—in excess of 50 per cent—40 per cent were in paid employment; 35 per cent of the work force is female and, importantly, one in every five workers is a female.

As a consequence—certainly in the area of employment and occupation—there can no longer be discrimination in the matter of equal work for equal value. The statistics tell their own story. There has to be justice not only in the work place but also in all other fields of our present-day life.

The changed needs of the housewife were reflected upon in a very succinct dissertation by a member of another place, Miss Elliott, at a public meeting. She illustrated, if nothing else has, the tendency of the housewife in the modern society to turn to analgesics and other drugs to relieve a high degree of boredom.

It was shown also the manner in which discrimination can be shown to exist. Illustrations showed that the minimum wage for women was in excess of $2 lower than for men in Western Australia. There are at least eight separate and distinct awards of trade unions, which were cited, giving a differentiation of male to female wages in excess of $30.

The regulations of some Government departments were shown to be discriminatory. The Public Service Board, through the report of the members of the commercial faculty of the University of Western Australia under the guidance of tutors, was an indictment of the way in which the operation of the Public Service has been carried on and the trends it has followed. The benefits and conditions of work were carefully examined and it was shown that fringe benefits meted out to various employees are discriminatory. So too are the vocational and promotional opportunities that are afforded not only in Government departments but in industry generally.

With regard to service, it was shown that with superannuation and insurance there is a very large element of discrimination. This discrimination was shown with regard to the qualifications that are necessary when dealing with actuarially-based schemes and this of course is what insurance and superannuation involve. It was shown too, the discrimination that exists in the Education Department; not only in the department but also in the policy, methods and philosophy of education that have been established in this State.

The degree of discrimination in advertising is extensive indeed. The illustrations shown clearly demonstrated the need for some change within the structure of our community. I pointed out that the number of complaints that were received in South Australia where anti-discrimination legislation has been operative for one year approached several hundreds. The National Committee on Discrimination in Employment and Occupation was able to cite 23 complaints in 1975-76 and 35 complaints in 1976-77 in Western Australia.

The powers that there are for this committee to deal with such complaints are negligible. The fact that the complaints exist even when the complainants know they cannot be successfully handled indicates that discrimination does exist.

Sitting suspended from 3.45 to 4.03 p.m.

Mr H. D. EVANS: Before the afternoon tea suspension I had made reference to the number of complaints that had been received by the National Committee on Discrimination in Employment and Occupation. In reply to a question the Premier said that in 1976-77, 35 complaints were received. The majority of these complaints were on the basis of discrimination on account of sex. I point out that this particular committee deals with discrimination in employment and that is just one segment of the total spectrum of life and activity in the community. I referred also to the information that has been received from the South Australian commission. The first report of that commission has not yet been published; but the number of cases anticipated is in the order of 200. Without a doubt the complaints are certainly there and there would be more complaints if the avenue to express these complaints was available. That is the purpose of this motion which is before the House: to see that those channels are open to members of the public.

I presented a submission to this House in support of a Bill three weeks ago. The details of this submission can be found at pages 1836 to 1856 of *Hansard* vol. 9 of this session. I trust that by referring members back to that submission it will be satisfactory. I would not like to think that

at some future time a member would rise to say I had not sufficient interest in the motion I was moving to present the absolute details. That could have been done; but I think it would have been unfair to repeat it after a period of only three weeks, and as *Hansard* is printed it is easily accessible to any member who has sufficient interest to refer to it.

In preparing the submission I referred to reports and to the material that was available on this subject. A considerable amount of research was possible and was undertaken. I found it became increasingly clear, firstly, that discrimination does exist. It exists in many ways; some ways are too subtle even to be fully recognised as being discriminatory. Secondly, I found remedial action is necessary. It is necessary on the grounds of sheer, basic justice if nothing else. Thirdly, I found that Western Australia lags behind every other State in the Commonwealth. Even the Great Dane in the Banana Republic has at least conducted an inquiry into discrimination. Nothing much has transpired since the report was tabled in the Queensland Parliament; but at least an effort has been made. However, in this State we have no women's advisers. We have not conducted a specific examination of the proposals and no move has been made to introduce legislation to outlaw discrimination.

There is no reason whatsoever that this motion should not be accepted in its entirety by this House. Undeniably the logic, the reasoning, and the precept of other States have demonstrated there is a need for anti-discrimination legislation and it would be virtually impossible to argue counter to that in the manner it has been presented. It is not a political issue. It is a matter of basic justice as espoused by the United Nations Organisation.

I conclude by saying we cannot afford to trail behind in this area in the manner in which we are trailing behind. Change will come; there is no doubt about that. The year 1975 was a hallmark in the history of social evolution in Australia. Changes of this kind may be delayed; but they will come about as surely as the sun will rise again on the morrow.

I introduce this matter as a measure of fundamental and basic justice. It is on that ground and with that intent that I have moved the motion standing in my name.

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

QUESTIONS

Questions were taken at this stage.

LONG SERVICE LEAVE ACT AMENDMENT BILL

Second Reading

MR TONKIN (Morley) [4.41 p.m.]: I move—

That the Bill be now read a second time.

I apologise to the House for not having copies of prepared notes for the benefit of the Minister and members; the reason, of course, is I am not permitted to read my speech, whereas Ministers of the Government are permitted to do so when moving the second reading of a Bill.

Mr Blaikie: You should have a talk to your leader.

Mr TONKIN: It is not a question of my leader; it is a question of the practice of this House. In fact, second reading speeches are not permitted to be read by members of the Opposition; I believe that to be an anomaly.

Mr Young: Being a stickler for Standing Orders and protocol, I am sure you would not wish to break any of the rules.

Mr TONKIN: Yes, the member for Scarborough is very percipient.

The Bill seeks to provide 13 weeks' long service leave after 10 years' service. After that time—indeed, after only five years—there is a *pro rata* provision contained in the Bill.

This legislation is to apply to all workers in the State, whether or not they are under an award; and if the award is more advantageous, the provisions of this Bill will not apply.

Mr Blaikie: Will it also apply to members of Parliament, or only to members on your side?

Mr TONKIN: If members of Parliament would submit themselves to a work-value study, we will consider putting it in the Bill.

It has been said in the past that Parliament should not legislate in this field; that it should be a matter for arbitration. In fact—quite remarkably, to my way of thinking—the word "usurpation" has been used; the suggestion has been that Parliament would be usurping the province of the Industrial Commission.

I submit that Parliament cannot usurp the prerogative of the Industrial Commission because Parliament is a higher authority. We represent the people; we are directly responsible to the people. We may delegate our powers, as we do from time to time, for example, to settle disputes under the power given to us by the Constitution to deal with industrial matters. If we decide to take to ourselves those powers, that is not a usurpation; it is taking those powers which rightly belong to us.

Of course, there is a higher order again than Parliament, and that is the people, and there is a very strong popular feeling in the community in favour of this development.

The Opposition cannot agree with or see any argument to support the continuation of this situation where workers in Government employ are so much more favourably treated than workers in private employment. It escapes me why there should be a difference between a clerk, a plumber or a mechanic in the Government employ and similar people in the private field. It is an historical accident, and like so many historical accidents it has become elevated to some kind of principle. But that is nonsense. There are many principles abroad in the world today and all too often we may tend to forget them; but certainly, there is no great principle which states that a Government worker should be better looked after than a worker in private industry.

Indeed, when we look at the separation rates which have been quoted from time to time we can see that perhaps only 60 per cent of men would ever qualify for this increased provision during their working lives; similarly, only 40 per cent of women in the work force would ever receive this kind of boon. So, we are not really giving it to the entire working population.

For many years, New South Wales was the pioneer in this area, dating especially from 1958. But of late, South Australia has become the pioneer, as it is the pioneer in so many other fields. Many of us would be proud to have shared in the achievements of the Dunstan Government of South Australia which have put that State at the forefront in social matters in Australia.

Once again, South Australia is leading the field on this issue. On the 23rd November, 1972—almost five years ago—similar provisions to those contained in this Bill were assented to in South Australia.

It has been said that we must achieve uniformity of legislation throughout Australia. We submit that with the Federal system under which we operate today and which will be with us for a very long time—perhaps for ever—there is no justification for one State hanging back, waiting for all the others to get into line.

If that is to be the position, we might as well not be working under a Federal system but a unitary system such as operates in Britain and France. I see no reason at all that Western Australia should not be at the forefront of Australian States in regard to some of these changes, instead of lagging behind the other States, waiting for them to implement legislation of this kind.

The greatest problem facing Australia today is not necessarily productivity; we also have a very large unemployment problem. It looks as though to some degree unemployment is endemic in our society. One hopes that is not so. Of course, much can be done to restructure our economy to lessen structural unemployment, of which we have a great deal at the moment.

I believe one problem will be to find ways of employing all those who want to be employed.

Equally important is the problem of ensuring that the people are prepared for leisure and in fact have leisure. This legislation is an attempt to give these people the leisure that was given to Government employees 80 years ago. I think that is an astounding fact. I am not really breaking new ground; the Opposition is not being very adventurous. We are suggesting only that private employees should have the same kind of conditions given to Government employees 80 years ago. That is a staggering fact; almost a century ago, Government employees obtained long service leave benefits better than those provided for in this Bill, and here we are, wondering whether we dare take this step.

Quite clearly, we believe private employees should have this right. They are in the majority in this country and indisputably are playing a tremendous role in the nation's economy. We do not see why they should continue to be penalised in this way, why they should lag behind Government employees who were given this type of condition some 80 years ago.

We believe it is time Western Australia took this step—a step taken almost five years ago by South Australia. We do not feel this is very daring legislation; rather, we see it as only one small contribution towards recognising the fact that we are living in a modern age in which productivity has increased beyond recognition, where the problem is to find work for everyone and because of this, there is a reason to show that people should have an increased amount of leisure, because this amongst other things would provide employment for the people who at the moment are unemployed. For those reasons, the Opposition believes this measure should be supported.

Debate adjourned, on motion by Mr Grayden (Minister for Labour and Industry).

WILDLIFE CONSERVATION ACT

Disallowance of Regulations: Motion

Debate resumed, from the 7th September, on the following motion by Mr Skidmore—

> That the regulations made under the Wildlife Conservation Act 1950-1975, published in the *Government Gazette* on the 24th December, 1976, and laid on the Table of the House in the Legislative Assembly on 3rd August, 1977, be and are hereby disallowed.

MR BARNETT (Rockingham) [4.50 p.m.]: I rise only briefly to support the remarks and comments made a few weeks ago by the member for Swan. I believe he has very adequately covered a matter which has been the subject of a number of debates in the House, not on this occasion but on an occasion in 1975 when these regulations were first introduced into this House as a result of meetings between officers of the Department of Fisheries and Wildlife and officers of the Department of Agriculture. At that time the regulations were opposed in this House by myself and by a number of other members; fortunately, by a number of other members on the other side. At that time those regulations were withdrawn in order that consultation could take place between the departments concerned and aviculturists in general. I thought it would have been aviculturists in general, but I understand now from discussions I have had that the consultations were to have taken place between those departments and the Combined Bird Organisations which unfortunately appears to have ceased to exist. I say, "unfortunately" because the Combined Bird Organisations by getting together had brought about a very responsible approach to the regulations that had been proposed.

Unfortunately since that time this Government has seen fit not only to reintroduce those regulations, but to reintroduce them in a far more stringent manner than they were first proposed. I believe it is high time the Government Ministers responsible for those departments told the public servants involved in the type of thuggery and shenanigans they are getting up to in order to upset—and that is the only reason for it—aviculturists in general who want only to pursue a hobby, where to get off.

Those public servants stoop to all sorts of tricks in order to get their message across, whether it be right or wrong.

Mr Old: Don't tell me other people don't also.

Mr BARNETT: It is the job of the Minister to do that sort of thing; that is what the Minister thinks, because he does it all the time; but that is not the job of public servants. They should not stoop to those levels.

Mr Old: They are not stooping to anything; they are protecting the industry and you know very well they are.

Mr BARNETT: They should look at the whole situation and adopt a responsible approach.

Mr Old: You do not adopt a responsible approach.

Mr BARNETT: Those members of the Department of Fisheries and Wildlife could hardly have that said about them. They have not adopted a responsible approach to this matter or to any other matter which has been before them, to my knowledge.

For example, let us take the silver gull committee and have a look at the type of duplicity these people engage in in order to get their message across. The silver gull committee consisting of representatives of the Department of Fisheries and Wildlife, came out early this year with a statement that there had been an explosion in the silver gull population as a result of which it was necessary to deplete the number of silver gulls throughout the State.

Having assumed that—and I say "assumed" and I will prove it a little later on—the silver gull committee embarked on a series of Press articles to try to strike fear into the hearts of the general public and in order to prove it was necessary to get rid of these silver gulls.

I have a copy of the minutes of the meeting where this recommendation was agreed to. The committee approved the poisoning of silver gulls. The manner in which this was to be carried out consisted of placing poisoned baits on rafts moored off the gull-breeding islands.

Fortunately I received a copy of the minutes and I brought up the matter in this House. The questions I asked at that time revealed no studies whatsoever had been undertaken of the silver gull population to determine whether or not there had been an explosion of numbers and there was, therefore, no reason whatsoever to embark upon this programme of poisoning silver gulls.

That is the type of duplicity these officers have been embarking upon in other areas. I put it to the House that that is the type of programme these officers are undertaking in order to force through these obnoxious regulations. I believe it is high time the Government took strong steps to ensure that these Government officers do not take that sort of action again and that these

regulations are removed. If they are not removed for all time, then at least the proper consultation I asked for in 1975 should take place before these regulations, or alternative ones, are introduced to control aviculturists in general.

MR P. V. JONES (Narrogin—Minister for Education) [4.55 p.m.]: It is some time since the member for Swan first introduced the subject of these regulations into the House by means of a motion to disallow the regulations, but I am sure the facts of the case, largely resting on the points which have again been made by the member for Rockingham are well known to us. According to the member for Swan they centre around two sets of regulations, but we are really talking about one set of regulations.

I am sure if we all go back to the time when the motion was introduced, we can at least respect the member for Swan for the sincerity with which he moved the original motion. Albeit his motion was moved with great sincerity, it was also moved from a position of some ignorance of the matter.

I shall deal with the motion in short order. However, I shall firstly talk about the reason we have regulations. Mr Speaker, as you would be well aware, the question of keeping birds of various species is a hobby. Birds are kept, as the member for Swan quite rightly said, for various reasons. They are kept for reasons of companionship; for financial reasons; for breeding, and so on. Birds also are kept to further our general knowledge of wildlife. They are kept to propagate species which may be in danger of declining, whether because of the ravages of man or for some other reason. Birds are kept for a whole host of reasons.

Because of the very nature of the aviculture industry it is necessary to have some degree of management. It is a simple fact of life that the rarer the species, the more in danger of declining the species happens to be, the more commercial becomes the trafficking associated with that species, and the more rewarding is the propagation to the licensed aviculturist. The member for Rockingham will be well aware of these points.

It is necessary to have some form of management guidelines by means of subordinate legislation which can be changed from time to time to meet the situation. To suggest that the regulations are punitive; to suggest they are in fact inhibiting the keeping of bird life in any form, is indeed to deny the facts and it displays the ignorance of the member for Swan on this matter. Notwithstanding his sincerity, he does not seem to be fully aware of the facts.

Mr Skidmore: I am well aware of them.

Mr P. V. JONES: There appears to be some confusion between the regulations under the two Acts to which reference was made earlier. Both the members who have spoken are correct in that there is a relationship between the two Acts. However, there are emphases upon having the APB regulations, which were discussed at some length, relating to a move to place birds in different categories for various purposes. The APB regulations relate to an Act the prime thrust of which is the protection of agriculture, the protection and propagation of species not only of animals but of cereal crops and so on.

Certainly, the aviculturist who has recently introduced Newcastle disease into Queensland will hardly be thanked by the poultry producers of that State for the bad management he displayed and the poor standards of aviculture he exhibited which have now resulted in the ravages of Newcastle disease being present in the poultry industry in Queensland.

That is a reason for the regulations as they exist. It is also of some significance that the House of Representatives Standing Committee on Conservation and the Environment addressed itself to this issue and produced a report of some substance in September, 1976. It related to trafficking and the reason for the regulations which provided a readily available flexible control of the industry. By "flexible" I mean that amendments can be made to regulations from time to time as they are deemed necessary without the necessity of the parent legislation being amended.

That standing committee addressed itself to this question at some length and, indeed, in paragraph 119 the report indicated that until an efficient system of registering all aviaries and recording all births, deaths, and exchanges in commercial transactions is developed and closely supervised by fauna authorities, commercial exploitation of native wildlife and the resultant threat to endangered species will continue.

We are relating primarily to trafficking and, although we are dealing with all aspects of the industry, that is what the regulations are all about; that is the maintenance or establishment of an efficient system of registering aviaries, and recording who has what species and where. Indeed, this ensures that from a disease and protection point of view efficient management is applied.

Mr Barnett: I do not think anyone argues about efficient management.

Mr P. V. JONES: The member for Swan paid

particular attention to the licensing procedures. What the motion seeks to do is to deny the Department of Fisheries and Wildlife the opportunity to carry out the responsibilities which Parliament has placed in it; that is, the administration of the Act.

Mr Skidmore: I put forward an alternative in my speech.

Mr P. V. JONES: I know.

Mr Skidmore: Let's be fair about it.

Mr P. V. JONES: I suggest he has not placed enough emphasis on the fact that where trafficking is concerned there will be exploitation of species for commercial gain.

Mr Skidmore: I am on side with you.

Mr P. V. JONES: The member for Swan is asking for the regulation to be disallowed.

Mr Skidmore: I will answer that later.

Mr P. V. JONES: The House would be aware that since the motion was introduced several people have been apprehended and have been shown to be major traffickers in birds, not only interstate, but also overseas. People are prepared to take commercial advantage of the situation. Some people are also destructive and, with his knowledge of agricultural areas, the member for Swan would be aware of that, and he would be aware of nest robbing and the danger which occurs primarily to the rare and endangered species, because they have a higher commercial value.

Considerable reference was made to costs and licensing. At the present time anyone can keep unlimited numbers of 21 different species, without any licence at all. That applies under the APB regulations and the Act. In addition, it is possible to keep some canaries, budgies, or any one of the species in part A of schedule C. The honourable member would be aware of those and would know that they can be kept without a licence as well as the ones I have mentioned.

That is without a licence. Now, for the big price of $1 anyone can keep any number of a further 19 species of local and acclimatised birds which are all listed in part A. This is as well as any number of the 21 species of local and exotic birds I have mentioned already. In other words, we have the two lots of birds without any licence, and then the additional birds for the payment of $1.

If we wish to proceed, for $2 a person can keep any number of each of the 26 species in part B of schedule C. I am certain that those members who have interested themselves in this subject will know what I am saying when I refer to parts A and B of the schedule.

It is only for the rare and declining species—which I have indicated are those which have a higher commercial value—that the price increases. I do not want to dwell on this, and I am sure the honourable member would be aware of that to which I refer, but there are those species which are considered to be rare and endangered species which do have a very high commercial value. The honourable member referred to a sum of $50 in this regard. I am aware that recently one aviculturist, under the $50 licence paid $1 100 for a pair of birds he brought into the State. I hardly think that the $50 which is required under the regulations is exorbitant when measured against that particular part of the avicultural industry to which it is addressed.

Mr Barnett: It is not just for birds to the value of $1 100, is it?

Mr P. V. JONES: When we talk about the species which are worth $1 100, I hardly think that the licence fee to which I referred represents an exorbitant sum.

Finally on the question of costs, the last point I make is that if a person has one of those licences, for an additional $1 for each species, it is possible for him to keep as many other birds within each species as he wishes. In other words, all he has to do from then on is to pay $1 for each species, regardless of the number of birds represented. If he has 1 000 Major Mitchells it would cost him no more than if he has one.

As I have stated, we have those regulations for various purposes, and as the member for Rockingham has indicated by interjection, it is not really the regulations which are of concern, but their application. Before dealing with that and the administration of the regulations, I wish to refer to the Avicultural and Wildlife Association on which the member for Swan dealt at some length.

He referred to its activities and its efforts to participate in discussions with various Ministers, departments, and people over a long period. He went so far as to say that the Government had made no effort—nor had departmental officers—to contact the association and that there had been no consultation whatever. None had been sought by the department. Indeed, he expostulated about it.

Mr Skidmore: I had a cut-off point in my speech. I mentioned the time when the department ceased having negotiations.

Mr P. V. JONES: I will answer that. The member for Swan said that he had concentrated

on the hobbyist. He indicated that it was just as bad for dealers, but that he had not been approached by dealers and was not aware of their attitude to the regulations. He quoted the Minister as saying—

> It is worth noting in respect to the Avicultural and Wildlife Association that during the term of the current Government invitations have been extended to this Association by the Conservator of Wildlife to meet and discuss problems. However, they have not been accepted.

That is the quote the member for Swan used in his speech. He then went on to say—

> They have never been made! I deny quite categorically that such invitiations were issued, and the Avicultural and Wildlife Association supports my claim. The only time officers of the department conferred with the aviculturists was when they were at Parliament House at my invitation to discuss their objections to the regulations under the Vermin Act.

Any hobby is enhanced if it has an association of owners and producers—people engaged in the particular pastime. The avicultural industry in this State has been well served and well represented by a variety of associations. They came together, as the member for Rockingham stated, in a combined bird organisation. Certainly the Government has been well advised by various societies of bird lovers and hobbyists over many years. Unfortunately the AWA is not one of them. Indeed it has degraded the industry for which it seeks to speak. It has misrepresented the facts in a most scurrilous manner and it has indeed circulated in both the written and spoken word such defamatory information that the member for Swan has been misled.

Mr Skidmore: I have not been misled.

Mr P. V. JONES: May I remind members that the member for Swan said, "They have never been made!" He was referring to invitations and efforts to involve the AWA. Let me correct him and put him right.

There has been a very long history going back many years of attempts to involve the AWA. It goes back to the time before this Government. Indeed, the present Leader of the Opposition was in receipt of a letter from Mr Sheahan written to him as his local member, and even he had reached the end of his patience. He referred the letter written on the 24th September, 1973, to the Hon. A. W. Bickerton, the then Minister. For the member for Welshpool, as he was then, Mr Bickerton detailed all the attempts and efforts made up to that time to involve the AWA. He even gave the dates, and so on.

He also said that he and his officers had been trying to promote a more responsible attitude within that organisation. In July, 1973, following a meeting held on the 17th May, 1973, a letter was sent to the Avicultural and Wildlife Association, as well as to other bird clubs, seeking their views on birds already phased out but considered to be in a high risk catgory, but no replies were received. These matters were of concern to aviculturists and the industry, generally. The point I am making is the association did circulate information, such as that received by the member for Swan, which completely denied the facts of what occurred.

After detailing further meetings which were held with the Combined Bird Organisations and so on, the then Minister went on to say—

> A further and probably final meeting will be held with the Directors of Agriculture and of Fisheries and Fauna in attendance on October 23. Whether or not the Avicultural and Wildlife Association will be represented at that meeting rests with that Association and the Combined Bird Organisations but the government representatives cannot reasonably be expected to argue all over the same ground again with one particular club. Our officers have been subjected to a great deal of ill-informed criticism expressed in the most abrasive terms but have endeavoured to maintain an objective attitude through it all. I do not believe that an "eyeball to eyeball" confrontation with Mr Sheahan would serve any good purpose.

Mr Barnett: You cannot condemn all the other responsible clubs for the actions of one.

Mr P. V. JONES: I do not intend to read every letter. The correspondence is available to members and it refutes everything that has been said by the association.

Mr Skidmore: This is 1977.

Mr P. V. JONES: For example, the then Minister for Agriculture (the member for Warren) agreed this is an association which is neither representative nor willing to participate in responsible avicultural management. He wrote to Mrs Sheahan on the 31st July, 1973.

The member for Swan suggests we are in 1977. Further letters and exchanges did not elicit any response whatsoever. The member for Rockingham will be aware of the activities of the Combined Bird Organisations, probably better than I. I am well aware of the motion he supported and perhaps even moved at one of the

organisation's meetings which was referred to in this House when we were discussing the Agriculture Protection Board regulations.

The exchanges between those who tend to speak for the organisation, and one particular officer developed and were flavoured with a degree of venom which is hard to believe. One particular officer reached the stage on the 30th May, 1974, where he personally wrote to the organisation, in the interests of all aviculturists, because no success had been achieved in getting a responsible attitude from either the organisation or the persons who spoke for it. On the 30th May, 1974, he wrote in these terms—

> I wonder if your criticisms of this Department and of me might be based on misunderstanding. If you would like to meet me on neutral grounds I would be pleased to share lunch with you at some time mutually convenient. If you prefer it we could have other company at the same time.

His letter elicited a response, which was amazing. Mrs Sheahan wrote to him on the 13th June, 1974; the full text of her letter is irrelevant, but she said—

> Since my comments are based on ascertainable facts and the testimony of people beyond reproach, I just cannot see how there could be any misunderstanding on my part. On the other hand, it would seem to me that the tete-a-tete you suggest could very well lead to the real issues being obscured by personalities, and since I am Secretary of the Avicultural and Wildlife Association it might very well compromise me in the eyes of my members.
>
> It is in these circumstances that I feel that I must decline to accept your generous offer and hope that you will understand the position I find myself.

Efforts were made on a departmental basis as well as on a personal basis to try to get a reasonable approach. Imagine the secretary of the organisation identifying her position and saying, "If I come to talk with you I will be compromised in the eyes of my members."

Mr Skidmore: Is she not entitled to take that attitude?

Mr P. V. JONES: She is not entitled to take that attitude if at the same time she says there has been no effort at consultation. If she advised the member for Swan to that effect, and the member for Swan says categorically there has been no approach—

Mr Skidmore: I suggest you read my speech and find out what I said.

Mr P. V. JONES: The issue of further regulations began to arise in relation to a great number of subjects. I do not wish to pursue them again because they were covered in the debate last year relating to the APB and they have also been covered to some extent by the member for Swan.

We then proceeded to extend invitations to the association and other bird organisations to make submissions relating to the regulations. This continued for a period of some two years. Even the Premier wrote to Mrs Sheahan asking whether she and her association would participate.

We then arrived at a stage where the regulations had reached some finality, and prior to their gazettal it was desired to have final consultations with the various bird organisations. We are now proceeding through 1976: as the honourable member has reminded us, the regulations were gazetted in December, 1976. During that year various organisations were written to asking them to come in for discussions or make submissions and comments in writing. They were sent copies of the proposals and asked for their opinions. Some of the organisations responded, but from the Avicultural and Wildlife Association there was not a murmur.

Mr Barnett: Can you tell us what kind of response you got from those which did respond?

Mr P. V. JONES: Yes. Following the gazettal of the regulations in December, 1976, a letter dated the 18th February, 1977, was sent to all the organisations because one or two of them felt certain aspects needed review. The Avicultural Society asked the Conservator of Wildlife to attend its meeting, which he did. The Avicultural and Wildlife Association was asked to make a submission. That association had not been contacting the department at that time; it was screaming in other places. However, it was sent full details of what was envisaged—the categories, the parts, the schedules, the lot. Not a murmur was heard from it—no response whatsoever.

Mr Skidmore: Do you say it has not contacted the department as a result of that approach?

Mr P. V. JONES: On the 2nd March, 1977, that association wrote me a letter, of which I am sure the member for Swan has a copy. In that letter Mrs Sheahan made a point of saying, "We have never received any correspondence or information." She used the word "thesis". For the first time, Mrs Sheahan suggests on behalf of her association, that she has never heard from us

previously and that there have been no invitations or consultation. She says—

> Nevertheless we do welcome your invitation to comment on the "far-reaching amendments" that were published in the Government Gazette on the 24th December, last, and we are pleased to inform you that detailed comment and submissions are at present in the process of preparation.

This was considered to be a great victory because it was what the department had been seeking for years. She goes on to say that whilst other bird societies and organisations may feel free to comment, and have done so in the past, it would be unfair for her association to comment on suggestions other societies have made. I am not questioning her attitude on that point but because of what she saw as a clash with other associations involved no further consultation took place.

However, having received that letter, the department wrote again on the 6th April, bearing in mind that on the 18th February all the societies were asked to comment within a month. I clearly recall that one society said it would like to comment but a month was not long enough because it wanted to consult members. It asked for an extension of time, which was freely given. On the 6th April back went another letter in the following terms—

> Although you did not submit any comment in the time set aside, no doubt your Association will continue with its review of the Regulations and present to me or to the Minister whatever recommendations you consider desirable.

Again further comments were attached, including points which had been made by the Fauna Dealer's Association and others, in order that the Avicultural and Wildlife Association might be fully aware of the situation existing on the 6th April, in view of the fact that something had transpired, other people had been commenting, and changes had been foreshadowed in the interim. I do not wish to pursue the question whether or not any contact had been made.

However I want to indicate clearly—and I think the member for Swan now takes the point—that the indications given by Mrs Sheahan and by her association are not correct. I can only assume that it was from a position of ignorance that the member made the point in his speech that no invitations had been issued. I hope I have quite clearly shown—and I am not doing so from the point of view of the member's knowledge of the issue, but simply because he has afforded the department and the Government the opportunity to identify the organisation for what it is—that the association has not represented correctly the truly responsible aviculturists in this State, but in fact is representing a very biased and warped view. It displays characteristics which are really unworthy of the industry it tries to represent.

I would like to conclude on the matter of the circulars which have been issued from time to time and the attacks which have been made on the particular officer to whom I have referred, by quoting section 7 of the Wildlife Conservation Act, which says quite clearly that, subject to the direction and control of the Minister, the Act shall be administered by the Chief Warden of Fauna. Yet this particular society has persistently advanced the view that the man who now occupies the position of Conservator of Wildlife is above the law, that he is able to make decisions in isolation and has been given the power to do so. That is the view which has been expressed by the association in its magazine, and particularly in the issue of July, 1977, which was circulated to all members. In that issue the view was expressed that the Conservator of Wildlife is able to make decisions in isolation and to impose an authoritarian discipline on avicultural pursuits in this State, and that the Minister and the Government are unable to influence his decisions.

Let me be quite clear: I personally signed the regulations during my term as the Minister. In that period as far as the regulations were concerned nothing was done by that officer of which I was not personally aware.

Mr Skidmore: Would you be able to say without any fear of contradiction that the Conservator of Wildlife at no time has altered regulations by way of a letter being sent to any of the avicultural associations?

Mr P. V. JONES: What is that supposed to mean?

Mr Skidmore: It means that within my knowledge the conservator has sent a letter which virtually changed the list of birds which appears in the regulations, and he has put birds into different categories.

Mr P. V. JONES: The conservator has not the authority under the Act to do that.

Mr Skidmore: I will read a letter to you in a minute. It appears he did it, anyway.

Mr P. V. JONES: I cannot speak for what has happened since the 10th March this year, but prior to that date I signed the lists and the regulations. Since that date all regulations would have had the Minister's approval because they cannot be presented without his signature.

Mr Skidmore: It is the present Minister who is involved in this one.

Mr P. V. JONES: I am saying on behalf of the Minister that the regulations would not be presented to the Executive Council without his signature.

Mr Skidmore: This was not a regulation but a change in the regulations by letter.

Mr P. V. JONES: No regulation can be changed by a letter.

Mr Skidmore: Don't you believe it; the Conservator of Wildlife seems to think it is possible.

Mr P. V. JONES: I would like to conclude quietly on this basis: The efforts which have been made by the association and those who speak for it to denigrate Mr Shugg over a long period of time are quite reprehensible. This officer has served the State and the industry with which he is associated very well indeed, and the attacks which have been made upon him are made all the more venomous and contemptible by the fact that he is not able to answer them.

The fact that the attacks are made in this place, by letter, or in this quite scandalous publication condemns not the officer against whom the attacks are made, but the Avicultural and Wildlife Association; this condemns that association for the irresponsible organisation it is.

The motion quite properly should be rejected.

MR SKIDMORE (Swan) [5.35 p.m.]: The Minister has spent quite some time in a scathing attack upon an organisation in respect of what it is supposed not to have done and what it has done. I want to make it clear that there is a long history of disputation between the two associations, and this is due to a clash of personalities. This is well known to the Minister—because his servants should have told him about it—and it is certainly well known to the Conservator of Wildlife. However, I feel the Minister has overemphasised that point.

Mr P. V. Jones: You dwelt on it.

Mr SKIDMORE: Yes, but in a different manner. Whether my arguments were good, bad, or indifferent from the point of view of the Conservator of Wildlife, I put them forward because they were the points of view the association wanted to express. All the Minister has done is give us the history of the association's apparently diabolical ignorance in respect of failing to acknowledge the invitation issued to it by the department. I think he actually missed the point of my argument, because he said that I appeared to be in ignorance of the matters concerned. According to his dissertation I have taken into account the attitude of one association only.

I want to tell the Minister that I have been approached by five associations of aviculturists. I find myself unable to accept that the Minister has been at all fair in his endeavours to refute what I have said about the regulations, and not only what I have said but what has been expressed subsequently in letters received from associations and their members.

The Minister made great play on the question of licence fees as if this were the criterion of our objection to the regulations. He seemed to be like a man clutching at straws; like a person who realised he was going down not for the third time but for the 20th time, and that all he had left to grab onto was the matter of the licence fees.

The Minister outlined to us that a person may keep 21 species of birds under the wildlife regulations without having to pay a penny. He then said one could pay $1 for a licence to keep a certain number of birds, and $2 for a licence to keep another lot of birds. We do not deny that; we did not base our objections to the regulations on licence fees alone. The Minister chose his arguments in a narrow-minded way, and he will have to accept the responsibility for that.

All I say to the Minister is that licence fees was but one of the issues which we felt should be looked at. We said that the existing regulations were sufficient to control the industry without additional regulations. Whether or not we like it, I cannot see how we can categorise birds into "A's and "B's", or into species and then say, "You will pay a licence fee for X number of birds", and hope to achieve anything in the way of control. If we want to control trafficking in birds and to control the keeping of rare and endangered species so that they are given a chance to survive, how in the name of fortune do we do this by categorising birds and imposing licence fees? If I have 200 birds in an aviary for which I pay a fee of $1, does it make any difference whether I split those birds into two groups in separate aviaries for which I pay the appropriate fee? Where is the control arrangement in that?

As I said in my previous speech, this is merely a matter of raising revenue. It must be admitted that is all it does, and that it does nothing whatsoever in respect of controlling rare and endangered species; because the regulations apply not only to rare species but also to the ordinary galah, the "28" parrot, and all birds of that type which used to be called vermin but are now proclaimed under the Act. I do not want to repeat

my previous speech, because I am sure members will be aware of the analogies I drew between the rare and endangered species which should be looked after and those which one can shoot almost with impunity but in respect of whict one must pay a fee for the doubtful privilege of keeping them. What a lot of rubbish!

The Minister went on to make a great amount of argument in respect of the Avicultural and Wildlife Association. I want to deal with this matter in some depth, because the Minister conveniently did not present the full story. It is always easy to take an argument out of its normal time factor and then not investigate all that has occurred; in other words, one uses those sections of the argument that suit one and ignores those which are not compatible with one's point of view. This is a ploy used by barristers and solicitors and industrial advocates; and it now appears to be a ploy used by the Minister for Education.

He failed to tell the House that the Avicultural and Wildlife Association has presented a submission to the officer concerned.

Mr P. V. Jones: I did not say there had not been a submission.

Mr SKIDMORE: The Minister could have fooled me.

Mr P. V. Jones: I quoted from a letter extending the time in which the association could present a submission to the 6th April.

Mr SKIDMORE: Obviously the Minister does not know to what I am referring.

Mr P. V. Jones: The letter which was was sent.

Mr SKIDMORE: I am not referring to a letter but to a submission made by the association.

Mr P. V. Jones: I said a letter had been written extending their time in order to enable them to prepare their submission.

Mr SKIDMORE: The department is misleading the Minister on this.

Mr P. V. Jones: No it isn't.

Mr SKIDMORE: There is no question that it is, because this submission was sent.

Mr P. V. Jones: I also quoted from the letter of the 2nd March which you said you had not received.

Mr SKIDMORE: That is not the one to which I am referring; I am bringing the Minister up to date. I am referring to the 22nd September. Let the Minister get his facts straight; as I said, this is a ploy used by many people who denigrate, castigate, and ostracise others by stating a certain amount of the story and then not going further because it does not suit their argument to do so.

On the 27th September I received a letter from the Secretary of the Avicultural and Wildlife Association, and with your forbearance, Mr Speaker, I would like to quote from it as I believe it should be quoted in its proper context. It reads as follows—

> We would like to thank you most sincerely for your efforts on behalf of our members, all bird-keepers, Wildlife lovers, pet keepers and the public generally.

It goes on to eulogise my efforts on their behalf and then continue as follows—

> As you know, our Submissions have been all criticism and complaint, and the only positive recommendation we have made has been for the Regulations to be dis-allowed.

Those people were very discontented with the entire scene and they felt they would be unable themselves to have the regulations amended. They felt whatever they put up would not be accepted by the departmental officers. The letter then mentions another member of this House; I shall not mention his name, but the Minister may have a copy of the letter which in fact does me a disservice, but I will leave that matter. The letter continues—

> I enclose the results of our effort which I have submitted to the Minister. As you know, they are considerably involved and there were large sections (like those dealing with this mis-named Kangaroo Management Plan) we had to side-step due largely to a dearth of factual information.
>
> However, with regard to the Modifications we are making, we would like to make it clear that we are able to propound the rationale to support each suggestion, either to the Minister, your self, or any other interested Parliamentary Representative.

As the letter refers to a Bill which is still before the House, I will not elaborate on that point.

As yet we cannot table these amendments to the regulations, so I will have to give *Hansard* a graphic picture of the proposed alterations. The association wishes to alter regulation 11; regulation 12—and there are eight changes here—regulation 12A; regulation 13, which has six changes; regulation 16, which has four changes; and it goes on to list changes to regulations 17 to 20, 25, 30 to 33, 34(a), 40(a), and 41 to 43. There is an amendment to the second schedule, appendix C, which involves birds the association considers should be categorised. They have even gone through the miscellaneous section of the regulations, and a further 32 amendments are involved.

This is the association which the Minister says is not being responsible. I will agree that there has been a great difficulty with the internal machinations between interested people in the bird world. However, this association realised it had placed itself at a disadvantage in the disputes and it has now submitted a very well documented list of alterations to the regulations. It ill-behoves the Minister to claim that the Avicultural and Wildlife Association is biased and irresponsbile.

Mr P. V. Jones: Do you believe they have acted responsibly?

Mr SKIDMORE: Not on every occasion; I would be foolish to say so, and I have told them they have been irresponsible on occasions. However, that does not deny the association the right to put forward amendments and have them looked at. The Minister's departmental officers wish to vilify the members of the association without first looking at what they have put forward. If I have judged the Minister's departmental officers wrongly, I would look forward to some new regulations being made along the lines of those put forward by the association.

The questions to which I am seeking solutions might now be irrelevant if the association has made a declaration to the department. The Minister is trying to make out they are villains. That association is not the only body that has guided me in this House, and it is not the only one which has bothered to get in touch with me.

Mr P. V. Jones: You are making the point that they are the only ones we should listen to.

Mr SKIDMORE: That is a puerile remark coming from the Minister's unimaginative mind because it presupposes that because I mentioned one association it is the only association I wish to mention. That is an example of a puerile and infantile-like comment. The Minister should not use such vilification as a means of rejecting this association's propositions.

I have received letters from numerous associations and from at least three constituents from my electorate. I have received letters from Greenmount, Bunbury, York, and elsewhere. On the 8th October the Avicultural Society of Western Australia wrote to me in the following terms—

> On behalf of all members of our Society, I would like to sincerely thank you for the work you have done on behalf of aviculturists, in seeking the disallowance of the Wildlife Conservation Regulations of 24/12/76.
>
> Many of us have read, with interest, your speech quoted in Hansard of 6/9/77. We appreciated how much "homework" you must have done on the Regulations.

The Minister has insisted that I do not bother to listen to anyone else's point of view, yet that is what the society had to say. However, the Minister and the Conservator of Wildlife hang their hats on the argument that I have not listened to other people.

Can the Minister now say that I am not conscious of the other associations who have written to me in this regard? These other associations want changes. Their inability to effect changes to the regulations during this year had left them with a feeling of disdain and, perhaps, disrespect for some of the officials in other associations, but they have now changed their feelings. This change was clearly expressed in one of the association's magazines when it realised that its points of view almost fitted in with the points of view of another magazine referred to by the Minister as despicable.

The *West Australian Avicultural Magazine* for October, 1977, had this to say—

> On Wednesday 7th September, Mr Jack Skidmore moved in the Legislative Assembly, that the proposed regulations should be disallowed. . . . The following night, Mr Skidmore attended our General Meeting,

They said they were appreciative of the work I had done. The magazine continued—

> The Regulations as gazetted are very restrictive, and quite anomalous. e.g. "The holder of a Licence . . . shall not have in his possession or control, any Avian fauna in excess of the number applicable to his Licence."

I raised this matter before. How can one say to the birds in an aviary, "Cut it out; there is to be no mucking around in the aviary tonight." This illustrates the sheer stupidity of the regulations which should disappear like snow on a mountain on a bright summer day. The birds should be housed together and one licence issued and returns should be submitted to the department only half-yearly if necessary, setting out the number of birds each aviary has. People should not be subjected to all the restrictions that are now in force.

I mentioned previously it was my intention to indicate that the Conservator of Wildlife considers he has the propensity for working out sound regulations. I received advice from an aviculturist who indicated that the renewal licence form from the Conservator of Wildlife has been changed again and the form does not conform to

the regulations printed in the *Government Gazette* of the 24th December, 1976, and the 4th February, 1976. At the bottom of the regulations there was an addition which did not appear in the *Government Gazettes*. Let us have look at the renewal licences and I will give the Minister an opportunity to have a look at the letter. I have not mentioned who wrote the letter, and I am sure the Minister would be quite surpised.

There are many changes to the bird categories. Some birds have gone from category A to category B, others have gone the other way, and all sorts of funny things have happened contrary to the regulations. This year's licences have a note 1 which says—

> Species marked with the asterisk (*) may be kept only by persons already holding them on January 1, 1977, or whose facilities are adequate and where special care can be given.

That is not in the regulations. Note 2 is as follows—

> Other protected species not listed in any of the three categories may only be held under a scientific or similar license.

That could be covered in the regulations. So much for the Minister's denial of the tendency of the Conservator of Wildlife to make changes to the regulations by letter.

I could go on and quote other letters, but I have already mentioned in *Hansard* that the Conservator of Wildlife sent out a note saying that "this is how the regulations are to work and these are the regulations because we have made changes and the Minister has agreed to them". This is not supposed to happen; the conservator should not make changes to the regulations by letter. I understand that we have a committee that looks at regulations, but if it is not to be involved it will be awkward for anyone to disallow them.

I have received letters from people in Cloverdale and Kewdale, and the member for Victoria Park has indicated that he has received letters on this matter. No doubt if members opposite wanted to be honest, they would admit that they have received letters from many worried people who enjoy keeping birds. The member for Melville received a letter from the Melville Districts Cage Bird Improvement Society Inc. which he passed on to me and I replied to it.

Their complaint is in line with the complaint of the other associations I have mentioned. So much for this unilateral action of one association being my determinant when I put the question of the disallowance of the regulations.

I received letters from people living in Palmyra; I received another notation from the Leader of the Opposition written by a person living in Bunbury who complained about the regulations. From looking at the letter it can be seen that the person is elderly and merely looks at the keeping of birds as a hobby which she does not want taken away from her by stupid regulations. She says all she wants to do is look after a few birds and it appears as if the law will take the joy out of keeping those few birds. That letter is obviously written by an elderly person. There is a letter from a constituent of mine living in Greenmount. I replied to all of these letters.

That brings me back to the reasons I believe these regulations should be disallowed. In conclusion, I would like to summarise the questions the Minister raised. He spent a great deal of time vilifying, castigating, ostracising and making one association look like the scapegoat for all of the aviculturists in this State.

Mr P. V. Jones: That is not right.

Mr SKIDMORE: It must be well known that many of the arguments that organisation used in its magazine were validated and subsequently accepted almost in their entirety by all of the other associations. These arguments should have been recognised some time ago. All the Minister wanted to do was get on to the train to destruction. He wanted to destroy this association and discredit its officers. He said the officers were biased. He said they had a warped point of view.

Mr P. V. Jones: You have agreed they do not always act responsibly.

Mr SKIDMORE: Again the Minister clutches at the straw and says, "You have agreed." Of course I am honest enough to agree, as the Minister is not honest enough to agree, that the association has submitted a well documented case; but the Minister wants only to vilify and castigate that organisation.

I would like the Minister to accompany me outside and come with me to one of the meetings of this association. I am not inviting the Minister outside; I am a pacifist. When the Minister listens to what these people have to say he may change his point of view. He may no longer say these people are warped, twisted, and biased.

Mr P. V. Jones; In the manner in which they have presented arguments they have not always been responsible and you have agreed they have not always been responsible.

Mr SKIDMORE: Here we are on the old railway track again. I want to discount the Minister's proposed arguments for the regulations in that form. As far as I am concerned, the

arguments the Minister raised for those reasons fall on barren ground. These arguments bear no fruit. There may be one or two small shoots coming from the barren ground, because it could be that I will not be successful in having these regulations disallowed. I am hopeful I will be successful. I am hopeful those members on the other side of the House, along with the members on this side of the House, who have received written submissions from their constituents who are concerned people, will realise many people are concerned about this issue.

I think I have proved my argument without question. The Conservator of Wildlife seems to have a propensity for amending the regulatons whenever he sees fit, either by submitting in a rather subtle form a change of categories on a licence fee, or by submitting a letter changing categories of birds and saying, "That is all right. The Minister and I have spoken about it." I think I have proved my point.

I make no comment other than to say I am disappointed that is a form of government which this present Government is prepared to tolerate. I am surprised it will accept regulation by letter.

In conclusion I believe these regulations in their present form will not perform the purpose that the Minister hopes they will. They will do nothing to further the interests of the people the regulations seek to protect They will not help those much maligned aviculturists. In other words, whether or not these regulations prevail, illegal trafficking in birds will continue in the north, in the wheatbelt, and in other places. I do not deny, although it is not within my knowledge, that some of the aviculturists could be trafficking in birds; but it has not been brought to my notice and on each occasion I have tried to track it down in whatever manner available to me, the indications are that the aviculturists are not the people who are illegally trafficking in birds; they are concerned with the birds in their own aviaries. Control can be accomplished by licensing those birds without categorisation.

In regard to the matters raised in my speech when I moved the motion to disallow the regulations I would like to mention the discrimination which has now been evidenced against the whites in the situation where Aborigines are now able to collect emu eggs and I cannot. I will not tolerate that form of discrimination. For years and years we have been suggesting that discriminatory laws of that nature, as a result of a person's colour, should be removed from the Statute book. The Fraser Government believes in that. However, this State Government seems to believe it can be discriminatory and what the hell!

I hope members will support me and the regulations will be disallowed. We may then do as I suggested in my previous speech; that is, sit down around the table with all the people concerned and in a contructive manner find a solution to a very vexed problem where people want to indulge in the hobby of keeping birds.

Question put and a division taken with the following result—

Ayes 18

Mr Barnett	Mr Hodge
Mr Bertram	Mr McIver
Mr B. T. Burke	Mr Pearce
Mr T. J. Burke	Mr Skidmore
Mr Carr	Mr Taylor
Mr Davies	Mr Tonkin
Mr H. D. Evans	Dr Troy
Mr T. D. Evans	Mr Wilson
Mr Grill	Mr Bateman *(Teller)*

Noes 28

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Sir Charles Court	Mr Old
Mr Cowan	Mr O'Neil
Mrs Craig	Mr Ridge
Mr Crane	Mr Rushton
Mr Grayden	Mr Sibson
Mr Grewar	Mr Spriggs
Mr Hassell	Mr Stephens
Mr Herzfeld	Mr Tubby
Mr P. V. Jones	Mr Watt
Mr Laurance	Mr Williams
Mr MacKinnon	Mr Young
Mr Mensaros	Mr Shalders *(Teller)*

Pairs

Ayes	Noes
Mr Bryce	Mr McPharlin
Mr Harman	Mr Coyne
Mr T. H. Jones	Mr Sodeman
Mr Jamieson	Dr Dadour

Question thus negatived.

Motion defeated.

Sitting suspended from 6.09 to 7.30 p.m.

TRANSPORT COMMISSION ACT AMENDMENT BILL

Second Reading

MR GRAYDEN (South Perth—Minister for Labour and Industry) [7.30 p.m.]: I move—

That the Bill be now read a second time.

This Bill is primarily a result of the recent long-distance owner-drivers' dispute and arises out of the Government's determination to achieve certain objectives.

The first objective was a short-term one: that of bringing to an end a dispute which caused major

disruption to the Western Australian economy, and serious inconvenience and hardship to consumers throughout the State.

The second objective is a long-term one: that of endeavouring to ensure that owner-drivers have a role to play in the road transport system of Western Australia and have, as far as possible, a measure of economic stability.

Members will recall that a stalemate existed in the dispute whereby owner-drivers had refused to return to work merely on the basis of rate increases offered by the major transport operators.

It became clear that more was needed to ensure a return to work. The solution to this problem lay in the willingness of the Government to bring down legislation which would, in fact, give the owner-drivers a measure of the long-term security which they believed they had been denied in the past.

Central to the Government's action has been a desire on its part to bring a degree of stability to the whole industry which would neither favour nor penalise any one section. Indeed, the Government has stressed on many occasions that it sees a role for both the major operators and those small operators—the owner-drivers.

The Government's offer to legislate in this matter was the crucial turning point in this very protracted and costly industrial dispute.

On the basis of the undertaking to legislate which was given by the Government, and together with new rates offered by the transport industry, the owner-drivers agreed to return to work.

This Bill, therefore, sets out to empower the Commissioner of Transport to do three things—

(1) Have confidential access to the records and freight rating systems employed by the long range transport operators both large-scale and self-employed.

(2) Recommend rates per tonne or proportion of the master freight rate in the case of a subcontractor, which should be paid to the subcontractor.

(3) Undertake such studies of the industry from time to time necessary to make recommendations to the Government about the control of the industry to ensure greater operational and economic stability.

Members will appreciate that legislation of this kind is not particularly palatable to this Government. However, we regard transport to the north-west as being in a special category.

As a leading article in *The West Australian* so aptly stated on the 15th October—

> The Government is dealing not only with a matter of equity for small businessmen but also—and more importantly—with the welfare and interests of isolated communities in the north-west. As large-scale development gets under way again, stability in the transport industry will be of paramount importance.

The Premier in his Press statement of the 12th October made it clear that the Government undertook to review the operations of the new legislation within 12 months.

This is to be done in conjunction with the parties concerned to see how the industry is functioning under it and to determine what machinery is best for a healthy and stable long-term transport industry.

This means, of course, that if during the 12 months the various parties are able to come up with more suitable ways of achieving the two objectives I have referred to, the Government will be more than happy to re-examine the whole question.

It may be that a working party will be the best body to do this review. However, in any case, the Commissioner of Transport will be in full consultation with interested groups or individuals within the industry.

Mr Davies: Was this Bill discussed with the operators before its introduction?

Mr GRAYDEN: No; only to a point. To continue: One of the effects of this Bill will be to require that subcontractors operating across the 26th parallel obtain a "certificate of authority".

At present, prime-movers—that is, the owner-driver's power unit which couples up with the load-carrying part of the unit (the trailers)—are not required to be licensed under the Transport Commission Act.

It is therefore necessary to provide for the issue of a "certificate of authority" to transport goods across the 26th parallel.

An important element must be borne in mind in terms of why the Government has acted in the way it has done. Within the space of a few short years the north-west will undergo unprecedented change as a result of resource development, mineral processing, and such huge undertakings as North-West Shelf gas.

As this takes place, the population in that region will expand dramatically, and so too will their accompanying needs. These needs are of

primary concern to the Government of Western Australia.

An integral part of ensuring that those needs are met is the existence and maintenance of a stable and diversified road transport industry, which will embrace large companies, company-employed drivers, and owner-driver subcontractors, who wish to invest their capital and play their part in providing that service.

I commend the Bill to the House.

Debate adjourned, on motion by Mr McIver.

WILDLIFE CONSERVATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 7th September.

MR T. J. BURKE (Perth) [7.38 p.m.]: The Opposition has no objection to this measure. We did raise certain questions with the Minister in another place, and we were quite satisfied with the answers supplied to us. Therefore, we are prepared to support this legislation.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third, on motion by Mr P. V. Jones (Minister for Education), and passed.

RAILWAYS CLASSIFICATION BOARD ACT AMENDMENT BILL

Second Reading

Debate resumed from the 8th September.

MR McIVER (Avon) [7.42 p.m.]: The Bill now before us has been discussed fully in the Legislative Council, and to traverse the same ground again would be a waste of the time of this House.

The Opposition has no question to raise in relation to this Bill. Everybody has agreed with it; the unions, the members in another place, and everybody else associated with it. If everyone is happy, why change the position?

With those remarks, I clearly indicate that the Opposition does not oppose the Bill.

Mr O'Connor: Your co-operation is appreciated.

MR DAVIES (Victoria Park) [7.43 p.m.]: I take this opportunity to say I am pleased that these amendments have now reached this House. For some seven or eight years I was the Assistant Secretary of the Railway Officers Union. That union operated under the provisions of this Act, and the Act deals exclusively with railway officers.

There have been deficiencies in the Act for many years and some of those deficiencies will be corrected tonight. They were not serious and it is not unreasonable that a complete review of the Act should have been made.

The Bill contains 14 major alterations and, as the member for Avon has said, the Bill has the complete agreement of the Railway Officers Union. I imagine the Chairman of the Railway Classification Board would have been invited to comment, and it seems he also is in agreement with the Bill.

Magistrate Wallwork was chairman of the board over a number of years. The late Bill Wallwork set the award in the right direction, and brought it into line, to a large degree, with Public Service conditions. Most of the award provisions are brought into operation by adjustments in line with Public Service agreements.

I want to say this is a clear indication of how a responsible union can react to legislation which gives it a fair go. The union is in the unique position of being covered by one Act only. It is possible that other unions have had Acts passed solely for their benefit, but the present situation clearly demonstrates that where proper consideration is given to workers, and where the unions receive proper consideration, industrial harmony can be achieved.

Some very severe arguments were advanced by the advocates before the various magistrates who were the Chairman of the Railway Classification Board from time to time, but after the cases were heard the advocates were able to part on the best of terms. There has been argument on various matters, such as speaking to the minutes of an award, which is covered by the Bill. In the future the grounds for complaint will be eliminated.

I do not know that we could set up one board or one Act to deal with industrial matters concerning each union or each class of workers in this State; that would be too much to ask. I take this opportunity to congratulate the various advocates and people who have worked under this award. I refer to the late Tom Kenafick, Mr Frank Bone, and Mr Owen Devitt. These people served the

unions for long periods. We almost had to burn the place down to get the late Tom Kenafick to retire in 1950. He did a tremendous job for the union from about 1918 when he returned from World War I to the time when he retired.

When people speak critically of unions, they should take into account the Railway Officers Union which has always been very responsible and invariably adopted a moderate line. However, when there was a need to bare its teeth it did so, but the need arose only on very rare occasions.

I would hate the Bill to pass through this House without making those comments and saying how pleased I am that the amendments are now before the house, because in the 16 years since I left the union, and even some years before, when we tried to get similar amendments through we were not successful. It therefore ill-behoves me to delay the passage of the Bill any longer.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Connor (Minister for Works), and passed.

ADMINISTRATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 8th September.

MR GRILL (Yilgarn-Dundas) [7.50 p.m.]: The Opposition supports the Bill. We feel that the amendments to the Act which we support are overdue; however, the figure mentioned is too low. Consequently I shall move an amendment to increase the figure; namely, from $10 000 to $15 000.

I shall outline my reasons. I am sure that after hearing my reasons members will agree with my proposal.

The SPEAKER: This seems to be a matter for Committee debate. I do not wish to stifle the remarks of the honourable member in the second reading debate, but he should not go into a detailed discussion on specific clauses or amendments he proposes.

Mr GRILL: With respect, Sir, the whole Bill concerns the amendment I am talking about. Not to talk about it now will mean not talking to it at all.

In reality, the object of the Bill is to increase the maximum figure under which people can make application direct to the Master of the Supreme Court, where they live in the metropolitan area or within 80 kilometres of the GPO, Perth; or to the clerk of court of a courthouse in the country, where they live outside that area. They can make application either for the probate of a will or for letters of administration.

Quite often widows and suchlike, who are beneficiaries of small estates, need to make such applications. What it means is that these people will be able to make application without resorting to the services of solicitors; in other words, they will be able to make application without having to spend a fairly large amount of money in employing a member of the legal profession. Although I have a great regard for the members of my profession, I do not think they will be affected to any great degree.

The cost saving to the person who is able to apply direct to the Master of the Supreme Court or to the clerk of court in the country, in the case of an estate in the vicinity of $10 000 or $15 000, would be several hundred dollars. The amendment I am proposing will save a certain number of people several hundred dollars at a very critical time; namely, after the death of someone very close to them. Normally such people would be widows, and if not widows they would be the sons or daughters of the deceased persons.

The Act has not been amended in this State since 1963; that means in a period of 14 years it has not been amended. The Government now proposes to amend the Act by increasing the existing figure of $5 000 to $10 000. I am sure the Chief Secretary and the Attorney-General in another place will agree that the increase in the figure is a fairly arbitrary one, plucked out of the air.

There are indications that the maximum figure of $15 000 is much closer to the mark, is much more realistic, and is much fairer to the people who are beneficiaries of small estates.

Figures I have obtained from the Bureau of Census and Statistics indicate that the increases in the fundamental indicator of inflation since 1963—namely, the Consumer Price Index—shows a rise of 239 per cent in the index for that 14-year period.

Of course, that percentage increase does not apply to the value of properties. It is only an

indicator. The figure we should take is the average increase in the value of real estate and real property in this State during that 14-year period. However, the relevant figures are not available.

After some very diligent delving I can tell members that it would be almost impossible to calculate the percentage increase. However, I have spoken to people who are experts in these matters. I have spoken informally to officers in the Government and to valuation officers; and I have spoken to well-known valuers in the metropolitan area and in the country areas. They have all indicated that the increase in the values of real property would probably exceed the increase in the Consumer Price Index; namely, exceed an increase of 239 per cent since 1963.

Therefore, I suggest to the Government that instead of the figure being increased by 100 per cent, as the Government proposes, it should be increased by 200 per cent. I am merely indicating what is a very modest increase in the figure.

As I mentioned before, it is a figure which is more in keeping with reality, and is closer to the mark. In fact, if we look at the increases imposed by the Government in certain aspects of this legislation, to keep the increases uniform it should increase the figure by 200 per cent. It has to be conceded that when the Government amended sections 14, 15 and 15A of the Act in 1976—these particular sections relate to the situation where a widow was exempt from paying any tax whatsoever on the first $10 000 of the value of the estate—the increase was 200 per cent.

Under that sort of logic there are grounds to suggest that the increase to be effected under sections 55 and 57 of the Act should be in the same proportion; namely, 200 per cent. It is for that reason I have put forward the amendment. The logic of it is impeccable. I hope all members will agree with my proposition. I would remind members that the intention of the Government to abolish death duty altogether does not affect this Act. It will still be necessary for people to file documents for probate of an estate; and it will still be necessary to file documents for letters of administration in appropriate instances.

I commend my amendment to the House, which I shall move at the appropriate time.

MR O'NEIL (East Melville—Chief Secretary) [7.59 p.m.]: Of course, the honourable member recognises that I represent the Attorney-General in another place. I thank him for his general support of this legislation. However, I want to indicate that in respect of the amendment he has proposed, the attention of the Attorney-General was drawn to it some time ago.

The honourable member did suggest that the figure seemed to have been plucked out of the air. That is not quite the case. In fact, the Attorney-General has advised me that it was on the 18th February, 1977, that the figure was suggested to him by the Master of the Supreme Court. The latter did recognise the need to increase the figure from the existing $5 000. It was the Master of the Supreme Court who suggested the figure.

The Attorney-General did take the opportunity to refer the proposal to the Law Society, and that was done on the 22nd April. The Law Society indicated it was in agreement with the proposal, and considered that the figure of $10 000 was acceptable.

I understand some other suggestions were put forward in another place relating to the appropriate figure; I believe it was suggested in the Legislative Council—but not moved—that an amount of $12 000 might be more adequate.

I thank the member for Yilgarn-Dundas for the research he has done in arriving at what he considers to be an appropriate figure. However, I wish to make the point that the Attorney-General would feel it incumbent upon himself to have any such proposal examined before it was accepted, and this could have the effect of delaying the legislation. So, while not denying the mathematics of the honourable member, it is felt more important that this reform should proceed as quickly as possible with the figure currently contained in the legislation, with the undertaking that if at some future time it is deemed advisable to revise the figure, the Government will be only too happy to do so.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr Watt) in the Chair; Mr O'Neil (Chief Secretary) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 55 amended—

Mr BERTRAM: I notice that there is an amendment on the notice paper relating to this clause in the name of the member for Yilgarn-Dundas, and I believe the amendment to be thoroughly justified.

Mr O'Neil: I may have persuaded him not to move it.

Mr BERTRAM: I do not think so, otherwise I would not have come into the arena. I adopt and

endorse all the remarks made by the member for Yilgarn-Dundas. Section 55 of the Administration Act contains a provision to enable people to administer small estates at appropriately small cost. This section has been badly neglected by the Government; it was last amended in 1963, bringing the maximum figure to $5 000, and I believe even that Bill was introduced by the member for Kalgoorlie, on behalf of the Opposition. That gives members some indication of the lack of interest which Governments have in this very important section.

There is a popular but completely false belief that the only problem which exists in deceased estates is death duty, usually referred to as probate duty. However, I have known of cases where people have had no death duty to pay on small estates, but very considerable legal costs. I am not suggesting that they have been necessarily costs imposed by lawyers, because that is not always the case; other public trustees have a perfectly lawful right to charge commissions on the administration of deceased estates, and do so.

Therefore, on occasions, the legal costs seemed to be far too high, and have caused people embarrassment in circumstances where by any canon of judgment the work involved did not call for very much time or expertise.

As the member for Yilgarn-Dundas pointed out, it was only last year that the same Act was amended so that in the case of an intestacy, a widow would receive the first $30 000 of the estate, which represented an increase of $20 000 from the figure of $10 000 which previously applied. It is true that the amendment came forward on the eve of a State election; that may be considered to have some relevance. Nonetheless, the figure of $30 000 was perfectly fair, because for far too long widows have been given a terribly bad deal under the Administration Act in the case of intestacies. The increase was extremely belated and it was thoroughly unjust and unworthy of a Parliament which has the temerity to call itself responsible to the people to allow it to remain on the Statute book for so long.

The amendment in the name of the member for Yilgarn-Dundas will help a lot of people who need help. It is true it could also help some people who do not need help, because we always get the situation where a person exploits the provisions of the law. Members opposite know that better than we do, because it is par for the course in business and industry. However, generally it is not a good thing to throw the baby out with the bath water, and to increase this figure to $10 000 just is not doing the job.

We have learnt from bitter experience that this Act does not come up for amendment very often. The last amendment to this section was in 1963, and heaven knows when it will be before us again. Now is the time to increase the figure to $15 000. The only effect it will have, apart from benefiting those who need help, will be on one or two clerks of the Supreme Court who, I think, will only rejoice in the amendment since their ability to help people in need would be increased. Let us assume that the amount of $15 000 is a shade higher than it should be. I should point out that in my belief, it should be $25 000. However, let us assume it is increased to $15 000. It is not going to be very long before the benefit is gobbled up by inflation, which is skyrocketing along at a rate of knots, unhindered. Therefore, it is better to err on the high side. This is a worth-while amendment. I cannot for the life of me imagine any administration problems involved, and the Minister did not attempt to identify any such problems.

Mr O'Neil: We do not have an amendment before the Committee yet. You are talking about changing the amount from $5 000 to $15 000, but the amendment has not been moved.

Mr BERTRAM: I do not think the Minister need have any doubt on that score.

Mr Davies: It is on the notice paper.

Mr O'Neil: That does not mean to say it will be moved. The member for Mt. Hawthorn is talking about a very worth-while amendment.

Mr BERTRAM: The amendment I am talking about is on the notice paper.

Mr O'Neil: But the amendment is not before the Committee. The member for Mt. Hawthorn has taken us all around the world in a second reading-type speech about increasing the amount from $5 000 to $15 000.

Mr BERTRAM: We have about seven or eight Bills to get through tonight, and I thought we were going to get through them in about half an hour.

Mr O'Neil: As soon as I saw you rise to your feet, I knew we had no chance!

Mr BERTRAM: I will support the member for Yilgarn-Dundas when he moves his amendment.

Mr O'Neil: If he moves the amendment.

Mr BERTRAM: The increase is thoroughly overdue. If the Minister will just pause and allow the member for Yilgarn-Dundas to rise, I am quietly confident he will formally move his very worth-while and long overdue amendment.

Mr GRILL: I move an amendment—

Page 2, line 5—Delete the word "ten" with a view to substituting the word "fifteen".

I believe the reasons have been clearly set out, and I do not think anyone could take exception to the amendment. It is right and proper that at this stage, the figure should be increased to at least $15 000. All it will do will be to relieve relatively poor people of the cost of employing a solicitor to administer relatively small estates. No-one would argue that $15 000 is not a small estate.

We are seeking simply to preserve the *status quo*, but my amendment will not do even that, because the figure would need to be increased by 239 per cent to keep up with the increase in the Consumer Price Index over the period in question. An increase of only 100 per cent is really quite ridiculous, but I do not want to ridicule it. I believe there is no doubt the figure of $10 000 is an arbitrary one; in fact, it was even stated in the other place that this was the case. There is good reason to increase the figure, and I commend my amendment to the Committee.

Mr O'NEIL: I am sorry the member for Mt. Hawthorn persuaded the member for Yilgarn-Dundas to move his amendment. We had discussed this proposal in some detail earlier and in fact I congratulated the honourable member on the arithmetic he had done to prove the figure he suggested was the more appropriate one. However, I also pointed out that the Attorney-General suggested to me that even if the figure were an arbitrary one, it was one which was recommended by the Master of the Supreme Court and the Law Society in correspondence with the Attorney-General.

I am not sure just how many estates fall into the $10 000 to $15 000 category, and there is no way we can tell without a proper investigation how much additional work will be undertaken on behalf of those people by officers of the courts. It is probably just as important that these officers do their work efficiently, and are not overloaded as a result of a hasty amendment. One must be certain that the quantum of work which will be involved if the figure is altered would be within the capacity of the people concerned to carry out.

This is why the Attorney-General has suggested I should oppose the amendment—as the Government does oppose it—on the undertaking that he refers the matter back for further consideration to assess whether or not the figure of $15 000 is the appropriate one, and whether it would involve the appointment of an additional number of officers to handle the added volume of work.

I have indicated also there is no reluctance on the part of the Government, if these figures are found to be unsuitable, further to amend the Act at a future time; but at this stage I must request that the Committee—

Mr Grill: Does the Minister guarantee that?

Mr O'NEIL: When the honourable member's amendment appeared on the notice paper the Attorney-General told me in writing that the figure in the Bill was the result of a suggestion made by the Master of the Supreme Court on the 18th February, 1977, and that the limit had remained unchanged since 1963. They are the very facts the honourable member put forward.

The Attorney-General said the suggestion was referred to the Law Society which indicated on the 22nd April, 1977, that it did not oppose the proposal and agreed to the figure of $10 000. It may well be that the society did not do the arithmetic which the honourable member did. The Attorney-General has pointed out also in his minute to me that it must be remembered that assistance is normally rendered by Supreme Court staff to persons handling their own applications and this does involve the use of public servants and the use of certain Government facilities. So if we extend the figure of $10 000 it may provide an additional burden of work for those people which, for the time being, they may not be able to cope with. I am not sure about that; but the Attorney-General, after making certain other inquiries said that certainly if the figure were to be increased the Bill would have to be delayed while further advice was obtained. There is no guarantee the Bill would be passed during the current session.

The Attorney-General went on to say that at an appropriate time in the future the Act could be further amended with an increased limit if this became a matter of policy that the changes in money values which occur should be reflected in that figure. Therefore, it can be seen there is no reluctance on the part of the Government to carry out a further examination.

I assure the honourable member I will convey his remarks to the Attorney-General—not that I doubt his figuring—so that the Attorney-General may make an assessment in his own right as to the situation; but we are concerned with more than just the figure of the estate. We are concerned also with the capacity of the officers of the Supreme Court to perform the task. I am unable to say how many more estates will fall into this category; that is, the estates which would fall between the figure of $10 000 we propose and the figure of $15 000 which the honourable member quotes in his amendment. For that reason, and that reason alone, I ask the Committee to reject

the amendment moved by the honourable member.

Mr DAVIES: The Chief Secretary, usually an intensely practical man, is not being very practical tonight except when he says, "Let the Bill go through and we will have a look at it on another occasion." The amount was last amended in 1963, which is 14 years ago and if we intend to wait another 14 years I can see the same kind of argument starting again. What actually transpires? I receive requests, as I am sure other members do, to assist with estates. Whilst generally we point these people in the right direction, sometimes we are left with a person we feel morally bound to assist. If one is handling an estate one has to take it down to the Supreme Court where several forms have to be filled in. They are: A declaration, a statement of assets and liabilities, a death certificate, and there might be one other form. They are generally printed forms on which the blanks have to be filled in. Possibly the only requirement of the clerk at the Supreme Court is for him to tell one the forms which must be completed and to check them to ensure they have been properly filled in.

In 1963 an estate of $5 000 was quite a considerable one and we all too quickly forget just how much that meant in real terms at that time. Indeed, the Chief Secretary congratulated the member for Yilgarn-Dundas on his arithmetic. The honourable member has done that arithmetic several times and we can only believe he is correct.

Mr O'Neil: I have not given him an elephant stamp for it yet.

Mr DAVIES: We can only believe the member is sincere in what he does. But if one looks at a typical estate these days what does one usually find? One might find a little insurance, but generally if the people are elderly they have drawn their insurance; one might find a little money, $200 or $300 in a building society, a savings bank, a cheque account, or hidden under the mat; and the rest of the estate usually comprises the house. That is all one has to write on the forms which go to the Supreme Court. One then deducts any debts owing which may be rates and taxes over a period of five or six years and the funeral expenses which usually absorb any ready cash. Therefore, the sole part of the estate is one house. Where will one find a house worth $15 000 in this day and age?

Mr Coyne: In Mt. Magnet.

Mr DAVIES: Well, I am sure the member will support us when we want to amend the figure to $15 000, because I am sure even in Mt. Magnet one will not find a house for $10 000.

We are being intensely practical, and, as I said, the Chief Secretary is usually a practical man. We are usually seeking a clearance from the court for one house and perhaps a handful of dollars. If it is any more than that, one could probably take the estate to a lawyer. But, if it goes beyond that total value of $10 000 as is proposed now, this means the person who may have a tumble-down shack worth $18 000 to $20 000 as his or her sole asset is confronted with a solicitor's bill for $200 or $300. People like that will probably have to put themselves into hock in order to pay the lawyer's bill to obtain their own house in which they are living and which has been left to them with kind thoughts from their dear departed.

Mr O'Neil: It will all be going to you, because you are doing it for nothing.

Mr DAVIES: No; it will be going down to the Supreme Court. I still believe $15 000 is an unrealistic figure when one looks at the practicality of the situation. We are dealing with a handful of dollars and the value of a house. If one can buy a house for less than $15 000 these days one should snap it up, because the block of land alone will be worth that amount before very long.

This is why I would not like to see the Committee not put this amendment to a vote and, indeed, not put it to a division, because I do not believe it will be any more difficult or there will be any more work load on the Supreme Court by telling the people, "There are the forms; you fill them in; that is what you put on them," and then checking them over when they come back, than there is now by saying to these people, "You have to go to a solicitor. He will do that for you." The people then stop and argue about it and ask why they cannot do this themselves. They cannot understand the situation. Why should perfectly capable people, very often people who have had distinguished Public Service careers, find they have to go to solicitors to do work that they could probably quite ably perform themselves, because of their background and training.

I am not surprised the Attorney-General says he feels the $10 000 is the correct figure, because where did he receive the advice? First of all, he received it from the Master of the Supreme Court and there is no indication as to how he arrived at the figure. He might have thought, "Let us double it. It is easy to double it." Who were the other people who gave the okay? They were members of the Law Society. Surely the Minister does not think the Law Society will say, "No, we

think it is a miserable figure and will up it to $15 000 or $20 000." The Law Society will probably think, "Well, the Master of the Supreme Court said $10 000; we had better not upset him by recommending anything less and we will certainly not recommend anything more because we might put ourselves out of business." One could not expect anything but that sort of recommendation from the people with whom the Attorney-General was dealing.

These people are looking after their own and one cannot blame them for that; but I believe we are here to review the fairness of the case and the fairness of the case is not increasing the amount by only $5 000 after 14 years. I believe it is practical and proper that it should be increased to $15 000 at the very least and perhaps $20 000 or $25 000 would be more realistic.

Mr BERTRAM: If this amendment is not carried then I think one could properly and fairly say the Opposition ought to give up endeavouring to fulfil its role in this place so far as its obligation and function to legislate is concerned. That is a very real function which the Opposition has. Oppositions in the past have not discharged that function properly in my belief. It may well be that Governments if they are arrogant and unthinking, do not seriously give Oppositions a hearing and a fair go.

You, Sir, will never in your experience in this Parliament find an amendment with greater justification or with a better case to support it than this one. Mr Deputy Chairman (Mr Watt), you have heard the debate. How much more evidence do you want, to allow the scales to come down on our side? They are already tumbling down at a merry speed in support of the amendment.

It has been said that the figure of $10 000 is an appropriate one. I think the Minister spoke very well; he had a difficult task. Who would want to be in the Minister's shoes opposing this amendment? Nobody would want to be in his shoes. He did very well stringing a few words together. He told us nothing. He did not make out a case. He strung a few words together, which is the sort of thing one gets when one asks the Minister for something. He sends a long letter to a parents and citizens' association, or some other association , which sounds great until one reads it and boils it down and finds it means nothing. It is just a whole dose of verbiage. Congratulations to the Minister for keeping his end up; but that is as far as one can go.

The Attorney-General in the other place has been aware of this for days, if not weeks. What did he have to do to find out whether it was justified? He did not have to say, "We will have to hold up the Bill and hold up the whole of the legislative programme", and all these awful things which are being put forward for our contemplation. All the Attorney-General had to do was contact the Master of the Supreme Court and say, "Here is a proposition suggesting that the $10 000 is not good enough after 14 years. It is just not on. What are the statistics? How many estates did you handle last year; three or four? Will this increase the number to eight or something of that sort?" Clearly the figure is a mandatory one.

It is not like a figure which would be produced by private enterprise if it were drafting this Bill. In that case the figure would have been $9 999.99. Private enterprise works these things out with absolute "precision", having "high regard" for the people who buy its wares. But here the figure is $10 000 and we do not have this humbug of cents. We all know that to go from $5 000 to $10 000 after 14 years with the sort of inflation we have been suffering over that period is absolutely ludicrous. What we are being told here, "politely" is, "This Bill is going through and we are not going to have any nonsense from you or from anybody else on this Bill or on any other Bills." That is what we are being told; that is the type of "firm hands" philosophy. It is not acceptable. This is an important amendment.

We are asking only for the figure to be increased to $15 000. I am by no means confident myself that is a fair figure. I think it should be far greater; but it is at least a vast improvement on $10 000.

Section 55 of the Act was included to help certain people whom it was thought at that time were entitled to receive help. We are trying to help the same people today, and I believe we ought to help them. Some of the bills we receive for administering estates are frightening. The accounts sometimes amount to more than the death duties on the estate which, for some years now, have been nil in the case of spouses. People do not receive an account for death duties but they receive a thumping, big bill for solicitors' fees at a time in their lives when they really need help.

The need for a little compassion and humanitarianism in this situation should be noted. The virtues of that line are obvious.

A letter the Minister read referred to some appropriate time in the future. Heaven knows what that means. I could give a few thoughts, but I will not waste the time of the Committee on

them at the moment. If the time is not appropriate to amend this from $5 000 to $15 000 here and now, then it will never be appropriate. Any move we make next year, the year after, or in the next 10 years will meet with the same fate. We will be told the time is not appropriate. As a matter of fact, the time now is thoroughly overdue. If we do not want section 55 to function, let us delete it altogether. If this amendment is not accepted, not only is the Opposition not being given a fair go, but also those people who would benefit will be denied it. Even those members who represent non-city areas should have some regard for the amendment because it strikes at some of the people they are supposed to represent. The Attorney-General has given us no suggestions at all as to the work load of those at the Supreme Court. I would be surprised if more than one officer would be involved.

I repeat that if now is not the appropriate time, it never will be, and if this amendment is not carried the Committee should go.

Mr GRILL: I sincerely appeal to all members to vote for the amendment which I would like to make clear so that everyone knows what it means.

As the law now stands, anyone who has been left an estate worth under $5 000 can apply directly to the Supreme Court—or, if he lives in the country, to the clerk of court—for probate without the necessity of employing a solicitor. The Government intends to increase that figure to $10 000, thereby saving the applicant $200 to $400. Our amendment seeks to increase the figure to $15 000; that is a more realistic figure as there has been no increase since 1963, which is 14 years ago. During that period the CPI has shown an increase of 239 per cent and the evidence available from the best brains on the subject indicates that property figures have increased by more than 239 per cent.

That makes the situation clear, and honestly I cannot understand how anyone could not support the amendment.

Mr TONKIN: If this Chamber is ever to operate in a proper manner, surely the Government some time will accept a reasonable proposition by the Opposition. As the member for Yilgarn-Dundas explained so well, the amendment does not want to change the situation from what it was in 1963. All it intends to do is to hold the situation so that the people who would have had the exemption which was granted 14-years ago can get that exemption now. It is not an extreme measure.

If this Chamber is not ever going to operate in a sensible fashion, the Opposition may as well go home and not pretend any more that it is anything but a rubber stamp for Government decisions. The Chief Secretary's only excuse was that the number of staff which would be required was not known.

Mr O'Neil: That is not quite correct. I read the minute sent to me by the Attorney-General who said that if there was to be any variation he, the Attorney-General, felt it incumbent upon him to have further inquiries made, which would probably delay the passage of the Bill and prevent its being passed this session.

Mr TONKIN: Is the proposal so revolutionary that it will make such a big difference?

Mr O'Neil: I do not know. The Attorney-General said he would have to find out.

Mr TONKIN: The member for Victoria Park has pointed out the situation quite clearly and we can only reiterate the comment he made; that is, that the number of estates which would be affected would be small.

Mr O'Neil: He did not say that at all. What is the number? The member for Victoria Park did not suggest a number.

Mr TONKIN: He did not give an exact number, but he said—and I think he is right—that this embraces very few estates.

Mr O'Neil: He assumes it does.

Mr TONKIN: I think we can all assume it does. We have all had dealings with estates. Someone has already queried what kind of a house could be bought for $15 000.

Mr O'Neil: The member for Mt. Hawthorn was critical of our not legislating on facts and now the Opposition is asking us to take a punt on something because it suits it at this time. How big is the punt? You say not a very big punt, but we do not know.

Mr TONKIN: The Chief Secretary does not know the situation.

Mr O'Neil: The Master of the Supreme Court would probably have given the Attorney-General an assessment.

Mr TONKIN: We are supposed to be legislating, not the Attorney-General. If we are legislating, we should have the facts before us so we can determine—

Mr O'Neil: You give us the facts.

Mr TONKIN: That is a ridiculous statement. The Chief Secretary knows we do not have the resources by which to obtain the facts.

Mr O'Neil: You are suggesting an amendment based on facts of which you are not aware.

Mr TONKIN: And the Chief Secretary is

suggesting an amendment which is not substantiated in any way. He has said that we must take his word for it, and that $10 000 is a reasonable figure because it satisfied the Attorney-General.

Mr O'Neil: I did not say that at all. I said that the figure was suggested by the Master of the Supreme Court and was supported by the Law Society in writing.

Mr TONKIN: If that is the case, what are we doing here?

Mr O'Neil: I do not know what you are doing there; I know why I am here.

Mr TONKIN: That is right—to get a rubber-stamp measure through. The Government may as well not go through the courtesy of presenting legislation to the Opposition if it says that it, the Government, has the facts, but it is not going to give them to the Opposition, and that the Opposition must take the Government's word for it. If that is the way the Government is going to legislate, this place is a farce.

The Chief Secretary has not demonstrated that an intolerable burden will be placed on the staff.

Mr O'Neil: You have not demonstrated that there will not be.

Mr TONKIN: The Chief Secretary is requesting a change to the Act, but he has not provided the facts.

Mr O'Neil: Does not the same thing apply to an amendment by the Opposition?

Mr TONKIN: The Chief Secretary has come to the Committee to ask for an amendment to the Act, but he has not submitted a case because he has a contempt for this place. The Chief Secretary will not bother to try to justify his stand. He knows he has the numbers and therefore the Bill will go through. He is underlining the fact that he has not made a case. He is saying that the Attorney-General knows best.

Mr O'Neil: The Opposition has accepted the case because it gave the Bill a second reading. It accepted the principle. Were you not here?

Mr TONKIN: The Chief Secretary knows very well that it is not possible for us to amend the Bill at the second reading stage. In fact, the Speaker tried to stop the member for Yilgarn-Dundas when he was talking, although he was referring to what was said during the second reading speech.

Mr O'Neil: You are casting a reflection on the Speaker now.

Mr TONKIN: No, I am not. I am saying that when we gave the Bill a second reading we did so because we could not amend it unless we did. We gave it a second reading so that it could be dealt with in Committee where we could submit a reasonable amendment. The Attorney-General is being arrogant and is treating this place with contempt. If the Government wants a proper legislative process to exist, then it should listen, on occasions at least, to Opposition arguments.

Mr O'Neil: We did, and we gave the reasons we are opposed to your proposition at this stage.

Mr TONKIN: In four years I have not known the Government to accept an Opposition amendment, yet the Chief Secretary sits there and tries to say this is a legislative Chamber.

Mr T. J. BURKE: On the amendment the Chief Secretary has given certain undertakings. In order that he might fulfil those undertakings while the matter is still before the Chamber I think we should report progress.

Progress

I therefore move—

That the Chairman do now report progress and ask leave to sit again.

Motion put and negatived.

Committee Resumed

Amendment put and a division taken with the following result—

Ayes 17

Mr Barnett	Mr Jamieson
Mr Bertram	Mr McIver
Mr B. T. Burke	Mr Pearce
Mr T. J. Burke	Mr Skidmore
Mr Carr	Mr Tonkin
Mr Davies	Dr Troy
Mr H. D. Evans	Mr Wilson
Mr Grill	Mr Bateman
Mr Hodge	*(Teller)*

Noes 26

Mr Blaikie	Mr MacKinnon
Mr Clarko	Mr Mensaros
Sir Charles Court	Mr Nanovich
Mr Cowan	Mr O'Connor
Mr Coyne	Mr O'Neil
Mrs Craig	Mr Ridge
Mr Crane	Mr Rushton
Dr Dadour	Mr Sibson
Mr Grayden	Mr Spriggs
Mr Hassell	Mr Tubby
Mr Herzfeld	Mr Williams
Mr P. V. Jones	Mr Young
Mr Laurance	Mr Shalders
	(Teller)

Pairs

Ayes	Noes
Mr Bryce	Mr McPharlin
Mr Harman	Mr Sodeman
Mr T. H. Jones	Mr Stephens
Mr Taylor	Mr Grewar
Mr T. D. Evans	Mr Old

Amendment thus negatived.

Clause put and passed.

Clause 4: Section 57 amended—

Mr GRILL: Once again I will move the same amendment to this clause. I move an amendment—

Page 2, line 8—Delete the word "ten" with a view to substituting the word "fifteen".

I will not go through my arguments again because they are exactly the same. When I rose to speak on the earlier amendment I said I did not believe one person in the Chamber would remain unconvinced of the benefits of the amendment. To be quite honest, I believe all members were convinced of this and it is a very sad commentary that we have reached a stage where we cannot come to an agreement on such a simple issue which would be of such benefit to the people in this State who have such meagre means. I do not wish to say any more.

Amendment put and negatived.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Neil (Chief Secretary), and passed.

CRIMINAL CODE AMENDMENT BILL

Second Reading

Debate resumed from the 8th September.

MR BERTRAM (Mt. Hawthorn) [8.49 p.m.]: As the Premier said in his second reading speech, the main purpose of this Bill is to allow reports already tabled in Federal and other State Parliaments to be published under parliamentary privilege in the Western Australian Press. The Bill does more than that, of course. The Opposition supports the Bill, and I propose to speak briefly to it.

There are some other slight amendments in the Bill not touching on parliamentary privilege which are of little consequence and I do not propose to speak to these, the Premier having already done that at the tail end of his speech.

The real essence of this Bill involves an amendment to section 354 of the Criminal Code. This is to enable the media to give greater information or greater coverage to the public on public matters. It does not mean that the media will give greater coverage on such matters or that it will give fair or proper coverage, or even that it will give any coverage at all, unless, if course, it suits the media's particular whim.

In this State our censorship laws are imposed by non-elected faceless people who decide what news material will be pushed and when and in what media, and what news material will be concealed. These people decide also what news material will be completely ignored. That is the position, and it is a thoroughly unsatisfactory one. The people of this State should be condemned for not facing up to it before.

As I have said, the media here have more or less vast unbridled powers of censorship, and yet it is the media which complain mostly about censorship when it is imposed on them. The media is the almost exclusive censor in the State and we have virtually only one daily newspaper.

Mr Tonkin: Hear, hear!

Mr BERTRAM: That is a sad and thoroughly undemocratic state of affairs. There are some people, including perhaps even people who support the Australian Labor Party, who believe that one of these fine days we will come out of the dark ages and every person in Western Australia will have an equal vote and that when that time comes we can sit back because we will have reached something approaching democracy which we most certainly do not have at present. In this State it is the media, and the Press in particular one could say, which determines who will be the Government. It does not matter greatly whether we have a one-vote-one-value system or not. At least if we had a one-vote-one-value system, it would be an extraordinarily vast improvement on what we have presently, but it would only be a lurch forward. It certainly will not be much more than that because there are so many other factors in the community that render our State undemocratic so that we have a hard job in front of us.

It is true that the people who support Government members are, or almost certainly ought to be, thoroughly thrilled with the censorship imposed on us in this State We on this side have ample reason to complain, and we suffer from a continuing malaise when we try to get a point over in the media. Either our letters are not printed or our words are not put to air. Even if our comments are reported, we find them on the back page, rather than on the front. If our party happens to win a by-election in another State, the casual reader of the report of the by-election is led to believe we have lost it. It is only after

turning to another page and reading the report carefully that we find we have won it.

This sort of thing goes on all the time. People say to us, "why don't you speak up about it?" Of course we speak up about it, but the media simply will not allow us to be heard. We represent over 300,000 people in this State and it is important that they should be told about this state of affairs. We should not be telling small groups about it piecemeal. Frequently at meetings we are asked why we have not spoken out about this when the fact is that we have spoken about it and our comments have not been published. We have no friends, or very few friends, in the media where it is important.

On the face of it this Bill is thoroughly meritorious. It looks good, but it does not mean that the public will benefit much. If the media wishes to publish something which before the passage of this Bill they did not have the right to publish, it will be published if the media believes it is good for the people they support. If they do not believe this to be the truth, they will not print it. The people of this State currently do not have a remedy for this terrible position.

Mr O'Connor: What would you suggest?

Mr BERTRAM: I could suggest plenty, but I do not propose to do that. I notice that a man named Gyngell has been sounding off because he has got the message that the people of Australia do not believe the television media is doing a good job. In my opinion the television media is gravely culpable for the rubbish which it transmits to people's homes. Many people are striving to get a message over to their children only to be confronted with this rubbish on the television screen. The television media is trespassing and abusing the privilege we have given them to come into our homes.

Mr O'Neil: There are switches on television sets so that you can turn them off. I do not know if anyone has told you that?

Mr BERTRAM: My television set does not need a switch to turn it off because it is in such a condition that it turns itself off from time to time. That does not cause me concern, and as a matter of fact, I think it is a wonderful thing from the point of view of my offspring. It is hardly surprising that many young people who cop all the junk that prevails on the television react violently and aggressively.

The point I am making is that this Bill merely gives the media the opportunity to publish material which currently they are unable to do. Under the provisions of section 354 of the Criminal Code, under parliamentary privilege the media can report upon debates and so forth which take place in the Parliament and can report upon other matters which emerge from this Parliament. It is good that the media has this right. However, with our nation shrinking daily as it is with radio communication and jet transport, it is not good that the media cannot publish parliamentary debates occurring in other States or in the Federal Parliament with the same immunity. If the media chose to report on these matters, they would be at the risk of a defamation action or something of this sort. So this is a thoroughly worth-while amendment. I believe the Criminal Code was written about 1913 so it will be readily recognised how belated this amendment really is.

Particularly in a Parliament such as this with our experiences over the past few years, one should, in passing, say that this piece of legislation is not really consistent with our attitude in relation not only to the ability of this Parliament to discuss matters but also the ability of the people outside to hear the debate and to themselves join in the discussion.

Accompanying a Bill of this type should be a Bill touching on the matter of *sub judice*, because if we are concerned about the people knowing what is going on in the community and if we are concerned about being informed through the media, we ought to show the people the same concern so far as the *sub judice* rule is concerned. That is a rule which is thoroughly abused in this place, and it stifles debate on very important matters.

Similarly, the law of defamation in this State is antiquated and thoroughly unsatisfactory and cries out for attention. However, it does not get it. It is high time the Parliament grasped that nettle.

Mr Mensaros: When you talk about the *sub judice* rule, would you also suggest abolishing the jury system?

Mr BERTRAM: Good gracious, no.

Mr Mensaros: Then you are not logical.

Mr BERTRAM: I think we should say, "Thank heavens for the jury system with all its frailties" because it is a good system which will be here for a long time to come. When one considers what is going on around Australia, and particularly in Queensland, one should say, "Thank heavens there is a jury system." I would say also, without having to stretch the bow very much further at all, that there is room in this State for a jury system also.

We have had instances in which investigations have been carried out in respect of a company which may have committed a corporate fraud. That company may be registered in New South

Wales but the great preponderance of its shareholders may reside in this State. An inquiry may take place in another Parliament; and I can see no objection to that because the company may well function in the other State in the main.

The people of New South Wales currently are able to read the parliamentary debates and other reports which may emerge from such an inquiry when conceivably only relatively few of those people may be shareholders in the company; but the media in this State currently is unable to publish the same reports, except at risk. The media should not be at risk, and this Bill will enable them to print the debates on these matters concerning statutory reports and so forth in other States. As I have said, that is thoroughly desirable.

Whilst this Bill will give the media the right to publish under parliamentary privilege the proceedings in other Parliaments and matters arising from other Parliaments, that publishing must be done in good faith; and that, too, is a reasonable provision.

The Opposition supports the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Neil (Chief Secretary), and passed.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND) (No. 2)

Returned

Bill returned from the Council without amendment.

POLICE ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr O'Neil (Minister for Police and Traffic), read a first time.

STATE FORESTS

Revocation of Dedication: Assembly's Resolution—Council's Concurrence

Message from the Council received and read notifying that it had concurred in the Assembly's resolution.

OFFENDERS PROBATION AND PAROLE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 8th September.

MR BERTRAM (Mt Hawthorn) [9.08 p.m.]: The time has arrived, if in fact it is not overdue, for the Parliament acting on behalf of the people to give to the Parole Board—the board established under the Offenders Probation and Parole Act—a vote of confidence, and to take the question of the granting of parole completely out of the political arena.

If members look at page 7 of today's notice paper they will see an amendment in my name touching on clause 2 of this Bill; that amendment is designed to achieve this purpose. Currently only the Executive Council and then the Governor may release a lifer—that is, a person serving a life sentence. This is because of the provisions of section 42(1) of the Act. As I have said, the Opposition believes that prerogative exercised by political people with political considerations transcending the considerations and the welfare of the prisoner and the community is no longer valid, if ever it was.

In 1969 this section was amended so as to allow the Parole Board to grant parole to a lifer on any occasion after the first occasion; so that if a person was serving a life sentence and the Executive Council permitted his release on parole on the first occasion, and for some reason he was taken back into custody—perhaps for a relatively minor reason, and for his own benefit—then on any occasion thereafter the Parole Board could release that lifer on parole. That occurred in 1969, and the Minister to his credit made that very clear in his second reading speech.

The object of the amendment now before the Parliament is to turn the clock back to the pre-1969 position, so that if this Bill becomes law not only will the Executive Council and then the Governor have the sole prerogative to release on parole a lifer on the first occasion, but they will have the sole and exclusive prerogative to release that same person on parole on any subsequent occasion.

We do not believe that is a good thing, because

we believe that the Parole Board is a body of competent, experienced people. That is a fact which was made manifest enough, if indeed it had to be, by the Minister when replying to a question I asked recently. The Chairman of the Parole Board is a Justice of the Supreme Court of this State; another member is the Director of the Department of Corrections; then there is Mrs Kenworthy, herself a lawyer with many years experience, who has been on the board since the 22nd July, 1964, and who therefore must have performed fairly well to be still on it; then there is Mrs M. Clark who also has long service on the board and has been a member since the 22nd July, 1964; then there is Mr Turnbull who has been a member of the board since 1972. The board also has two other members of more recent appointment whom I need not mention, although in no way do I seek to discredit them.

The fact of the matter is that the members I have listed represent a very considerable amount of professional experience, generally, and long experience on the board itself. It is noted that one of the members is the Director of the Department of Corrections, and until recently that was the late Colin Campbell.

I would like to take this opportunity to say what a giant of a man was Colin Campbell in that role. I did not know him very well, but he certainly had a rather sizeable physique and was a very softly-spoken gentleman who manifested a great deal of compassion and was prepared to stand up and be counted.

He was one of those rare people in the community with sufficient courage to get up on television and to get into the newspaper and take a stand which other people in the community are encouraged not to take by the media, and even by the Government. He was a man of great courage and I believe he contributed tremendously to this State in many fields.

Mr Tonkin: Hear, hear!

Mr BERTRAM: The people who are from time to time incarcerated or penalised by coming within the jurisdiction of the prison system in this State have a lot to be thankful for; and not only them but the whole of the community, because I believe Colin Campbell was one of those people who do not believe in stowing people away. Rather he accepted the challenge, believing that people's lives should be reclaimed rather than pressed down and ruined indefinitely. I may be pardoned for that digression but I cannot in my wildest dreams imagine that Mr Campbell would have supported this particular measure.

I think it is a bad thing that the life of a person and the question as to whether he should be released from prison on parole should even appear to enter the political arena. I believe this is a matter requiring objectivity and responsibility. When one looks at the members of the Parole Board and considers their experience and expertise I believe we are obliged to give them a vote of confidence.

What is the position if just prior to a State election the time becomes right for a particular lifer to be released on parole? Is the Government of the day of whatever persuasion going to be very enthusiastic about freeing that man, even if he has an irresistible case to justify his release? Without equivocation it is my opinion that any Government would not be looking forward to the opportunity to release him, and it would be strenuously looking for some justification to lose the file or to leave him where he was. That seems to be a thoroughly bad situation.

The time has come when the experts should handle this matter, and the Parole Board makes all sorts of recommendations on these matters. In answer to a question I asked in the House recently ample evidence was given to show most of the board's important recommendations are adopted.

We get very excited about these people we term "lifers". I do not come here for the purpose of booming them up, so I do not want any unjustified comments of that type, as happens occasionally. The fact of the matter is this: There are lots of people who have committed wilful murder in this and other States who have not even been charged, let alone tried and convicted. It may well be the police know who they are, but it is necessary to know a lot more than who committed the crime; one needs to have the capacity to prove it.

The popular viewpoint around the community is that one does not find wilful murderers only in gaols or having just been released from gaol; a lot never go into gaol at all! There are plenty of wilful murderers and other offenders who are apprehended and face trial and are then acquitted, but are nonetheless thoroughly guilty.

So the community is already absorbing and has within its midst people such as this. I mention those types of situations in order that we might get a somewhat more balanced approach to this question. Who knows, a lifer serving a sentence may well have been convicted because he had some degree of honesty that caused him to make a confession and provide evidence for his own conviction out of his own mouth.

We should be mindful of those varying shades of situations and be a little more reluctant in

coming down all that unnecessarily hard in some cases upon a person who has suffered a conviction and who may have suffered a conviction for an offence which he or she did not commit at all. If we consider all those situations we should take a different attitude; the type of attitude Mr Campbell would have taken when dealing with the question of the release of lifers.

The Parole Board already has wide powers to release prisoners under section 41 of the Act, and by its very name one would expect that power to be vested in the board. Generally the board uses its power very well. Not always is it successful when giving a prisoner parole, as occasionally a prisoner is released and he does not do the right thing.

Of course, the community is then told in the most brazen headlines just what has happened, but very rarely does one see the headline for the hundreds of releases that are successful. Many prisoners placed on parole under the supervision of a parole officer become quite average citizens.

That is the position the Opposition takes rather than turn the clock back from 1977 to 1969. The Opposition preferred the other attack; an attempt to go forward and take this matter out of the political arena because it should not be a political consideration. The Parole Board comprises officers who are experts specialising in this question of the reformation, treatment, and general surveillance of prisoners. The board has all the expertise in this State and we are very fortunate that it has given such a good performance over a number of years.

The Opposition will be moving an amendment along the lines indicated when the Bill proceeds to the Committee stage.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Mr O'Neil (Chief Secretary) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 42 amended—

The CHAIRMAN: Before I call the member for Mt. Hawthorn I wish to advise that I have considered the amendment which appears in his name on the notice paper and I advise the member that in the light of Standing Order No. 266 and in accordance with the practice of this House I will rule the amendment, if moved, to be inadmissible.

Mr BERTRAM: I move an amendment—

Page 2, line 2—Delete all words after the word "repealing" and substitute the following—

> the whole of that Section and substituting the following words:
>
> 42. (1) The Board may by order in writing, direct the release from prison on parole at the time specified in the order on such terms and conditions and for such parole period not exceeding five years, as the Board thinks fit a prisoner undergoing a sentence of imprisonment, either with or without hard labour, for life and the provisions of this Act relating to release of prisoners on parole, with such adaptations as are necessary, apply to a prisoner released upon parole under this section.
>
> (2) (Repealed by No. 73 of 1965, S.11.)
>
> (3) Where a prisoner is released from prison on parole pursuant to this section and his parole has been cancelled, the Board may from time to time release the prisoner on parole under section forty-five of this Act for such period not exceeding five years, as the Board thinks fit.

Chairman's Ruling.

The CHAIRMAN: I advise the member that I regard the amendment as being inadmissible, and I therefore rule it out of order.

Dissent from Chairman's Ruling

Mr BERTRAM: In that case, Mr Chairman, I move—

> That the Chairman's ruling be disagreed with.

The CHAIRMAN: Will you put your objection in writing?

Mr BERTRAM: Yes, Mr Chairman.

The Speaker (Mr Thompson) resumed the Chair.

The CHAIRMAN OF COMMITTEES (Mr Clarko): Mr Speaker, I have to report that during the sitting of the Committee the member for Mt. Hawthorn disagreed with my ruling that his amendment was out of order. His ground for moving dissent was that his proposed amendment was relevant to the subject matter of the Bill; namely, the granting of parole to prisoners.

Speaker's Ruling

The SPEAKER: I have been aware for some time of the possibility that my ruling may be required in this matter. I have therefore given the subject serious consideration.

Standing Order No. 266, which has been referred to earlier this session, is quite explicit in its prohibition of amendments which are not relevant to the subject matter of the Bill.

In this case, whilst I can see that there is some connection between the effect of the member for Mt. Hawthorn's amendment and those in the Bill, I feel the connection to be a technical one and not one of such a nature as to warrant its being regarded as relevant to the subject matter.

The mere fact that subsection (1) of section 42 of the principal Act is mentioned in the Bill does not necessarily mean that the subject matter of that subsection is before the Committee and therefore possible of amendment.

I therefore uphold the Chairman's ruling.

Committee Resumed

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Neil (Chief Secretary), and passed.

SECURITIES INDUSTRY (RELEASE OF SURETIES) BILL

Second Reading

Debate resumed from the 20th September.

MR BERTRAM (Mt. Hawthorn) [9.32 p.m.]: The original Securities Industry Act became law in 1970, and it was repealed and re-enacted in 1975. As the Minister pointed out, under the provisions of section 15 of the repealed Act the registrar of companies—now known as the Commissioner of Corporate Affairs—was prohibited from granting or renewing a dealer's licence until the applicant supplied a bond in favour of Her Majesty the Queen to the amount of $10 000.

Such bonds were required to be entered into by approved sureties, such as insurance companies. It transpired that certain of these sureties, before being prepared to commit themselves to become the surety of such a bond, themselves required certain securities; that is to say, a deposit with them by the dealer of cash or debentures, or some acceptable security. That was not unreasonable.

It has now transpired there is no provision in the law, as it currently is, for dealers who have contracted with the sureties to recover the securities which they deposited with them. This Bill will provide that power.

To the Opposition the measure appears to be adequate and fair, and will provide machinery to enable release of the surety and the dealer from their obligations towards their clients without in any way prejudicing the rights of the clients.

A procedure is allowed in this Bill which seems to me to be adequate in respect of the current Act. There are regulations, I understand, which provide the necessary machinery in respect of those people who have become registered, or who have entered into bonds, or who have become sureties since the 1975 Act was passed.

It is an administrative type of procedure and it seems as though the interests of people having business with dealers will be adequately protected and cared for. At the same time, it will grant some convenience and provide relief to dealers and sureties. The Opposition supports the measure.

MR O'NEIL (East Melville—Chief Secretary) [9.36 p.m.]: I thank the Opposition for its support of this administrative Bill, and I commend the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Neil (Chief Secretary), and passed.

LOAN BILL

Message: Appropriations

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

JUSTICES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

MR BERTRAM (Mt. Hawthorn) [9.40 p.m.]: This Bill was introduced into this House on the 20th September last. It is an administrative type of Bill, and I do not think there is need to add to what the Minister said during his introductory speech. That being so, the Opposition supports the measure.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Neil (Chief Secretary), and passed.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR CHARLES COURT (Nedlands—Premier) [9.43 p.m.]: I move—

That the House at its rising adjourn until 2.15 p.m. tomorrow (Thursday).

Question put and passed.

House adjourned at 9.44 p.m.

QUESTIONS ON NOTICE

TEACHERS

Resignations

1154. Mr WILSON, to the Minister for Education:

What was the number of

(a) primary school teachers; and
(b) secondary school teachers,

who resigned from the Education Department in—

(i) 1973-74;
(ii) 1974-75;
(iii) 1975-76;
(iv) 1976-77?

Mr P. V. JONES replied:

The number of teachers resigning from the permanent staff each year was—

	Primary	Secondary
1973	174	186
1974	225	209
1975	261	259
1976	320	205

(Primary includes special education staff).

URANIUM INFORMATION KITS

Distribution in Schools

1155. Mr WILSON, to the Minister for Education:

(1) Is it a fact that copies of the Federal Government's uranium kit are being placed in school libraries by the Education Department?
(2) How many schools have been issued with the kit and what is the cost involved?
(3) Is it proposed that material presenting the alternative view on the mining and export of uranium to that contained in the kit will also be issued to school libraries?
(4) If "No" to (3), is not the department's action in contravention of regulations 26 and 27?

Mr P. V. JONES replied:

(1) and (2) Inquiries have been made and there is no record of any distribution by the Education Department of any such material produced by the Federal Government. If such a kit exists, however, it may have been acquired by an individual school library.

(3) and (4) The State Education Department's Centre for Educational Technology has produced one of its regular topiclips on nuclear energy. These topiclips attempt to provide a balanced view of controversial issues. A copy is tabled.

The paper was tabled (see paper No. 333).

FREMANTLE PORT AUTHORITY

Pollution by Industry and Vessels

1156. Mr TAYLOR, to the Minister for Works:

How many—

(a) inquiries; and
(b) prosecutions,

have been instituted by the Fremantle Port Authority over the past 12 months with respect to alleged pollution of waters under its control by—

(i) industry;
(ii) vessels?

Mr O'CONNOR replied:

Oil Pollution

Between the 1st November, 1976, to date the Fremantle Port Authority has investigated 22 reports of spillages of oil in the port area.

One spill came from shore-based equipment, 17 came from ships, and the source of the remaining four could not be established.

Five of the offending masters have been prosecuted and fined and action to prosecute another four is pending.

Pollution from Industry

The authority maintains a regular surveillance over the waters under its control for pollution from industry, but no offenders have been detected during the past 12 months.

RAILWAYS

Hoardings

1157. Mr TAYLOR, to the Minister representing the Minister for Transport:

(1) What was the cost of erecting two large advertising hoardings—

(a) at the junction of the Kwinana line with Rockingham Road; and

(b) near the junction of the Fremantle-Kwinana line with Stock Road?

(2) What is the annual rental expected from these hoardings?

(3) How close is the nearest corner of the hoarding in (1) above to the nearest road verge?

(4) Are Main Roads Department standards with respect to roadside hoardings taken into account when deciding on their positioning?

(5) Was the original thought to erect the two signs in their respective positions that of—

(a) railway employees;

(b) prospective users of the hoardings;

(c) independent advertising consultants?

Mr O'CONNOR replied:

(1) Costs are unavailable. The hoardings were erected by Australian Posters Pty. Ltd., which company holds exclusive rights for advertising on railway property.

(2) Detail of rents received for individual hoardings is not available because the agreement between Westrail and Australian Posters Pty. Ltd. provides for one overall annual rental for advertising rights.

(3) (a) 5.5 metres

(b) 27.5 metres.

(4) Westrail is its own authority for hoardings on its own property, but has regard for road needs.

(5) The original proposal for hoardings on these sites came from Australian Posters Pty. Ltd.

ELECTRICITY ACCOUNTS

Surcharge

1158. Mr McIVER, to the Minister for Fuel and Energy:

(1) Will he advise when the decision was made to place a surcharge of $6 on State Energy Commission accounts?

(2) (a) Does the surcharge only apply to residents and business houses in the Northam region;

(b) If "No", what other areas are involved?

(3) Is the surcharge to cover wages of the meter reader, or is it meter rental?

(4) If "Yes" to either part of question (3), why cannot an employee of the State Energy Commission at Northam read the meters?

(5) If an employee at Northam was employed to read meters would this eliminate the $6 surcharge?

(6) If not, why not?

Mr MENSAROS replied:

(1) The $6 per quarter charged on accounts issued by the State Energy Commission under table D or table F of tariff schedule No. 1 or table B or table C of tariff schedule No. 2 is not a surcharge but a fixed charge which is an integral part of the tariff.

The principle of this method of charging was first introduced in 1963.

(2) (a) No.

(b) The fixed charge as set out above applies to all areas supplied by the State Energy Commission.

(3) Neither. The fixed charge is raised to cover those costs associated with the supply to a customer's property irrespective of the amount of energy consumed.
(4) The meters in Northam are read by an officer stationed at Northam.
(5) No.
(6) Answered by (2) and (3) above.

ARGENTINE ANTS

Poisoning

1159. Mr BATEMAN, to the Minister for Agriculture:

In view of concern shown by the general public that bird life, gardens and plant life were destroyed by the poison used to kill Argentine ants when spraying was carried out some years ago by the Agricultural Department, will he advise—

(1) Is it a fact that agricultural officers are still spraying certain areas for Argentine ants?

(2) (a) If "Yes", where are the areas; and
(b) under what act have they the power to enter properties to carry out such activities?

Mr OLD replied:

(1) Yes. The officers concerned are very conscious of the need to take precautions to prevent any detrimental effect on nontarget species such as wildlife as well as the environment generally.
Dieldrin is no longer used for spraying—and a less toxic and less residual material—i.e., diazinon—is now used.

(2) (a) Bayswater, Kelmscott, and Lake Claremont. Infestations at certain country centres are due to be treated in the near future.
(b) The Argentine Ant Act.

TRAFFIC

Belmont Road

1160. Mr BATEMAN, to the Minister representing the Minister for Transport:

In view of the complaints by parents and householders living in Belmont Road, Kenwick, that possibly a serious accident may occur if something is not done to control the speed and noise of heavy haulage vehicles using this road will the Minister consider—

(1) Making Belmont Road one way from Austin Avenue to Bickley Road?
(2) If not, why not?
(3) Is he further aware of the possible inconvenience being experienced by people living in Belmont Road, Kenwick, brought about by the noise of heavy trucks using this road as a bypass road, both day and night?
(4) If "Yes" to (3), will he give urgent consideration to (1)?

Mr O'CONNOR replied:

(1) No.
(2) One way operation would be difficult to enforce. It would require persons with origins and destinations to properties fronting Belmont Road to travel the extra distance through other streets and also some of the traffic, including heavy haulage vehicles, now using Belmont Road would be forced to use alternative streets.
(3) The problem has not previously been brought to my attention, however the matter of control of speed and noise of the vehicles will be referred to the Minister for Police and Traffic for the attention of the Road Traffic Authority.
(4) Answered by (2) and (3).

PRISONS

Imprisonment Rate

1161. Mr WILSON, to the Chief Secretary:

(1) Is it a fact that the imprisonment rate of people in prison in Western Australia as a proportion of the general population, is the highest by far for any State?
(2) If "Yes", is he specially concerned about the situation and to what special factors does he attribute the very high imprisonment rate in this State?
(3) What action is the Government taking to improve the situation?

Mr O'NEIL replied:

(1) Yes; exceeded, however, by the Northern Territory.

(2) Yes. Of the 3 903 prisoners received into Western Australian prisons under sentence in 1976-77, 1 510 were sentenced to terms of one month or less. Of the 10 291 total commitments to prison during the same period, drunkenness, street drinking, Transport Act breaches, disorderly conduct, and traffic offences accounted for 4 313.

(3) The Department of Corrections has extensive rehabilitation programmes operating to minimise the number of recurrent offenders.

PRISONS

Aborigines and Europeans

1162. Mr WILSON, to the Chief Secretary:

(1) Can he give the imprisonment rates for 1976-77 for—

(a) Aboriginal people in Western Australia as a proportion of the Aboriginal population in the State;

(b) European people in Western Australia as a proportion of the European population in the State?

(2) Is it a fact that there is a significant variation in the two imprisonment rates?

(3) To what special factors does he attribute this variation?

(4) What action is the Government taking to improve the situation?

Mr O'NEIL replied:

(1) (a) and (b) Separate statistics were not maintained for 1976-77.

(2) Of the 1 130 prisoners held in Western Australian prisons on the 6th October, 1977, 32.74 per cent were Aborigines. As Aborigines comprise only 2.125 5 per cent of the population of the State, it is reasonable to state that there is a significant variation.

(3) Proportionately more Aborigines commit offences.

(4) The Government cannot legislate to exempt any one section of the community from the requirement of all citizens to obey the law.

PRISONS

Unconvicted Prisoners

1163. Mr WILSON, to the Minister for Police and Traffic:

(1) What are the monthly numbers of unconvicted prisoners on remand for the months October 1976 to September 1977?

(2) What is the average remand period for unconvicted prisoners for the same year?

(3) How do the figures compare for (1) and (2) with the situation in other States?

(4) What overall effect are remand delays having on crime control in Western Australia?

Mr O'NEIL replied:

(1) and (2) Statistics of the nature requested are not kept by the police.

(3) Not known.

(4) None.

WATER SUPPLIES

Jandakot Water Reserve Area

1164. Mr TAYLOR, to the Minister for Water Supplies:

With respect to the Jandakot water reserve area—

(1) What is the approximate length of sealed roads within the area?

(2) What is the approximate length of service mains within the area?

(3) Approximately what proportion of occupied lots within the area are serviced by water mains?

(4) Approximately what proportion of occupied lots within the area have service mains adjacent to one boundary?

Mr O'CONNOR replied:

(1) Road sealed 72 km.

(2) Service main to 305 mm = 21 km. Trunk mains (over 305 mm) = 33.5 km.

(3) 75 per cent of occupied lots are supplied from board mains. 66 developed properties are fronting existing mains and 55 have non-rated services.

(4) 40 per cent.

SCHOOL

North Parmelia

1165. Mr TAYLOR, to the Minister for Education:

With respect to the North Parmelia school:

(1) What is the area of the playing surface of the school oval?

(2) What is the approximate area of land adjacent, available and controlled by the Education Department which could be used for a second playing surface?

(3) What is the approximate area of land which was shown on the original plans for the school which it was expected might be cleared for a future school oval?

(4) Has a request been made to the department for the establishment of a second playing field at the school?

(5) What are the details of this request?

(6) Has consideration been given to any such request?

(7) How many schools within the greater metropolitan area have—

(a) no playing surface large enough for team ball games; and

(b) a playing surface smaller than that at North Parmelia?

Mr P. V. JONES replied:

The member will be notified by letter in due course as measurements must be made on the site before the question can be answered.

FARM MACHINERY

Hire-purchase Interest Rates

1166. Mr CRANE, to the Minister for Agriculture:

With a second, and in some cases a third, crop failure, many primary producers possibly face the problem of hire purchase commitments on essential machinery at a time when they have no income:

(1) Is it a fact that some finance companies are extending these contracts at existing interest rates whilst others are rewriting the contracts at a higher rate as applied to second-hand machinery?

(2) If "Yes", does the Government intend to intervene or does it intend to allow some farmers to be more disadvantaged than others?

(3) Has he considered providing some form of interest subsidy for these producers, i.e., through the drought aid funds?

Mr OLD replied:

(1) to (3) I have received an assurance that no member of the Australian Finance Conference will increase its interest rates when re-writing hire-purchase contracts for drought-area farmers in financial difficulties. No substantiated cases of increased interest rates have been drawn to my attention, but I would be pleased to investigate any genuine complaints.

VERMIN CONTROL ON PASTORAL LEASES

Federal Funds for Local Authorities

1167. Mr CRANE, to the Minister for Agriculture:

(1) Is the State Government prepared to obtain money from the Federal Treasury to enable more manpower to be retained in the pastoral areas and be employed on vermin control, similar to the funding currently being made available to local government to enable country shires to maintain their work force?

(2) If "No", would he give reasons?

Mr OLD replied:

(1) and (2) The only scheme recently introduced by the State Government was to aid employment in drought declared areas. The principal purpose of the scheme was to retain people in rural communities who might otherwise be forced to seek employment elsewhere. It was specifically directed at employing local people temporarily displaced from employment on farms and in country towns by the drought. The Commonwealth Government did not provide support funds for this scheme.

Local authorities were requested to submit projects that would employ local labour displaced by the drought. It was not aimed at maintaining the work force employed by shires. The proposed works were to be of a lasting benefit to the community and not of a sustenance nature. Employment of persons on vermin control would be considered in the latter category.

1168. *This question was postponed.*

BAUXITE MINING

Effect on Water Supplies

1169. Mr BARNETT, to the Minister for Water Supplies:

(1) Has the Metropolitan Water Board expressed concern that bauxite mining operations on forested catchments could cause a deterioration in water quantity?

(2) If "Yes", will he table the report?

(3) If "No", why not?

Mr O'CONNOR replied:

(1) No.

(2) The Metropolitan Water Board is represented on the steering committee into the effect of bauxite mining. The report of this committee was tabled in the previous Parliament, on the 6th October, 1976 by the Premier.

(3) Not applicable.

HIGH SCHOOL

Collie

1170. Mr T. H. JONES, to the Minister for Education:

A statement appeared in last week's issue of the *Collie Mail* newspaper to the effect that $1 650 was to be spent at the Collie High School on the photography room—will he advise details of the expenditure?

Mr P. V. JONES replied:

The upgrading of the photography room is estimated to cost $1 000. The remaining sum of $650 is for other electrical work in the school.

ABORIGINES

Housing

1171. Mr T. H. JONES, to the Minister for Housing:

(1) Will he advise when the housing project at Collie for Aboriginal housing will be completed?

(2) When will the new homes be available to successful tenants?

Mr O'CONNOR replied:

(1) The pensioner housing project has been completed at Collie, and the keys are being held in the commission's Collie office.

(2) The commission will be handing over the ongoing management of this project to a suitable organisation. A decision regarding the hand-over is expected shortly, and the houses will then be available for occupancy.

UNIVERSAL CHILDREN'S DAY

Government Promotion

1172. Mr BERTRAM, to the Premier:

What has his Government done so far to promote and make more meaningful and effective this day which is observed as Universal Children's Day in Australia, New Zealand and elsewhere?

Sir CHARLES COURT replied:

Schools are contacted and made aware of the significance of Universal Children's Day and observances and activities related to the theme of world unity are conducted over the school year.

The universal children's theme is commonly related to United Nations Day observance in this State. However, schools are given the option to select either October 24th or 26th as the particular day for children's observance.

In addition, the State Government contributes to the United Nations Association of Australia (W.A. Branch).

This contribution has shown increased over the years as follows—

$	
2 000	1963-64
2 500	1968-69
3 000	1969-70
4 000	1973-74
5 000	1976-77

In additon, the State Government has agreed to provide a special supplementary grant of $5 000 in each of the financial years 1976-77 and 1977-78 to provide short-term assistance with their fund raising activities and restructures.

I might add that a publication has been put out by the Education Department dealing with this particular subject. If the honourable member would like a copy I understand the Minister for Education would be only too pleased to make it available to him.

STATE GOVERNMENT INSURANCE OFFICE

Advertising

1173. Mr BERTRAM, to the Minister for Labour and Industry:

(1) (a) How much has the State Government Insurance Office spent on advertising during the last five years; and

(b) how much does it propose to spend this year?

(2) In particular and for each year, what has been and will be spent on advertising on:

(a) television;
(b) radio;
(c) in newspapers; and
(d) otherwise?

Mr GRAYDEN replied:

(1) and (2) Details of State Government Insurance Office business operations other than those published each year in financial statements are confidential and cannot be made available, as they would be of assistance to the State Government Insurance Office's competitors.

SCHOOL

East Victoria Park

1174. Mr DAVIES, to the Minister for Education:

What success has been achieved in obtaining additional land to provide adequate playing fields at the new East Victoria Park primary school?

Mr P. V. JONES replied:

The request for additional land from the State Housing Commission, adjacent to the new East Victoria Park primary school site, has been considered by the management of the commission. The decision has been deferred pending investigations into possible uses of the land and discussions between the State Housing Commission and the Perth City Council.

HOUSING ACCOMMODATION

Rental: Transfer Fee

1175. Mr TAYLOR, to the Minister for Housing:

When a State Housing Commission tenant is offered a transfer to alternate State Housing Commission accommodation:

(1) Is there a provision that a full week's rent be paid as part of the transfer fee?

(2) If "Yes", is this week's rent "to cover the week that the former accommodation could lie vacant"?

(3) If the tenant is already paying a rebated rent does that rebated rent automatically transfer with the tenant?

(4) If "Yes", to (1) would the week's rent be a full payment or rebated payment?

(5) In the event of a tenant being granted a transfer because of a physical incapacity, which illness allowed him to be on a rebated rent, and that tenant not being able to meet the approximately $150 payment required (includes State Energy Commission outstanding of approximately $60), would that tenant as a consequence be denied the transfer?

Mr O'CONNOR replied:

(1) and (2) Yes.
(3) Yes, unless there is a change in financial circumstances.
(4) Full payment.
(5) No. In such cases, arrangements can be negotiated to pay over a period of time.

PENSIONER CONCESSIONS

Water Supplies and Local Government Rates

1176. Mr DAVIES, to the Premier:

(1) Following the introduction of 25 per cent rebate on water and local government rates, for certain classes of pensioners, is he able to confirm or otherwise that some local authorities require once a ratepayer meets his/hers rates such ratepayer is unable in future years to elect to have rates funded for that or any other year?

(2) If this is so, is it the intent of the Act or merely a decision of local authority?

(3) Do such circumstances apply in regard to payment of water rates?

Sir CHARLES COURT replied:

Question (1) is a little unclear but I presume that it deals with a situation where a pensioner pays the rebated amount of his rates for one year but

wishes to defer payment of a subsequent year's rates. If so, the answers are—

(1) I am not aware of any local authority having taken this attitude.

(2) I would have thought that the Act makes it perfectly clear that a pensioner may either take advantage of the rebate or defer his rates at his own discretion and that he may change from one to the other from year to year. This particular matter was covered when details of the scheme were circulated to all local authorities.

(3) With regard to water rates, a similar situation exists in that a rate payer may choose from year to year to take advantage of the rebate or to defer payment.

HOUSING

Contract-built Houses

1177. Mr BRIAN BURKE, to the Minister for Housing:

(1) What has been the variation of the price of contract built houses—of a given constant size—in the period 30th June, 1974 to 30th June, 1977?

(2) What has been the variation in the price of components or materials used in the example referred to above?

Mr O'CONNOR replied:

Based on comparable but not necessarily identical 3-bedroom houses in a common locality:

(1) $6 400 or 51.18 per cent increase.

(2) $3 200.

SCHOOL

Westminster

1178. Mr BRIAN BURKE, to the Minister for Education:

(1) Has the attention of his department been drawn to the state of the desks and other furnishings at the Westminster primary school in Marloo Road, Balga?

(2) If "Yes", what, specifically, has been complained of?

(3) What action has already been taken regarding this matter?

(4) What further action is proposed?

Mr P. V. JONES replied:

(1) to (4) The replacement of furniture at Westminster has been arranged on the following basis—

(a) The poorer quality desks and chairs are being replaced progressively with refurbished items. At the present time there are only a few classrooms still to be done.

(b) It is the intention of the Education Department to allocate funds during 1978, for an improvement and upgrading programme at the school.

1179. *This question was postponed.*

QUESTIONS WITHOUT NOTICE

LAPORTE TITANIUM

Red Effluent

1. MR SIBSON, to the Minister for Industrial Development:

My question follows the question asked without notice last evening by the member for Rockingham regarding a leak in the effluent pipeline at Laporte Titanium. I understand the Minister said a full and immediate investigation would be made. Is he now in a position to report on that investigation?

Mr MENSAROS replied:

I did undertake yesterday, as the member for Bunbury has indicated, to investigate the allegations in connection with a leak, which allegations were made by the member for Rockingham. I have a brief report of the investigation carried out and with your indulgence, Mr Speaker, I will supply the facts which are far different from the allegations made by the member for Rockingham.

It appears that in a normal patrol of the pipeline by an officer of the Public Works Department, which department is responsible for patrolling the pipeline, a very small leak was noticed from a hole approximately 0.5 cm in diameter. The leak was reported to the company.

The normal procedure when a leak is discovered is that the company, in order to repair the leak, flushes out the line with water at a high pressure. The whole pipeline system is flushed. That is what occurred, and it is believed that whoever reported to the member for Rockingham that there was some spillage may have

seen the water which was flushed through the pipeline.

This is the first leak which has occurred this year near the factory side of the estuary. It is most unlikely that a red stain would have resulted. Spills to the estuary are normally cloudy and white due to titanium oxide in the effluent.

There is no evidence of the 1 200 metres of beach staining referred to by the member for Rockingham. There is some red staining on the foreshore from factory seepage, which has been evident for some years. It is well documented, and not related to the pipeline losses. The present financial arrangement is that Laporte maintains and repairs, at its own cost, the pipeline over the estuary.

The $50 000 referred to by the member for Rockingham is a total and complete mystery.

There is no precedent for compensation or clean-up cost, as the need has never occurred.

As a final point, the pipeline is not plastic but fibreglass which is more than adequate for the purpose.

Mr T. H. Jones: This sounds like a second reading speech.

Mr MENSAROS: I think if I said less the member opposite would complain that no explanation was made.

However, as is the case with all pipes, it is prone to the occasional leak. Hence, the constant inspection by Government inspectors.

RAILWAYS

Hoardings

2. Mr SKIDMORE, to the Minister for Transport:

My question relates to question 1157 on today's notice paper, and I feel it will be within the province of the Minister to answer. Was it agreed between the advertiser and Westrail that the square footage of hoardings would not be increased when they were relocated?

Mr O'CONNOR replied:

From my understanding—and the arrangement was made some years ago—the overall number of hoardings on railway land was to be reduced. I do not think any size restriction was placed on any particular hoarding.

RAILWAYS FREEZER FREIGHT

Transfer to Road Transport

3. Mr Nanovich (for Mr COYNE), to the Minister representing the Minister for Transport:

I would like to ask the Minister a question without notice on behalf of the member for Murchison-Eyre. The question is as follows—

(1) Referring to the imminent changeover in the mode of transport for frozen and chilled food commodities for country areas, would the Minister defer the transition date by one month to give country traders an opportunity to dispel some of the confusion that exists on schedules and cost subsidies?

(2) Would he particularly direct officers of the Transport Commission to communicate with traders and shire councils in the north-eastern goldfields and Murchison regions to reassure them that the proposed alternative methods of providing freezer chiller services will not seriously inconvenience them in terms of both service and cost?

(3) Is the Minister aware that there is evidence of a state of unpreparedness in acceptance of the new arrangements in country areas?

Mr O'CONNOR replied:

I thank the honourable member for some notice of the question he has asked on behalf of the member for Murchison-Eyre. The reply is as follows—

(1) No, I am not aware of the alleged confusion as all local authorities and major suppliers were notified by letter on the 13th October, 1977, of road service timetables, loading times and depot localities which would be operative as from the 31st October, 1977.

(2) Shires have already been advised and operators will establish contact with traders. It is anticipated that the service and cost of the road transport will at least be equal or superior to the service previously provided by rail.

(3) No.

STANDING COMMITTEE SYSTEM

Establishment

4. Mr TONKIN, to the Premier:

I would like to ask the Premier a question without notice. It is as follows—

(1) Has he noted Press comments of the report on drugs presented by the Senate Standing Committee on Social Welfare?

(2) Is he concerned that the national Parliament is preparing reports of value through its committee system while the Parliament of Western Australia is not?

(3) Will he do all in his power, and use his very considerable influence with his colleagues, to ensure that this Parliament takes its place alongside the other progressive Parliaments of the world?

(4) Does he wish to see this Parliament—as distinct from the Government which happens to be in power at any given time—make its fair and proper contribution to the many problems facing Australian society by the proper organisation of its members, as, for example, would occur under a committee system?

(5) Is he aware that the numbers in this House are very similar to the numbers in the Senate?

Sir CHARLES COURT replied:

(1) to (5) The honourable member's question is directed really at a motion that he has on the notice paper; it is not directed at the substance of the inquiry that was reported in the Press following the tabling of the report of what I understand is a Senate committee.

Mr Tonkin: You are not embarrassed by the question, though, are you?

Sir CHARLES COURT: Not at all. I think it is sufficient that I respond to the honourable member's entreaties when I reply to his motion.

STATE FINANCE

Borrowing outside Loan Council

5. Dr TROY, to the Premier:

(a) Following his statement published last Saturday over the concession to allow State Governments to borrow directly overseas which was extracted from the Commonwealth Government, what conditions, if any, did the Commonwealth Government apply to such considerations?

(b) What significance does this have in relation to the 50 years of experience following the Federal Act of 1927 on the question of State borrowings on the overseas market?

Sir CHARLES COURT replied:

(a) In answer to the member for Fremantle, when we made the request to the Commonwealth Government, and bearing in mind that the proposal was initiated by Western Australia, we made it a condition that the borrowings would be on a basis approved by the Loan Council. In other words, any State which had a special project which was to be the subject of overseas fund raising outside the normal Loan Council proceedings would have to obtain approval for that project. The general conditions under which a State was to raise that money were laid down so that we would not have State representatives running around willy-nilly all over the world fixing their own rates and making their own deals, regardless of the national economy.

As a corollary to the decision made by the Commonwealth Government on Friday and conveyed to the Premiers, the officers of both Commonwealth and State Treasuries have been directed to produce, as quickly as they can, basic guidelines in the detailed form that will be necessary so that the States, the Commonwealth Government, and the Loan Council itself will know how this machinery is to operate. So again there will be ample control over the procedures to make sure that there are no indiscriminate borrowings by any State or States and that the States have

full regard for the overall cash situation as well as the economic situation within Australia.

This is all we asked for because we were trying to create a third tier of borrowing and to give an extra dimension to the capacity of the States to undertake infrastructure development.

(b) In regard to this part of the member's question, as I understand it, he asked what impact this will have on the 50-year-old arrangement that was established by Act in 1927. The impact will be to give it a new dimension. This Act has been groaning under its own weight in recent years because members must realise when we first went into the Loan Council arrangements in 1927, not only Western Australia, but the whole of Australia, was virtually a one-legged economy and if one wanted to borrow money, there was virtually only one place to go, and that was London. All that is changed now. The nation's economy is much more diversified, much larger economically, and much more sophisticated. There is also a much more sophisticated world money market. We do not need to concentrate so much on London; we have the choice of the money markets of America, Europe, and the yen money market of Japan, or we can have a combination of them all. Therefore it is right and proper that there should be an extension of the early arrangement, but without in any way denigrating the old established system. In other words, we have created a new dimension without destroying the old.

INDUSTRIAL DEVELOPMENT

Polythene and Polypropylene Rope Plant

6. Mr TONKIN, to the Minister for Industrial Development:

What is the name of the firm referred to in question 1152 of the 25th October, 1977?

Mr MENSAROS replied:

I thank the honourable member for giving advance notice of this question. The name of the firm referred to is Microwen Pty. Ltd.

RAILWAYS

Rail Fasteners

7. Mr McIVER, to the Minister representing the Minister for Transport:

I would like to ask a question of which notice has been given. The question is as follows—

(1) Would the Minister advise who were the Westrail engineers who went overseas to study the two types of rail fasteners which will be utilised on the resleepering on the standard gauge line?
(2) What countries did they visit besides Sweden and South Africa to study specifically the two types of fasteners?
(3) Did the engineers report Fist fasteners were utilised extensively on South African and Swedish railways?
(4) Where in Western Australia will the plastic pads be manufactured by Rail Track Fastening Pty. Limited?
(5) If the Fist fasteners are cheaper to purchase why will they not be utilised on the complete project?
(6) Is it a fact the Government is considering withdrawing the new "N"-class diesel locomotive from service?
If the answer is "Yes", would he fully state the reason?

Mr O'CONNOR replied:

I thank the honourable member for some notice of the question. The reply is as follows—

(1) The chief civil engineer and planning engineer.
(2) United Kingdom.
(3) Yes.
(4) At Midland.
(5) Because the Fist fastening has a disadvantage in areas where rail transposition is required.
(6) I indicated when answering the member's question on the 13th October that no date had been set for placing "N"-class locomotives in service. The position remains unchanged.