

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. N. McNEILL (Lower West—Minister for Justice) [5.47 p.m.]: I move—

That the House at its rising adjourn until a date to be fixed by the President.

Question put and passed.

House adjourned at 5.48 p.m.

Legislative Assembly

Thursday, the 27th May, 1976

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

QUESTIONS ON NOTICE

Postponement

THE SPEAKER (Mr Hutchinson): For the information of the House I have to advise that questions will be taken at an appropriate time after the afternoon tea suspension.

QUESTIONS

Reference to Inadmissibility: Statement by Speaker

THE SPEAKER (Mr Hutchinson): I have some information which I wish to give to the House. I would like Ministers to refrain from prefacing their answers to questions on notice by saying, in effect, that although the question is inadmissible nevertheless they propose to answer it.

The courteous and correct method is to request the Speaker to adjudicate—preferably well before question time commences.

In regard to particular questions which request information on legislation or matters currently before the House, I point out that the practice and precedent of the House has been for these to be reckoned as legitimate questions and that the relevant section of *May's Parliamentary Practice* does not have full application because for many years we have had a fairly comprehensive set of rules drawn from *May's Parliamentary Practice* which do not specify this particular type of question as being inadmissible.

Indeed I believe that leaders of the House especially should be able to make appropriate queries.

Trivial questions of this type may properly, of course, be given short shrift or those of more consequence may be referred to a later debating period.

Finally, for the information of all, I advise that the number of questions of this type over the years is legion, and

they have been asked and answered by front-benchers on both sides of the House.

Even in another place where no specific set of rules apply, I have noted examples of this type of question being asked and answered.

I say this for the purpose of showing what should happen where rules apply.

ARMADALE-KELMSCOTT MEMORIAL HOSPITAL

Full-time Medical Practitioner: Petition

MR TAYLOR (Cockburn) [2.20 p.m.]: I present a petition bearing 2 021 signatures which prays that for various reasons attention be given to providing a full-time medical practitioner at Armadale-Kelmscott Memorial Hospital. I certify that this petition conforms with the Standing Orders of the Legislative Assembly.

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

The petition was tabled (see paper No. 262).

AGRICULTURE AND RELATED RESOURCES PROTECTION BILL

Council's Amendments

Amendments made by the Council now considered.

In Committee

The Chairman of Committees (Mr Thompson) in the Chair; Mr Old (Minister for Agriculture) in charge of the Bill.

The amendments made by the Council were as follows—

No. 1.

Clause 43, page 32, line 3—Insert after the word “manner” the words “and to the extent”.

No. 2.

Clause 44, page 32, line 11—Insert after the clause designation “44.” the subclause designation “(1)”.

No. 3.

Clause 44, page 32, after line 15—Add a subclause as follows:—

(2) For the purposes of this section and section 45 a council on which a notice has been served under section 43 shall not be regarded as having failed to comply with the direction contained in the notice by reason only that it has not controlled declared plants or declared animals in the manner specified in the notice so long as it has controlled the plants or animals in some other manner.

No. 4.

Clause 50, page 34, line 21—Insert after the word "manner" the words "and to the extent".

No. 5.

Clause 51, page 35, after line 33—Add a subclause as follows:—

(3) For the purposes of this section and section 52 an owner or occupier of private land who has been served with a notice under section 50—

(a) shall not be regarded as having failed to commence to comply with the direction contained in the notice by reason only that he has not commenced to control declared plants or declared animals in the manner specified in the notice so long as he has commenced to control the plants or animals in some other manner;

(b) shall not be regarded as having failed to comply, or fully comply, with the direction contained in the notice by reason only that he has not controlled declared plants or declared animals in the manner specified in the notice so long as he has controlled the plants or animals in some other manner.

Mr OLD: Members will recall that during the second reading debate some concern was expressed in relation to the ability of people being summoned by the Agriculture Protection Board to use as a defence the fact that they had undertaken the work which had been directed by the APB, but in a manner different from that which had been directed by the officer concerned.

I gave an assurance to the Chamber that I would seek advice from the Crown Law Department, and this I did on the following day. As a consequence the amendments were drafted and are now before us, having been made in another place. They will cover the party concerned whether it be a local authority or an owner-occupier of land in the event of work being carried out for the control of declared plants or animals, irrespective of the manner in which it has been carried out. This will be admissible in a court case.

The amendments are self-explanatory and I move—

That the amendments made by the Council be agreed to.

Mr H. D. EVANS: As the Minister has pointed out, he undertook to have the subject of these amendments referred to the Crown Law Department and as a consequence of his action the amendments were moved in another place.

If I recall the position correctly, the issue arose from the experience of the member for Stirling who was required to eradicate rabbits and did not do so by the method recommended by the inspector, which was poisoning with oats. He had been applying myxomatosis which had been doing the job as effectively as could be expected in the circumstances, but this was not a defence in law. In order to avoid a recurrence of the situation, the amendments have been presented to us.

I notice that the first amendment is a small one to clause 43, and it appears to the layman to be redundant. However, if the amendment is required in legal terminology we will not query it. If a person is required to exterminate rabbits by poisoning and he uses some other method, as long as the job is done to the satisfaction of the inspector there is no need for any unpleasantness.

The fifth amendment—to clause 51—does give some cause for concern, particularly the inclusion of the words in paragraph (a), "so long as he has commenced to control the plants or animals in some other manner". This is taking the defence of the individual a stage further. If a person desires to dispose of the animals or eradicate a plant by an alternative method, that is reasonable. However, if a person has merely to have commenced eradication, then this leaves the situation wide open.

Farmers are not averse to seeking loopholes in order to evade responsibility. Indeed, in his second reading speech the Minister indicated that he deplored the record of local authorities in the acceptance of their responsibility for the eradication of plants and vermin. If merely a commencement must be made on eradication, I can see all sorts of problems arising.

Firstly the perverse individual will leave the commencement of control until the very last moment merely to be perverse. There is this type of person in the community. Therefore I can anticipate that the task of the inspectors will be made more difficult by the inclusion of this provision because the mere fact that a commencement has been made on the eradication will be a defence.

What is meant by "has commenced"? I am not worrying about the sincere individual acting in good faith. Unfortunately, there are the exceptions and some people will use this provision wrongly. I do not believe it is good legislation to give a person an opportunity to evade responsibility.

Let us take the example of the increased incidence of Malathion-resistant grain weevils. This is probably as big a potential problem as skeleton weed is for the grain-growing industries in this State, and despite the pleas of CBH and the advice and guidance of the Department of Agriculture the problem is mounting and will continue to do so until stringent action is taken against it. Skeleton weed became established over a period of some years in the infested areas, and this is indicative of the tendency for some members of society to evade responsibility.

The Opposition agrees that there should be some elasticity and flexibility in the law where a good intention has been established and a person has commenced an extermination programme but subsequent events preclude him from completing it. In the case mentioned by the member for Stirling a penalty was imposed following litigation because the law was inflexible and the magistrate was compelled to comply with it as it was written. That is one thing, but I repeat that to allow this opportunity for evasion of responsibility is not good legislation, unless there is a good argument for it of which I am not aware and which the Minister may be able to mention. As it stands now it is altogether too loose.

Mr COWAN: I would like to speak specifically to amendment No. 5, and I commend the Minister for Agriculture on agreeing to these amendments. I realise they are designed to cover the anomaly which existed in the Agriculture Protection Board Act and was carried over into the new Agriculture and Related Resources Protection Bill. When it was brought to the Minister's notice he was good enough to have the anomaly corrected.

I think the officers of the Agriculture Protection Board will use common sense in relation to entering a person's property and deciding whether or not a landowner has complied with a directive, whether by the means stated in the directive or otherwise. The amendment will allow a person to defend himself by saying, "I have eradicated the declared plants (or animals) by other means." Such a person should not be taken to court and found guilty of an offence when he has rectified the problem.

Mr OLD: I would like to allay the fears of the member for Warren regarding the time factor. While I agree that some opportunists will take advantage of such a clause, my faith in the primary producers leads me to say there would not be very many such people. I would think the courts would take special circumstances into account, and I cannot see many magistrates accepting this as an excuse for not complying with a directive.

During the second reading debate the member for Wellington mentioned the case of a farmer in her electorate who was worried about an outbreak of cotton bush, was given an instruction to comply with an order within a certain period, and in the circumstances she outlined was unable to comply with the order in the specified time. This clause is designed to protect people in circumstances where, either because of seasonal conditions or other unavoidable circumstances, the matter cannot be attended to in the time specified, although some attempt has been made at least to show keenness to comply with the order. I see no problem in this regard and I urge that the amendments be adopted.

Mr H. D. EVANS: I join with the member for Merredin-Yilgarn in his commendation on the introduction of the first part of this measure, but my fears are not completely allayed by the Minister's explanation in regard to the second part of it. He said only a small number of primary producers would take advantage of the provision. I fear that even a few are too many in view of the seriousness of the matter and the stakes which are involved in the two illustrations I gave of grain weevil infestation and weeds in general.

The member for Merredin-Yilgarn said inspectors would have sufficient common sense to apply the law in the manner and spirit intended. We would like to think that will occur, but in the instance mentioned by the member for Stirling there was sufficient latitude for the inspector to apply common sense, and he did not; he proceeded with a prosecution on the matter. This is the level of human perversity we find in the application of measures of this kind.

To allow a defence that a person has commenced eradication leaves too wide a loophole. The Minister might have complete faith in the primary producers in this State but at times it can be almost obliterated by some of their actions, one of which is failure to control pests which are their responsibility. I still feel the latitude this provision will permit, coupled with effective legal representation, could have a detrimental effect on the endeavours to control the major pests in Western Australia.

I am not prepared to move an amendment. The Minister referred the matter to Crown Law and honoured the undertaking he gave to this Chamber before the Bill went to the other place. However, I ask the Minister to have another look at it because if he does not and the provision is passed in its present form it will lead to untold trouble in the future. It cannot miss. In the light of human nature, it will be wide open.

Question put and passed; the Council's amendments agreed to.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

FAMILY COURT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th May.

MR BERTRAM (Mt. Hawthorn) [2.40 p.m.]: Last year the Australian Parliament, thanks primarily to the activity of the Whitlam Government and the initiatives of the then Senator Murphy—who is now a Justice of the High Court of Australia—passed the Family Law Act of 1975. My recollection is that that law would have become law a lot quicker had there not been a degree of what was very common at the time; that is, unnecessary obstructionism by the conservative forces in that Parliament.

Mr Young: That's not true.

Mr **BERTRAM**: However, the Act eventually became law. The next step so far as this Parliament was concerned was to bring into law the Family Court Act, 1975, which we are now about to amend. This Act contains among other things a principle, in respect of which this State is out of step with all other States in Australia, in that it sets up a Family Court. I understand that Family Court will commence to function in this State within the next few days. We in the Opposition certainly have no desire to place any stumbling block in the way of that court coming into operation on the most efficient basis possible.

The reason we have this Bill before us today is that when the parent Act was before this Parliament only a short time ago it contained certain defects. Some of those defects have been identified, and this Bill purports to correct them. So far as the Opposition is able to see, the Bill does in fact do what it purports to do; that is, correct the defects to which I have referred. That being so, the Opposition supports the measure.

SIR CHARLES COURT (Nedlands—Premier) [2.43 p.m.]: I thank the member for Mt. Hawthorn for his support of the Bill.

I want to say briefly that when we decided we would have a State court we were actually complying with one of the provisions of the family law legislation passed by the Commonwealth Parliament. Our only regret is that other States have not

followed suit. I have never been quite sure as to why they decided not to go along with this.

Also, I respectfully point out to the honourable member that, rather than being held up by the so-called conservative forces in the Federal Parliament, the Family Law Bill was dealt with on a non-party basis; and the greatest opponent of the measure was one of the member's Federal colleagues—then a Minister—who when the Bill was finally passed against his most severe and strenuous opposition, declared that the passage of the Bill would be a black day in the history of the Labor Party.

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

Bill read a third time, on motion by Sir Charles Court (Premier), and passed.

JUSTICES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th May.

MR T. D. EVANS (Kalgoorlie) [2.46 p.m.]: This Bill is to amend the Justices Act, 1902-1975. The Act is appropriately named, because its purpose is to regulate procedures to be adopted by courts of law and courts of petty sessions, and indeed at lower court level, in the administration of justice. The record will show that perhaps this is one of the most frequently amended Statutes; and having regard to its name—that it is an Act to facilitate the procedures to be adopted in lower courts dispensing justice—perhaps it is appropriate that it should be amended frequently so that courts are kept in close touch with public demand and comment. The last time the Act was amended was in 1975, hence my reference to the frequency of amendment.

The Bill before us is to provide an alternative procedure to that which presently exists under the parent Act. The Act provides a system which one may call a filtering system, whereby persons accused of more important or more serious offences have to run the gauntlet of satisfying a magistrate that the offence as charged—normally by the police—first of all is not vexatious and, more importantly, is one which would stand the scrutiny, in the opinion of the magistrate, of a judge and jury at superior court level, whether it be the District Court or the Supreme Court.

Hitherto the Justices Act has provided for a system of scrutiny which was born of the common law of England and still

exists in Western Australia, whereby oral evidence is given by witnesses for the prosecution, and at the discretion of the accused, the accused is accorded the same right at a stage of proceedings before a magistrate, pursuant to the Justices Act, known as committal proceedings. The essence of such evidence is that it must be given orally in the presence of the accused. If the magistrate is satisfied that in his opinion such evidence justifies the calling together of a judge and jury, he would permit the accused to stand trial before a judge and jury at superior court level.

On the other hand, if a magistrate was of the opinion that the allegation by the Crown was vexatious or vicious, or if for any other reason it would not stand the test of scrutiny before a judge and jury, the magistrate had the right to dismiss the offence there and then.

The Law Reform Committee, which was the predecessor of the present Law Reform Commission, in 1971 recommended the principle which is enunciated in the Bill before us now which is that the formal committal proceedings, where all evidence is given before a magistrate, should be dispensed with and replaced by another system whereby witnesses could render in writing any evidence they wish to give before a magistrate. The magistrate would then form an assessment as to whether he thought the accused should stand trial at a superior court level on the basis of the written evidence submitted.

Twice to my knowledge during the lifetime of the Tonkin Government, once whilst my colleague the member for Mt. Hawthorn was Attorney-General, and later whilst I occupied that position, the recommendation of the Law Reform Committee was put before our Government by the Crown Law Department; but it was put forward in such a form that if a Bill had been accepted by that Government it would not have provided an alternative to the existing system but a complete replacement of it.

On both occasions when this matter came before the Tonkin Government in that form it was rejected as a replacement and not as an alternative to the existing system. We were strengthened in our view at that time that the existing system should not be replaced by a new system because of the experience in Tasmania. During the lifetime of a Labor Government in that State, and later during a period of Liberal Government, a recommendation of this type was put forward and adopted. In fact Tasmania replaced the orthodox committal proceedings as we know them now with a system such as the one proposed in this Bill whereby written evidence can be put forward and the destiny of the accused, as far as the

examining magistrate is concerned, is determined by written evidence and written evidence alone.

After a short experience of that system Tasmania decided to scrap the replacement system and return to the orthodox system with which we have grown up.

However, I believe that the new proposal that has been put forward on this occasion is not a replacement of the existing system but an alternative to it whereby the accused has the right to elect whether he shall require witnesses to give their verbal evidence and to run the gauntlet of cross-examination or whether he is prepared to accept written evidence put forward not only against him but also for him. In other words, an alternative is offered and because an alternative is offered the Opposition has determined that it will support this measure.

I wish to raise only one query during the Committee stage. In fairness to the Premier I believe I should raise it now so that when we reach the Committee stage he will be in a position to answer it. I refer to clause 4 of the Bill whereby section 69 of the principal Act is amended. Paragraph (c) of subclause (3) reads—

before the statement is so tendered, a copy of the statement has been served, by or on behalf of the party proposing to tender it, on each other party to the proceedings and, where the party proposing to tender it is the prosecutor, it has been served and lodged in accordance with subparagraph (1) of paragraph (b) of subsection (1) of section one hundred and one A of this Act;

That paragraph does not seem to indicate clearly in what time a copy of the written statement must be served. I think this is material because otherwise there will be a recipe for confrontation or for appeals to a superior court. I sound notice of that query to the Minister concerned.

There are three other Bills to follow this one which are consequential on the passage of it. I have indicated that the Opposition does not intend to oppose this measure because it is offering an alternative and not a replacement of the existing system. The first consequential Bill is the Juries Act Amendment Bill. I do not propose to speak to that measure because it is purely consequential. The second Bill is the Criminal Code Amendment Bill which is largely consequential but also has one other amendment relating to indictment in cases of children. I shall make a few comments on that.

The Child Welfare Act Amendment Bill is largely consequential and I shall remain silent on that measure also. The Opposition raises no objection to the passage of this Bill.

SIR CHARLES COURT (Nedlands—Premier) [2.58 p.m.]: I thank the member for his comments, for his support, and for the notice he has given of his attitude towards the complementary Bills. When we reach clause 4 of the Bill at the Committee stage I shall deal more specifically with the query he has raised, but I should like to clarify now that his concern was not with the form of service of the copy but the timing of it?

Mr T. D. Evans: The timing.

Sir CHARLES COURT: Thank you.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Thompson) in the Chair; Sir Charles Court (Premier) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 69 amended—

Mr T. D. EVANS: As I indicated a few moments ago, the only query I have is in respect of paragraph (c) of subclause (3). I do not intend to read it again. I have not been able to ascertain quite clearly in my own mind—it may well be there but I cannot find it—in what time witnesses' statements, particularly those tendered by the prosecutor, must be tendered and in what time they must be served upon the accused so that the accused is not ambushed. By the same token I believe it would be quite improper for the defence to tender a statement and put it before the prosecution within such a time as would not allow the prosecution to give proper scrutiny to the statement. It cuts both ways.

I appreciate that the Premier may not be able to answer this question at the moment. If he is not able to do so I would appreciate it if he could make a note of it; and if there is an oversight perhaps the matter could be rectified at a later date.

Sir CHARLES COURT: I have asked for a copy of the parent Act to be produced, because the one in the file does not contain the amendment covering section 101A. It should be available in the next few minutes. If the honourable member feels strongly about this matter I am only too happy to arrange for the Committee stage to be postponed until a later stage of the sitting.

My understanding is that the wording of the Bill is very clear. The papers must be tendered in the appropriate form; in other words, they would have to be tendered in advance of the hearing of the case by the magistrate. Therefore, he must be the one to determine whether there has been adequate service so far as time is concerned.

The honourable member does not raise a query on the form of tendering, but on the timing of it. I will have the matter

examined and report back to him. My understanding is that the magistrate hearing the case will determine whether ample time has been allowed so that, to use the words of the honourable member, the accused is not ambushed. I can understand the significance of what he has said. If a person has a 20-page document placed in front of him and has only 10 seconds to provide an answer, it is unreasonable. I understand, however, the honourable member does not desire to defer the Committee stage.

Clause put and passed.

Clauses 5 to 16 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Sir Charles Court (Premier), and passed.

JURIES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th May.

MR T. D. EVANS (Kalgoorlie) [3.03 p.m.]: For the reasons I outlined when speaking to the previous Bill, the Opposition raises no objection to it and sees no reason why it should not be passed.

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

Bill read a third time, on motion by Sir Charles Court (Premier), and passed.

CRIMINAL CODE AMENDMENT BILL

Second Reading

Debate resumed from the 19th May.

MR T. D. EVANS (Kalgoorlie) [3.05 p.m.]: This is the third Bill in the series to which I referred earlier. It is largely consequential on the passage of the main Bill, the Justices Act Amendment Bill. This Bill contains one or two provisions to which I would like to make some brief reference.

Section 19 (6a) of the Criminal Code, which was last amended last year, does provide the procedures to be adopted in dealing with a person under the age of 18 years who is brought before the court for conviction. The section I have referred to requires that the young person must be brought before the court on indictment. However, there is a provision in the Child Welfare Act—to be found in section 20 (3) (c)—whereby a young person under the age of 18 years can be

tried in the Children's Court, but under certain circumstances he must be brought before the Supreme Court to be sentenced. That procedure does not permit the young person to be brought before the Supreme Court on indictment.

Obviously there is conflict between those two provisions. The Bill seeks to remedy that conflict by deleting from section 19 (6a) of the Criminal Code the requirement that young persons brought before the Supreme Court must be brought there on indictment.

That is all that the Bill before us seeks to do. The Opposition raises no objection to that provision or to the Bill as a whole.

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

Bill read a third time, on motion by Sir Charles Court (Premier), and passed.

CHILD WELFARE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th May.

MR T. D. EVANS (Kalgoorlie) [3.09 p.m.]: This is the fourth of the series of measures to which I have referred. It is completely consequential on the passage of the major Bill, the Justices Act Amendment Bill, which has just been passed; hence there is no reason to speak to the measure before us. The Opposition raises no objection to it.

SIR CHARLES COURT (Nedlands—Premier) [3.10 p.m.]: I would like to thank the member for Kalgoorlie for his co-operation with regard to this Bill which is consequential on a previous measure. In view of the fact that this consequential Bill relates to the Justices Act Amendment Bill, on which a query was raised by the honourable member, I would like to supply the information which I now have available.

The justices shall direct the prosecutor to serve or cause to be served on the defendant, and lodged with the clerk of petty sessions, at least four days before the hearing is to be resumed, a copy of the written statement by each person which the prosecution proposes to tender in evidence or to be used in evidence under subsection (2) of section 69 of the Justices Act. That appears to give reasonable security that the accused will not find himself confronted with something from the prosecution which is unfair to the accused because of the shortage of notice. I hope that explanation is satisfactory to the honourable member.

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

Bill read a third time, on motion by Sir Charles Court (Premier), and passed.

SUPREME COURT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th May.

MR BERTRAM (Mt. Hawthorn) [3.13 p.m.]: This appears to the Opposition to be a Bill which is consequential on an amendment to the Constitution Acts Amendment Act and which I think became law just before Parliament rose last year. The amendment at that time was designed to increase the number of members in the Cabinet from 12 to 13. As was pointed out on that occasion, the Government did not have a mandate to increase the Ministry, but the fact of the matter is—and being realistic—that increase has occurred and it has been manifested in a number of ways, more particularly by the fact that we have now in Western Australia—and I think for the first time as this Bill would indicate—not a Minister for Justice or an Attorney-General, but both a Minister for Justice and an Attorney-General.

It appears from a reading of the Bill, and from the Minister's second reading speech in respect of it, that certain difficulties have arisen. The purpose of having the two Ministers has been, to some significant extent, frustrated because of certain laws which require the Attorney-General to do things and in respect of which he only can act and which he cannot delegate to anybody else, whether he be the Minister for Justice or any other Minister.

As I have intimated, we were most unimpressed by the fact that Cabinet was increased in size without the Government having any warrant to do so. However, it has happened and the public is, of course, paying the additional dollars involved in the exercise. It is now a fact of life and if we are to have two Ministers dealing with this matter then we have to strive, surely, on behalf of the people to get efficiency or our money's worth from them. Any impediment to that procedure should be removed, and the purpose of this Bill is to do just that.

For those reasons, and because the Bill will do what it purports it will do, the Opposition supports it.

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

SIR CHARLES COURT (Nedlands—Premier) [3.17 p.m.]: I move—

That the Bill be now read a third time.

I thank the honourable member for his co-operation in the passage of the Bill.

Question put and passed.

Bill read a third time and passed.

EAST PERTH CEMETERIES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 11th May.

MR A. R. TONKIN (Morley) [3.18 p.m.]:

The Opposition does not intend to make a Batrachomyomachy out of this Bill and, accordingly, supports it.

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

Bill read a third time, on motion by Mr P. V. Jones (Minister for Conservation and the Environment), and transmitted to the Council.

UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th May.

MR BRYCE (Ascot) [3.20 p.m.]: This Bill, and the one following it on the notice paper, are very small measures, and we have no opposition to the substance of them at all.

The Statutes provide that the Director-General of Education shall be a member of the Senate of both the Murdoch University and the University of Western Australia. We are now debating a machinery measure to allow a representative of the Director-General of Education—rather than the man or woman holding that position—to serve on the senate of these universities. We have absolutely no objection to this procedure and we support the Bill.

MR GRAYDEN (South Perth—Minister for Labour and Industry) [3.21 p.m.]: I thank the Opposition for its support of 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

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

MURDOCH UNIVERSITY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 19th May.

MR BRYCE (Ascot) [3.23 p.m.]: I am tempted to say "ditto", but I will say the correct and proper thing: we support 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

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

LIQUOR ACT AMENDMENT BILL

Second Reading

Debate resumed from the 11th May.

MR SKIDMORE (Swan) [3.25 p.m.]: The Bill before the House is one that will create many problems for many people. When it comes to a question of interfering with what a lot of us believe are our basic rights to enjoy an opportunity to drink alcoholic beverages with our friends, at any time and seven days a week, we find many differences of opinion. However, when we consider the service side of the industry we realise we must protect the working life of the employees in hotels, clubs, taverns, licensed restaurants, etc. Although that statement sounds very simple, because of the number of people employed in a variety of jobs in this industry, we must realise we are dealing with complex legislation.

Any Government which seeks to amend or alter the liquor laws in this country will end up favouring some of our population and causing a lot of unhappiness to others.

I find myself as perplexed as anyone else when considering what has been achieved so far. Members will recall that a similar Bill was introduced last year, and a stormy debate ensued. So many associations are concerned, and quite rightly so, about what is good from their particular point of view. Every one of these organisations concerned with the liquor industry has a basic right in this democracy of ours to put forward its opinion.

So wide and diverse are the opinions on this matter that it is almost impossible for legislators to put together a composite Bill

from the amendments suggested. It must be remembered that these amendments are to be written into the Liquor Act of 1970.

Although extensive preparation went into the Liquor Act at that time, it failed to meet the requirements of the Government of the day. It has been amended since that time, and further amendments are before us today. I do not know why it is that this particular legislation should cause such concern. My own personal feeling is that the restrictions imposed under this Act are too ridiculous for words. If one goes overseas, one can see the result of people being able to drink liquor in what I would call, for want of a better term, a civilised manner. In European streets, we see people sitting at tables on a Sunday afternoon and enjoying their wine or beer. There is no restriction as to time. In this country we are getting back to the old days of the 6.00 p.m. swill when people endeavoured to drink as much as possible before closing time. In fact, that whole system just did not work.

Whatever anyone says to the contrary, the measure before us will reduce the number of hours during which we can purchase alcohol. The argument put forward for this move was that we should stop people travelling from hotel to hotel or from tavern to tavern to extend their drinking period by an hour. What a lot of rot! This measure simply places restrictions on people who do not want them, and for which there is no need.

I have obtained a variety of opinions on this matter, and I believe it is a good idea to go out amongst the people and, by undertaking a little research, to find out their point of view. I simply walked into bars, said who I was, and asked the customers and staff what they thought of our liquor laws.

It has its drawbacks. One needs to ensure one has a good taxi driver to take one home, otherwise one could be in trouble. At least in this way I was able to ascertain what the common man wants—the man who fronts up to the bar and wants to drink beer. The opinion I formed was that the average person felt no further restrictions should be placed on the liquor trade other than those which exist at the present time. When one comes back to the Bill and asks oneself whether in a general sense it does or does not impose further restrictions, one finds that of course it does.

In his second reading speech the Minister traversed an area which is of concern to me, and I find what he said difficult to reconcile with the Act as it stands at the present time. The Minister referred to the problem associated with the people who attend Sunday sessions and cause a certain amount of trouble in and around the hotel or parking area by getting drunk and causing fights. He rather blew up the picture by saying there could be a near riot.

I do not agree. When people drink alcohol, not only on a Sunday, but also on a Monday, a Tuesday, or a Wednesday—any day of the week at any given time—trouble can arise. Because of present-day mobility, some people find it quite an experience to get into their motorcars, go to an hotel, make it their headquarters for a week or so, and annoy everybody in the area by their behaviour; and when things become too tough for them they move on to another area and cause more trouble. But are they as bad as the police, licensees, and so on make them out to be? I doubt it very much. I think it is just that such a person does not conform to our social standards.

I do not condone attacks on people with broken bottles, and so on. But surely we must realise it is a minority who attack and assault people in that way. One wonders whether there is any validity in taking a sledge hammer to crack a peanut, as the Minister seems to be doing with this Bill. In other words, does applying a heavier penalty make people more observant of their responsibilities under the Act?

The workers in hotels are still in difficulty under this Bill, which demands that they determine whether or not a person has had as much alcohol as he is entitled to have and should move on. If a barmaid or a barman undertook that responsibility by saying, "Charlie Brown, you have had too much beer; you must leave", the public would be around his or her neck very smartly. On the other hand, the employee could say, "He is a good customer of ours; should he or should he not have more alcohol?" We will then impose a burden on the worker. What will he do? He will do what he has done in the past; he will say, "Why should I place myself in the position of going through the charade of saying to somebody, 'You are intoxicated; you will get no more drink'?" The worker does not want to accept the responsibility, so he sends for the bar manager or licensee to do the job; and by the time the licensee is found a donnybrook has taken place in the bar or the person concerned has become quite obstreperous and upset everybody. The poor barmaid and barman get into trouble either way; they cannot win. But we will impose a penalty on these people when they find it impossible to do their job. That is one aspect.

The Minister indicated in his second reading speech that he wanted to give the police more powers. He said—

The Bill incorporates many items from the 1975 Bill, and several new proposals of importance, including those which are designed to meet the problems of unruly behaviour on licensed premises generally and Sunday liquor trading, especially in present circumstances where there is a

definite link between the driver who drinks to excess and the road toll.

The sins of the drinker are always tied up with the driver of a motorcar. It seems we have adopted the general attitude that anybody who drinks is to be looked upon as a potential danger to people on the streets or roads when he leaves licensed premises. I do not subscribe to that attitude, and I do not believe the police and the Minister subscribe to it. However, the inference in the Minister's speech is that it is a problem area. Otherwise, why is it specifically mentioned? The person who drinks alcohol under those circumstances is regarded as being an accident on its way to happen, and this is emphasised.

I think the normal powers of the police under the Police Act are sufficient to control this problem, if the Act is administered in a fair way by a policeman going up to a fellow and saying, "I think you have had too much to drink; do not drive your car; leave it and get a taxi or walk home." I do not hold with this business of setting up an amphetamine or radar trap and hoping to catch people.

A club in which I have an interest obtained a late evening licence and was harassed by two sections of the Police Force, firstly by a radar trap, and secondly by licensing inspectors coming around to inquire why the club was lit up at 1.30 a.m. The episode has a humorous side to it. The first person who was caught walked back to the club and put everybody wise, and the club provided taxis to take people home, so they left their cars in the car park. However, the lights in the club were left on and the liquor boys thought a carousal was in progress, so they raided the place but could not get in because nobody was there.

This illustrates that we must consider whether or not the police have sufficient control of the situation at the present time. I believe they have. I do not want to delve deeply into the matter, but I believe section 24 of the Liquor Act, 1970, quite adequately covers all the matters in part VIII of this Act, relating to offences and legal proceedings. There is very little need to incorporate in the Liquor Act stringent provisions in relation to the committing of offences against the Act. It seems to me to be needless to do so. As I said earlier, it is like taking a sledge hammer to crack a peanut.

The Bill sets out trading hours of licensed premises in the inner zone, being that area of the State which is within a radius of 160 kilometres of the Perth G.P.O., and the outer zone, being all that part of the State which is not within the inner zone. The court may have regard for special circumstances in the outer zone and vary the hours of trading.

If we are to have any sense in the liquor laws of this State, we should be more positive in our thinking. The Bill draws an imaginary circle with a radius of 160 kilometres from the G.P.O. If one happens to be 159 kilometres from the G.P.O. one is in the inner zone; if one is 161 kilometres from the G.P.O., one is in the outer zone. That creates a false situation. We must draw a line somewhere but why do we have an inner zone and an outer zone?

Is there some peculiarity attaching to drinkers in Kalgoorlie compared with drinkers in the metropolitan area? Is there a difference between a drinker in Broome and a drinker in Albany? Is there any reason that each and every person should not enjoy the privilege of saying when he should stop drinking? Is the Government trying to restrict alcoholics by saying, "We will close this place so that you have three or four hours in which to dry out", and doing this by compulsion? Do we have the right to restrict in this nature the drinking rights of people in Western Australia?

If we are going to do anything we should do it with a firm hand; there should be no ifs or buts. There should be a levelling of all people throughout the State so that everyone has the same drinking rights, and if a person steps outside what is laid down he breaks the law. I can find no reason for this 100 kilometre distance. I do not know why it was introduced, because the Minister did not bother to tell us. As far as I am concerned it might just as well be 155 kilometres, in which case we may find another 10 to 12 hotels could be subject to the relaxation of drinking hours.

This Bill seems to me to be a rather miserable attempt to do something with our liquor laws. It seems to me we need relaxation of our laws, as distinct from the imposition of further controls. I believe the great mass of people accept their drinking rights with a degree of concern and responsibility, and those people should have their rights protected. There is no reason for us to find ourselves subject to legislation which controls the minority but forgets about the majority.

It seems to me the great calamity in this country is that legislators are hell-bent on imposing standards on others, when all that is needed is a balanced and candid approach to the problem; we should allow the majority to determine what will happen in respect of their drinking laws, and when it comes to the drinking driver let other laws look after that.

Why should we make the Liquor Act more or less a vehicle for police control? Surely to goodness it is not reasonable that the person who drinks in moderation should have to front up for the person who drinks to excess and creates a nuisance. That is the essence of my attitude to this legislation.

The Minister also said an amendment is proposed to repeal sections of the Act relating to hotels, taverns, and wine houses, which authorise the Licensing Court to grant an additional hour of trading on a Sunday. Goodness gracious me! The present law says, "You cannot have an extra hour's trading, but if you submit a good enough plod you can have it." The Act says that if the licensee proves to the court that he is entitled to an extra hour because of the circumstances of his locality, he may have it. Surely this should apply to the metropolitan area and to all other places. What is the difference between a tavern at Armadale and a tavern at Warwick? Is there any great difference which entitles one to have an additional hour's trading? This seems to me to be a useless exercise in control.

It could be a money-spinner; a licensee could have an additional hour's trading for, say, a fee of \$30, and I suppose this would help to offset some of the losses of running the court.

One must look at these problems and identify them. Much was said in the Minister's speech about unruly behaviour. He proposes more extensive penalties to be imposed on people whose behaviour is unruly. The Minister also made note of the fact that other laws may provide more stringent penalties. However, we are putting more penalties into the Liquor Act, and this will disadvantage the worker who has to serve liquor in a hotel, tavern, or restaurant. Those workers will be caught in a cross-fire; on the one hand they will have to comply with the Act or they will be in trouble with the police, and on the other hand, if they do that they will be in trouble with the public. The whole matter becomes a farce.

Leave to Continue Speech

I seek leave to continue my speech at a later stage of the sitting.

The SPEAKER: As there is no dissentient voice, leave is granted.

Debate thus adjourned to a later stage of the sitting.

Sitting suspended from 3.45 to 4.03 p.m.

QUESTIONS (70): ON NOTICE

1. GREY KANGAROOS

South-west Shire Districts: Cropping

Mr A. R. TONKIN, to the Minister for Fisheries and Wildlife:

- (1) What is the population of grey kangaroos in south-west shires?
- (2) What is the recruitment rate of this population?
- (3) What is the sustainable yield?
- (4) If the above information cannot be given, what is the rationale for the cropping programme?

- (5) What is the policy of the Fisheries and Wildlife Department with respect to these kangaroos?
- (6) What are its management objectives?

Mr P. V. JONES replied:

- (1) to (3) Not known.
- (4) to (6) The rationale for the cropping programme has been designed to ensure the long term survival of the grey kangaroo while at the same time allowing the land holder to protect his crops from damage caused by these animals. The details of the grey kangaroo management programme are explained in a leaflet which is now tabled.

The paper was tabled (see paper No. 263).

2. VEHICLE STANDARDS REGULATIONS

Trailers

Mr A. R. TONKIN, to the Minister for Transport:

- (1) Is it intended that the vehicles standards regulations pursuant to the Road Traffic Act will be amended so that non-commercial builders of trailers will not be able (or find it impracticable) to continue to build such trailers?
- (2) When will these regulations be implemented?

Mr O'CONNOR replied:

- (1) and (2) The Australian Transport Advisory Council has endorsed amendments to the draft regulations which, if adopted in full, would create significant difficulties for non-commercial trailer manufacturers.

For this reason, and because of difficulties of ensuring compliance with the proposed standards, they will not be implemented in Western Australia until a study has been made as to which, if any, will be adopted.

3. STATE FORESTS

Sawmill Licences

Mr A. R. TONKIN, to the Minister for Forests:

- Will he table a list of wood products (sawmill) licences, including the—
- (a) licence numbers;
 - (b) names of holders;
 - (c) names of mills holding the concessions;

- (d) the annual volume of timber which each concession permits to be cut;
- (e) the period which the licence covers or the date of expiry?

Mr RIDGE replied:

I have for tabling a list of forest produce (sawmill) licences. It includes—

- (a) licence numbers;
- (b) names of holders;
- (c) names of mills holding the licences;
- (d) the annual volume of timber cut under each licence;
- (e) the date of expiry of each licence.

The attention of the member is drawn to the following—

- (a) there are no licences titled "Wood Products (Sawmill)".
- (b) the procurement of saw logs no longer comes under concession.

The paper was tabled (see paper No. 264).

4. WATER SUPPLIES

Gnangara Mound: Bores

Mr A. R. TONKIN, to the Minister for Water Supplies:

- (1) How many bores are in operation north of the Swan River and which provide water for the MWSSDB?
- (2) Are all of these extracting water from the Gnangara Mound?
- (3) If not, what are the details?
- (4) For each of the bores referred to in (1)—
 - (a) what is the year in which it first came into operation;
 - (b) what is its daily (or weekly) production?
- (5) Will he table a map showing the position of the bores referred to in (1) and (6) and also showing the wetlands referred to in (7)?
- (6) What bores are expected to come into production in the area referred to in (1) above—
 - (a) by the end of 1976;
 - (b) during 1977;
 - (c) during 1978;
 - (d) during 1979;
 - (e) during 1980?
- (7) What wetlands will be affected by this pumping?
- (8) Which of the wetlands referred to in (7) are reserves?

- (9) What degree of drawdown of the water table is expected as a consequence of pumping—

- (a) by the end of 1976;
- (b) by the end of 1977;
- (c) by the end of 1980?

- (10) What effect is expected from this drawdown on—
 - (a) vegetation;
 - (b) wetlands?
- (11) What research has been conducted to substantiate the answers to (9) and (10)?
- (12) Will he table the result of such research?
- (13) Are the figures referred to in (4) (b) based on 100 per centage capacity of the particular bore?
- (14) If not, upon what percentage are they based?

Mr Ridge (for Mr O'NEIL) replied:

The information is not readily available and the member will be supplied with the answers to his questions by letter.

5. ENVIRONMENTAL PROTECTION

Gnangara Mound: Pumping of Water

Mr A. R. TONKIN, to the Minister for Conservation and the Environment:

- (1) How has his department been involved in the research into environmental effects likely to arise from the increased pumping of water from the Gnangara Mound north of the Swan River?
- (2) Will he table the results of the research?
- (3) How many officer-hours have been spent on the matter, or, how many officers have been engaged full time on the research and for how long?
- (4) What wetlands will be affected by the progressive increase in pumping?
- (5) What will be the precise effect upon each of the wetlands of this pumping?
- (6) What will be the effect of this pumping upon vegetation in the area?
- (7) What research has been done to substantiate the answer given to (6)?
- (8) Will he table a map showing the wetlands to be affected and indicating their status (such as reserves and so on)?

Mr P. V. JONES replied:

- (1) to (5) Discussions at senior officer level have been held with officers of the Metropolitan Water

Board. Additionally the Environmental Protection Authority has requested the Metropolitan Water Board to initiate research into the ecology, hydrology and artificial maintenance of Lakes Jandabup and Mariginup, and further consider the implications of any possible regional groundwater decline on the nearby wetlands and forest. The matter is still being studied.

- (6) and (7) The matter is under investigation.
- (8) I understand that the Minister for Works will be writing to the member and these data may be included in the letter.

6. SCHOOL AND HIGH SCHOOL: WAROONA

Public Address System

Mr SHALDERS, to the Minister representing the Minister for Education:

- (1) What is the anticipated cost of providing a public address system at the primary school section of the Waroona District High School?
- (2) When is it anticipated that the primary school section of the Waroona District High School will be consolidated to the high school site?
- (3) If no definite date can be given to (2), will the Minister give consideration to providing a public address system at the primary school section of the school?

Mr GRAYDEN replied:

- (1) Full estimates have not been made but the cost could approximate \$2 000.
- (2) A date for consolidation has not been decided.
- (3) Installation of a full system will be dependent upon fund availability. The provision of radio receivers for each classroom has been a satisfactory and much cheaper solution.

7. PRE-SCHOOL CENTRES

Tenders for Units

Mr SHALDERS, to the Minister representing the Minister for Education:

- (1) Will the Minister list the areas where tenders were called during 1975-76 for—
 - (a) single unit pre-school centres;
 - (b) double unit pre-school centres, with the approval of the W.A. Pre-School Board?
- (2) What was the anticipated original estimate of cost of each unit referred to in (1) (a) and (b)?

- (3) Which of the units referred to in (1) (a) and (b) were found to exceed the original estimate of cost, and by how much?
- (4) For what reason did the Pre-School Board delete Dwellingup from the 1975-76 building programme?
- (5) When is it anticipated that the Pre-School Board will be in a position to approve tenders being re-called for the Dwellingup centre?

Mr GRAYDEN replied:

- (1) to (5) The information sought in this question entails considerable research and will be supplied to the member when available.

8.

TRAFFIC

Fatal Accidents: Mechanical Failures

Mr SHALDERS, to the Minister for Traffic:

- (1) Will he please advise the number of vehicle accidents which have occurred in 1975-76 resulting in fatal injuries to one or more of those in the vehicles?
- (2) In how many accidents from (1) has it been established that mechanical failure played some part?

Mr O'CONNOR replied:

- (1) From 1st July, 1975, to 20th May, 1976, there were 173 vehicle accidents resulting in 191 driver and passenger fatalities.
- (2) Statistics are not maintained in this area.

9. LEAGUE FOOTBALL MATCH

Sunday Permit

Mr BERTRAM, to the Premier:

Is it to be understood that he or his Government consulted no organisations other than those mentioned in his answer to question 2 of the 13th May, 1976, regarding the acceptability of the proposal to have league football games played on Sundays?

Sir CHARLES COURT replied:

As stated in reply to question of the 13th May, no organisations were specifically consulted with regard to the approval granted to the WANFL to hold league games on the 9th May and the 13th June. The Government has consulted with other organisations in regard to the proposition of league games generally being permitted on Sundays.

As previously stated, those inquiries indicate opposition to WANFL games being played on Sundays as part of some regular arrangement.

The two games approved were a trial only, and create no precedent for the future.

10. BUILDING INDUSTRY *Faulty Plastering Work: Court Decision*

Mr BERTRAM, to the Minister representing the Attorney-General:

Is it not a fact that a metropolitan local court has held that a builder was entitled to set off and/or counter claim successfully from his plastering contractor the cost of faulty plaster work applied for him by said plastering contractor following the use of faulty lime?

Mr RIDGE replied:

As the member would know, local court cases are not reported. At this stage it is not known whether a finding has been made as indicated by the member.

Inquiries are continuing and the member will be advised of the outcome.

11. *This question was ruled inadmissible by the Speaker.*

12. PETROL *Standard*

Mr BERTRAM, to the Minister for Consumer Affairs:

- (1) Is it a fact that the standard of petrol being supplied to consumers in Western Australia is inferior to that being enjoyed by consumers in most other Australian States?
- (2) If "Yes" in what respect is this inferiority manifested?
- (3) Does this inferiority cause spark plugs to malfunction prematurely?
- (4) Does this inferiority cause many consumers to purchase costly additives to make the petrol cleaner and nearer to acceptable standard and performance?

Mr GRAYDEN replied:

- (1) to (3) I am advised that there is no evidence to suggest that petrol being supplied to consumers in Western Australia is of a lower standard than that available in other Australian States.

The octane rating of petrol throughout Australia is fixed by the Department of Customs and Excise. The current octane ratings are: Super 98 and Standard 89.

- (4) I am advised there is no inferiority in Western Australian petrol and any purchase of petrol additives is purely an option exercised by the individual.

13. AUSTRALIAN CONSTITUTIONAL CONVENTION

Participation by Western Australia

Mr BERTRAM, to the Premier:

- (1) (a) Are he and his Government going to permit this State to participate at the Federal Constitutional Convention scheduled to be held later this year;

(b) If "Yes" why?

- (2) Apart from the fact that Liberal and Country Party leaders presumably will not be meeting separately at a near venue and at the same time as the Convention, what are the altered circumstances from those which were said to justify the withdrawal of this State's representation and services at the last meeting of the said convention which was held shortly before 11th November, 1975?

Sir CHARLES COURT replied:

- (1) (a) and (b) By resolutions dated August, 1974, passed by both Houses of the Parliament of Western Australia the Parliament agreed to continuing participation in the Australian Constitutional Convention.
- (2) I cannot predict what the circumstances might be when the Convention meets later this year.

14. ALEXANDER DRIVE AND BEACH ROAD

Extension

Mr BERTRAM, to the Minister for Transport:

- (1) When is it expected that Alexander Drive and the continuation thereof which is Uganda Road shall be available for traffic to Beach Road?
- (2) Similarly, when will Beach Road become available to traffic to Uganda Road?
- (3) What is the timetabling for the availability to traffic of any portions of each of Uganda Road and Beach Road up to the point where they intersect?

Mr O'CONNOR replied:

- (1) to (3) These roads are the responsibility of the Stirling City Council which is carrying out the current works and should be in a position to supply the requested information.

15. POSTAL SERVICE

Busselton: Disruption

Mr BERTRAM, to the Minister for Labour and Industry:

- (1) Is he satisfied that the peace and quiet and adequate postal services have been restored to the people of Busselton since the Dracup affair was resolved?
- (2) How many people in and about Busselton were inconvenienced by the Dracup affair?
- (3) (a) Does he expect that further unrest such as that which occurred in the Dracup affair will continue to occur until the next State election;
(b) if "Yes" what action has he taken and does he intend to take concerning this?
- (4) (a) What form did his liaison with the Commonwealth Conciliation and Arbitration Commission take in the Dracup affair; and
(b) to what extent and in what way was the liaison fruitful to the State more particularly to the people in and about Busselton?

Mr GRAYDEN replied:

- (1) Yes, I have been assured that normal postal services have been restored to the people of Busselton.
- (2) All postal users in and about Busselton were inconvenienced during the dispute.
- (3) (a) and (b) No.
- (4) (a) and (b) The Department of Labour and Industry was directed to maintain close liaison with the Commonwealth Conciliation and Arbitration Commission during the dispute and also to express the deep concern of the Government not only in the interests of the people in and about Busselton but of any possible spread of the dispute to other areas of the State.

16. ROSSMOYNE HIGH SCHOOL

Changerooms: Report

Mr BATEMAN, to the Minister representing the Minister for Health:

- (1) Has the Minister received a report by the Public Health Department's representative, Sister de

Kleer, regarding the unsatisfactory condition of the Rossmoyne Senior High School changerooms?

- (2) If so, what action is his department taking regarding Sister de Kleer's report?

Mr RIDGE replied:

- (1) Yes.
- (2) Following normal procedure this report was forwarded to the Director of Secondary Education for his attention and further action, if considered necessary.

17. CONSERVATION AND ENVIRONMENT COUNCIL

Membership

Mr A. R. TONKIN, to the Minister for Conservation and the Environment:

- (1) Who are the present members of the Conservation and Environment Council and which 'interests' do they purport to represent?
- (2) When does the term of appointment expire for each of those members?

Mr P. V. JONES replied:

- (1) and (2) I seek leave to table the report.

The report was tabled (see paper No. 265).

18.

POTOROO

Funds for Research

Mr A. R. TONKIN, to the Minister for Conservation and the Environment:

- (1) What has been the result so far of the grant of \$9800 by the Australian Government to the Department of Fisheries and Wildlife for research on two species of potoroo?
- (2) What are the species of potoroo concerned and in what localities is their habitat to be found?
- (3) What estimates are made as to the numbers of each species in the various habitats referred to?

Mr P. V. JONES replied:

- (1) The study will conclude in October, 1976, after which a final report will be prepared. A report of work to November, 1975, is on file and will be made available to the member if he so desires.
- (2) The species are the Broad-faced Potoroo (*Potorus platyops*) and Gilbert's Potoroo (*Potorus tridactylus gilberti*). The known possible localities are mainly along the south coast. More detailed information is given in the interim report referred to in (1).

(3) No evidence of survival of either of these two species in Western Australia has so far been obtained. However, the department is still optimistic that Gilbert's Potoroo will be shown to have survived.

19. MELALEUCA PARK, WANNEROO

Forests Department Survey

Mr A. R. TONKIN, to the Minister for Forests:

- (1) Has the Forests Department commissioned a biological survey of Melaleuca Park, north of Wanneroo?
- (2) What will be the cost of the survey and what are its terms of reference?
- (3) When is a report, either interim or official, expected?

Mr RIDGE replied:

- (1) to (3) No; but the Western Australian Naturalists Club has been invited to use Melaleuca Park for its own biological study purposes and also to make recommendations to the Forests Department on any matters which could lead to the improved management of the park.

20. ENVIRONMENTAL PROTECTION ACT

Invoking of Sections 60, 61, 63, 66, 77 and 88

Mr A. R. TONKIN, to the Minister for Conservation and the Environment:

- (1) Upon what occasions have the following sections of the Environmental Protection Act been invoked, utilised or put into effect—
60(1), 60(3), 61(1)(a), 61(1)(b), 63(1), 66(10), 77, 88(2)(a), 88(2)(d), 88(2)(h), 88(2)(f), 88(2)(j), 88(2)(k), 88(2)(l), 88(2)(m), 88(2)(n), 88(2)(o), 88(2)(q)?
- (2) What are the details of each such action?

Mr P. V. JONES replied:

- (1) and (2) Nil.

21. WHALING INDUSTRY *Government Policies*

Mr A. R. TONKIN, to the Minister for Fisheries and Wildlife:

- (1) What is the Government's policy towards the whaling industry and, in particular, proposals for a ten year moratorium on the catching of whales?

(2) Has it had discussions with the appropriate section of the Australian Government as to what Australia's attitude should be at the meeting next month of the International Whaling Commission?

- (3) If so, will he table results of the talks?
- (4) Is there substantial agreement between the two Governments?
- (5) If not, what are the differences?
- (6) What is the recommendation of the scientific committee of the IWC regarding the continued catching of whales?
- (7) Will he table the appropriate document referred to in (6)?

Mr P. V. JONES replied:

- (1) The Government's policy is that rational exploitation of the whole stocks should be permitted based on the advice of the scientific committee of the International Whaling Commission. The Government does not support a ten year blanket moratorium.
- (2) Yes.
- (3) The results of the talks have been complete agreement between the two Governments on whaling policy.
- (4) and (5) Yes.
- (6) The scientific committee will not meet until the week prior to the next meeting of the International Whaling Commission which is to be held in London during the week commencing 21st June, 1976.
- (7) Arrangements are in hand to obtain the latest report of the International Whaling Commission. This will be made available to the member when it is received.

22.

POLICE

Sydall Report: Tabling

Mr T. H. JONES, to the Premier:

- (1) In light of the release of the Laverton Royal Commission report and in the light of his comments that the Royal Commission did not reveal anything that was not already known, will he now table a copy of the Sydall report?
- (2) If not, why not?

Sir CHARLES COURT replied:

- (1) and (2) No, for reasons previously stated.

23.

POLICE*Laverton Royal Commission:
Examination of Findings*

Mr T. H. JONES, to the Premier:

- (1) Has the Crown Law Department been asked to examine and make recommendations concerning the findings of the Laverton Royal Commission?
- (2) If not, why not?
- (3) If so,
 - (a) will the department also have access to the transcript of evidence and exhibits of the Royal Commission;
 - (b) what are the terms of reference of the investigation;
 - (c) when will the investigation be completed; and
 - (d) will the recommendations be tabled?

Sir CHARLES COURT replied:

- (1) to (3) A special committee has been to the area to investigate what further action could be taken.

The committee has now returned to Perth and its report is awaited. This will be referred to and considered by the Crown Law Department, in conjunction with all other information available.

24.

POLICE*Laverton Royal Commission:
Reports by Ministers*

Mr T. H. JONES, to the Premier:

- (1) With reference to his answer to my question 13 on Wednesday, 19th May, 1976, concerning the Laverton Royal Commission, have the two Ministers yet reported to the Government?
- (2) If not, when are their reports expected?
- (3) Has any time limit been placed on the completion of their reports?
- (4) Will they be reporting to him or to Cabinet?

Sir CHARLES COURT replied:

- (1) and (2) Yes, by way of interim report.
- (3) No; except to ask the Ministers to move with the maximum despatch they can, having regard for the complexities of the matter under study.
- (4) Both.

25.

POLICE*Laverton Royal Commission:
Possible Charges*

Mr T. H. JONES, to the Minister for Police:

- (1) With reference to his answer to my question 14 on Wednesday, 19th May, 1976, concerning the Laverton Royal Commission, is the Commissioner of Police personally conducting the inquiry into possible charges?
- (2) If not, who is conducting the inquiry?
- (3) Has the Commissioner yet reported to the Minister?
- (4) If not, when is his report expected?
- (5) Has the Minister set a deadline for the completion of the report?
- (6) If so, what is that deadline?

Mr O'CONNOR replied:

- (1) No, he is supervising the inquiries.
- (2) Chief Superintendent Porter and Inspector Wilson.
- (3) Yes, he has kept the Minister informed verbally.
- (4) Because of the complexities of the inquiries, no definite date can be set for its completion.
- (5) and (6) No.

26

DAIRYING*Overseas Markets, Imports,
and Production Cuts*

Mr BLAICKIE, to the Minister for Agriculture:

- (1) Has he had discussions with representatives of the dairy and whole milk sections of the Farmers Union concerning the critical overseas marketing situation for Australian dairy produce?
- (2) Is it correct that consideration is currently being given to manufacturing produce cuts and quotas in Australia and would he further advise what is the—
 - (a) industry policy in Western Australia;
 - (b) the Western Australian Government policy in this regard?
- (3) With manufacturing cuts of up to 20% indicated for Western Australia will he advise whether this will apply to all producers including those with market milk entitlement?
- (4) What is the current yearly amount and value of imports of dairy produce into Western Australia from—
 - (a) other Australian States (by State, value and amount);

- (b) overseas?
- (5) (a) Is he aware that production cuts will create hardship to individual producers; and
- (b) would he indicate any assessments that have been made?
- (6) If "No" to (5) (b), would he undertake to have his department evaluate to what level of production cut those producers with recent market milk entitlement can sustain to at least continue in the Western Australian dairy industry with some degree of viability?

Mr OLD replied:

- (1) Yes.
- (2) (3) (5) and (6) Discussions are proceeding with the Commonwealth and with responsible Ministers from other States in order to develop proposals which will ensure a stable and viable dairy industry in Australia.
- In these discussions my prime consideration is the negotiation of an arrangement which will achieve the best possible result for dairy farmers in Western Australia.
- (4) The latest published information from the Australian Bureau of Statistics is tabled.

The paper was tabled (see paper No. 277).

27. BEEKEEPING

Honey and Pollen Production

Mr BLAIKIE, to the Minister for Agriculture:

- (1) Would he advise the number of—
- (a) apiarists;
- (b) hives,
- of recognised beekeepers in Western Australia?
- (2) Can he indicate the number of persons employed in the production sector of this industry?
- (3) (a) In year ended 30th June, 1975 what was the value of honey to—
- (i) export market;
- (ii) local market; and
- (b) can he indicate those countries purchasing honey?
- (4) Is his department aware of developments in pollen production and if so can he indicate—
- (a) value and current production of pollen; and
- (b) the potential to further develop this aspect of agriculture?

- (5) Can he advise of any methods being used by his department to ensure improvement of hive production, i.e., importation of breeding stock, disease control and quarantine measures, where and if any?

Mr OLD replied:

- (1) (a) 1425 apiarists are registered with the department;
- (b) 39 000 (estimated).
- (2) This is not known to my department.
- (3) (a) (i) \$893 000*;
- (ii) This is not known but it is believed to be in the order of \$500 000.
- (b) Yes—
- United Kingdom,
U.S.A.,
West Germany,
Japan,
Malaysia,
Singapore,
Saudi Arabia,
Denmark,
Oman,
Indonesia,
Lebanon,
United Arab Emirates,
Kuwait,
Netherlands,
Sweden,
India,
Libya,
Mauritius,
Somali,
Hong Kong.

* Source: Twelfth annual report of Australian Honey Board.

- (4) (a) The value and amount of current production is not known.
- (b) Pollen production in Western Australia is still in its infancy but is increasing. It is considered that there is a potential for further development of this form of production.
- (5) (i) Queen bees are imported from overseas by the department and after satisfying the quarantine requirements at South Perth are released to industry.
- (ii) Outbreaks of disease in hives are investigated whenever they occur and where necessary quarantine and eradication procedures are undertaken.

28. **BUSSELTON SCHOOL***Library Facilities*

Mr BLAIKIE, to the Minister representing the Minister for Education:

- (1) Is the Minister aware of the need for improved library facilities at the Busselton Primary School?
- (2) (a) Has his department given this project any priority for the 1976-77 works programme; and
- (b) if so, would he give details?

Mr GRAYDEN replied:

- (1) Yes.
- (2) (a) and (b) When full details of both State and Federal Budgets are available, consideration will be given to this project which has already been documented.

29. **AUSTRALIAN DREDGING AND GENERAL WORKS PTY. LTD.***Blasting at Bunbury: Claims*

Mr T. H. JONES, to the Minister for Works:

Referring to the Minister's reply given on 4th May, 1976 to the Leader of the Opposition to a question without notice on blasting at Bunbury's inner harbour, when he said the Australian Dredging and General Works Pty. Ltd. had insurance cover in accordance with its contract, can he say—

- (a) was the policy with Century Insurance a special policy taken out for this project or was it the ordinary public liability policy the company has had for some time, with an extension to cover blasting;
- (b) was the policy in the joint names of the contractor and the Minister;
- (c) is there an excess on the policy;
- (d) if so, what is the amount of the excess and when did the Government first become aware of it;
- (e) is the Government happy with the form of policy arranged;
- (f) what area constituted "the site in the terms of clause 21 of the contract relating to an indemnity by the company to the Government";
- (g) what percentage of the municipal area of Bunbury Town Council was included in the site area;

(h) why did the Government feel there was a need for this indemnity;

- (i) as the Minister in his previous answer said the PWD had not sought a legal opinion on the Government's liability to residents for blasting, what then was his reason for saying in September, 1975 that it was wrong for residents to put pressure on the Government when it had been clearly stated that damage was the responsibility of the contractors (*South West Times* 16th September, 1975);
- (j) is it not a fact that there is primary liability on the Government and it is simply relying on the indemnity provision to pass this on to the company;
- (k) is the Government happy with the way settlement of blasting claims has proceeded and will it intervene to help local residents?

Mr Ridge (for Mr O'NEIL) replied:

- (a) The policy with Century Insurance was a special policy taken out for this project to cover blasting.
- (b) The policy was in the name of Australian Dredging and General Works with the co-assured being the Minister for Works and any other statutory authorities involved.
- (c) The policy was a deductible policy with Australian Dredging and General Works meeting a predetermined amount for each individual claim.
- (d) The policy is of a confidential nature as agreed between Australian Dredging and General Works and Century Insurance and details are not available.
- (e) Yes.
- (f) The area constituted "the site" in terms of clause 21 of the contract is not related to the area of responsibility of the contractor.

Clause 21 of the general conditions of Contract in this contract states that—

"the Contractor shall indemnify and keep indemnified the Minister and his servants against all losses and claims for injuries or damage to any persons or property whatsoever, which may

arise out of or in consequence of the construction and maintenance of the Works and against all claims, demands, proceedings, damages, costs, charges and expenses whatsoever in respect thereof or in relation thereto."

- (g) Not applicable.
- (h) This is standard practice in all contracts.
- (i) It was believed that damage proved to be the result of blasting is the responsibility of the contractor. Subsequent legal advice has confirmed this.
- (j) The Government does not admit primary liability for damage caused by blasting.
- (k) The Government is happy with the way of settlement of blasting claims. It has, in fact, already been encouraging early settlement of outstanding claims.

30. COMPANIES

Secret Ballots by Shareholders

Mr SKIDMORE, to the Minister representing the Minister for Justice:

- (1) Now that the Government is performing the way it is in respect of union elections and the requirement for union members to vote in the privacy of their own homes, is it the Government's intention in the interests of consistency and fairness to legislate for the same situation to be enjoyed by shareholders in companies?
- (2) If "Yes" when?
- (3) If "No" why?

Mr RIDGE replied:

I am advised that the proposals to which the member refers will be finalised only after discussions with unions and employer organisations.

Therefore any comparison with the procedures presently in operation in relation to shareholders, or the need to change such procedures by legislation is neither apparent nor valid at the present time.

31. TRANSPORT

Radio Programme

Mr McIVER, to the Minister for Transport:

With reference to his statement in *The West Australian* of 24th May, 1976, concerning the proposed radio programme on the subject of the transport industry—

- (a) at what time on 6IX radio network on 1st July will the programme commence;
- (b) what will be the cost to conduct the programme;
- (c) for how long will the programme run;
- (d) would he elaborate more fully on the subject matter of the press statement?

Mr O'CONNOR replied:

- (a) We are not putting on a radio show. The radio campaign starts on 1st June and is a series of 30-seconds commercials which have been designed to encourage small road transport operators to participate in cab contact. The commercials will be broadcasted Monday to Saturday in a variety of time-slots which have been chosen as being most likely to reach road transport operators or their families.

- (b) and (c) The estimated total cost for the planning, and running of cab contact for a trial period of 12 months to 31st May, 1977, is \$24 000.

- (d) The road transport industry in Western Australia relies heavily upon small operators. The aim of cab contact is to increase the chances of survival of these small businesses.

Cab contact is designed to do this by equipping small operators with a series of ten specially produced booklets, the titles of the first three being—

"Working for a Profit: Budgeting".

"Working for a Profit: The Records to Keep"

"Keeping the Authorities Happy".

Information in the mass media will advise small operators how they can order their set of booklets through either the West Australian Road Transport Association or the Transport Workers Union. A nominal charge of \$5 will be made for the set which will be progressively issued over the next few months.

The topics to be covered are a result of a survey of the needs of small road transport operators and professional advice.

32.

TRAFFIC***Congestion: Action***

Mr McIVER, to the Minister for Transport:

- (1) What positive action has the Government taken since it came to office in 1974 to ease traffic congestion in the metropolitan area?
- (2) What positive action has the Government taken since coming to office to upgrade transport facilities in Western Australia and what is the Government's future policy relating to transport?

Mr O'CONNOR replied:

I will forward an answer to this question to the member as soon as it is available.

33.

SCHOOL BUS SERVICE***Rockingham-Fremantle***

Mr BARNETT, to the Minister for Transport:

In view of the large numbers of children who travel from Rockingham every day to attend private schools in the Fremantle area, will he advise as to the possibility of providing a school bus for these children as opposed to the one now used which I understand is causing some concern to other MTT patrons?

Mr O'CONNOR replied:

Schools are provided by the Government in the Rockingham area. Whilst we do not challenge the right of people to send their children to the school of their choice, we do not always have the resources to be able to provide special buses to carry these children out of their residential areas. It must be borne in mind that Rockingham is only one of many areas where parents desire to send their children over long distances to private schools.

34.

TRAFFIC LIGHTS***Rockingham-Cockburn Roads Intersection***

Mr BARNETT, to the Minister for Transport:

- (1) Is he aware of the agreement by Alcoa to transfer to the Government 5½ acres of land at the Rockingham Road, Cockburn Road intersection?
- (2) When was the land offered and when will the land be resumed?
- (3) (a) Is the land to be resumed for the purpose of road works at the intersection; and

(b) if so, will there be traffic lights installed at the intersection?

- (4) What work has been done on the monitoring of traffic accidents both major and minor, traffic volume, etc., and what is the result of such monitoring?

Mr O'CONNOR replied:

- (1) to (3) (a) A total of 2.44 ha of land owned by Alcoa of Australia was gazetted for resumption by the Main Roads Department on 12th December, 1975. This land is required for improvements to the existing Hamilton Hill-Rockingham Road and negotiations are currently being held with Alcoa.

(3) (b) Yes.

- (4) Normal monitoring of accidents and traffic flow has been conducted at this intersection and the information obtained indicates justification for traffic control signals in conjunction with the new work.

35.

BUS TERMINAL***Kwinana: Toilets***

Mr BARNETT, to the Minister for Transport:

- (1) Is he aware of the lack of toilet facilities at the bus transfer terminal at the corner of Thomas Road and Rockingham Road, Kwinana?
- (2) In view of the isolated nature of the transfer terminal will he please arrange to have toilet facilities provided convenient for patrons' use?

Mr O'CONNOR replied:

As transport operators, we do not accept the responsibility of providing toilet facilities for the public.

36. STATE HOUSING COMMISSION***Building Blocks: Rockingham***

Mr BARNETT, to the Minister for Housing:

- (1) What land is currently owned in Rockingham by the State Housing Commission and where is it situated?
- (2) Does the commission have any plans to build on any of the land in question, and if so—
 - (a) which sections of land;
 - (b) what type of housing;
 - (c) on what dates will the work commence?

Mr P. V. JONES replied:

- (1) Twenty-nine vacant residential lots in Rockingham and one parcel of 5 876 m² in Hillman.
- (2) Not at this point in time.

37. PRE-SCHOOL CENTRES

Per Capita Grants

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) What action has been taken to introduce a per capita State assistance grant for the running costs of every approved or permit holding pre-school education centre?
- (2) If the assistance grant is available, then—
 - (a) to what pre-school centres is the grant available; and
 - (b) what pre-school centres receive the grant?

Mr GRAYDEN replied:

- (1) The Government has made available per capita grants for independent pre-school centres with approved standards which do not qualify for the Commonwealth subsidy of 75 per cent of the recurrent costs.
- (2) This information is not available as applications for the first allocation of grants are currently being processed by the pre-school board.

38. UNIVERSITY AND COLLEGE BUILDINGS

Extension of Use

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) What initiatives have been taken to make more intensive use of university and college buildings?
- (2) What action has been taken to introduce a summer term at universities and colleges?

Mr GRAYDEN replied:

- (1) and (2) Detailed information would take time to obtain because there are eight institutions and the second question involves their academic policies.

In general, various activities occur during evenings and in vacations, including research work, conferences, seminars, cultural activities and extension work. In summer, bridging and other courses are held; and the University of Western Australia conducts an annual summer school.

39. TECHNICAL SCHOOLS

Retraining and Part-time Courses

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) (a) What action has been taken to provide retraining courses in technical schools in all parts of the State to enable people to take advantage of new employment opportunities;
- (b) if action has been taken, where and what is the nature of the course?
- (2) (a) Have there been any special courses implemented in technical schools for women wishing to re-enter the workforce;
- (b) if so, where and what is the nature of the course?
- (3) (a) What new courses have been developed in technical schools for part-time students;
- (b) if any, where and what is the nature of the course?

Mr GRAYDEN replied:

- (1) (a) and (b) Retraining courses are provided in technical colleges and schools when the need has been made known and the matter fully discussed with the industry concerned. Currently no such courses are being provided.
- (2) (a) and (b) A number of women wishing to re-enter the workforce are currently undertaking normal courses in the Technical Education Division and there appears to be no demand for special courses.
- (3) (a) and (b) A number of new subjects in various areas of study was introduced in the Technical Education Division on a part-time basis in 1976 for Aboriginal and non-Aboriginal students. Also a number of certificate and diploma courses, many of which are available to part-time students, were initiated in 1976.

Details of these study programmes are available from the Director of Technical Education.

40. EDUCATION

Disadvantaged Schools Programme

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) Is it the State Government's intention to continue the disadvantaged schools programme?

- (2) Will the Minister table the findings of any assessment carried out to date of the disadvantaged schools programme in Western Australia?
- (3) Which metropolitan primary schools and secondary schools are currently classified as disadvantaged schools?
- (4) Are these schools the schools which were originally classified as disadvantaged?
- (5) (a) Is it intended to increase the number of schools classified as disadvantaged;
(b) if so, by how many?
- (6) Is it intended to re-assess the needs of schools which narrowly missed classification as disadvantaged schools previously?
- (7) How much money was allocated to disadvantaged schools in Western Australia during 1974, 1975 and 1976?

Mr GRAYDEN replied:

- (1) Yes.
- (2) Yes. A full report will be published in the June edition of the *Education Circular*.
- (3) See attached list.
- (4) Yes.
- (5) (a) and (b) This matter is being investigated.
- (6) Yes.
- (7) 1974 and 1975, \$1 164 000; 1976, \$790 000.

The list was tabled (see paper No. 266).

41.

EDUCATION

Migrant Children

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) What sums of money were spent on child migrant education programmes in Western Australia in 1972, 1973, 1974, 1975 and 1976?
- (2) By what amount will funding for these programmes in Western Australia be reduced for 1977 as a result of the Federal Government's cuts in spending for migrant education?
- (3) (a) Does the Education Department have any indication of how many migrant children in Western Australia are in need of special help in English;
(b) if so, will the Minister provide details?

Mr GRAYDEN replied:

- (1) to (3) The information sought in this question entails considerable research and will be supplied to the member when available.

42.

EDUCATION

Literacy and Numeracy Disabilities

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) Does the Education Department conduct surveys from time to time to assess the proportion of primary and secondary school children in Western Australia who suffer literacy and numeracy disabilities?
- (2) What proportion of Western Australian primary and secondary school children suffer from literacy and numeracy disabilities?
- (3) When was the last occasion the Education Department conducted an investigation into learning difficulties among Western Australian school children?

Mr GRAYDEN replied:

- (1) From time to time, the Education Department has conducted surveys of school achievement. More recently the department has participated in a survey conducted by the Australian Council for Educational Research of the achievement of primary and secondary school pupils in reading, numeration and writing. In addition superintendents and other officers conduct inquiries into achievement at the school and district or regional level.
- (2) Results from the types of tests employed in the State-wide surveys do not permit students to be classified as having, or not having, a learning disability.
- (3) The most recent State-wide survey was conducted in 1975, in conjunction with the Australian Council for Educational Research.

43.

EDUCATION

Two-year Trained Teachers

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) What is the estimated number of qualified two-year trained teachers employed by the Education Department?
- (2) What proportion of qualified two-year trained teachers employed by the department—
(a) have more than ten years consecutive service;
(b) have more than five years but less than ten years consecutive service?

Mr GRAYDEN replied:

- (1) and (2) Statistics are not kept in a form which allows for the supply of the information requested.

44. SENIOR HIGH SCHOOLS

Land Area and Cost

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) What area of land is regarded as a basic requirement for erection of a senior high school in the metropolitan area?
- (2) What is the current estimated cost of a new senior high school in the metropolitan area?

Mr GRAYDEN replied:

- (1) 10 ha.
- (2) Total cost at current rates approximates \$3.5m.

45. EDUCATION

Isolated Areas: Itinerant Teachers

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) How many itinerant teachers are currently employed by the Education Department to service the needs of children in isolated areas?
- (2) What instructions, if any, have been issued to these teachers in respect of their use of teaching aids/materials?

Mr GRAYDEN replied:

- (1) Four.
- (2) Itinerant teachers have been advised to use a wide variety of teaching aids and materials to support the correspondence lessons.
Each itinerant teacher was allowed \$500 to purchase such materials.

46. WAGE INDEXATION

Submissions to Industrial Commission

Mr BRYCE, to the Premier:

- (1) Is it the State Government's intention to make submissions to the Arbitration Commission on wage indexation advocating that CPI increases be discounted by the rate of tax increases?
- (2) Will he outline the specific method to be used to do this?

Sir CHARLES COURT replied:

- (1) and (2) The State Government is not in the position to say what future submissions will be made until after the Commonwealth Conciliation and Arbitration Commission brings down its decision on wage indexation on the 28th May, 1976.

In any event, it would be inappropriate to reveal details of any submission the State may make prior to it being presented to the commission.

47. EDUCATION DEPARTMENT

Directors and Assistant Directors: Appointment

Mr BRYCE, to the Minister representing the Minister for Education:

With reference to the advertisements placed in the *Government Gazette* on 7th May, 1976, for new directors and assistant directors of the Education Department—

- (1) (a) Were these positions advertised in the *Government Gazette* only;
- (b) if so, will the Minister indicate why the positions were not advertised more widely?
- (2) (a) Why were applications closed after only one week;
- (b) does the Minister consider this period of time was appropriate?

Mr GRAYDEN replied:

- (1) (a) Yes.
- (b) This is the usual practice for positions at this level.
- (2) (a) The advertisements were open for more than one week.
- (b) As one of the applicants for the positions is in the United Kingdom it would appear that the period was satisfactory.

48. MURDOCH UNIVERSITY,
UNIVERSITY OF WA
AND WAIT*Enrolments and Degrees*

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) How many students at—
(a) Murdoch University;
- (b) University of W.A.;
- (c) WAIT;
- are engaged in studying for—
(i) second or subsequent degrees;
- (ii) higher degrees?
- (2) How many foreign students are studying at each institution?

Mr GRAYDEN replied:

- (a) Information is not available in the precise form posed in the question.

The attached table 1 indicates the number of students commencing a second or subsequent course at either the University of Western Australia, Murdoch University or the Western Australian Institute of Technology.

Table 2 indicates the total number of students enrolled in higher degrees or post-graduate studies at

the University of Western Australia, Murdoch University or the Western Australian Institute of Technology.

- (b) Table 3 indicates the number of overseas students enrolled at the University of Western Australia, Murdoch University or the Western Australian Institute of Technology.

The papers were tabled (see paper No. 278).

49. FREMANTLE PRISON

National Trust Classification

Mr BRYCE, to the Minister representing the Minister for Cultural Affairs:

- (1) What national trust classification has been placed upon the Fremantle gaol?
- (2) Does the Government have plans for the restoration/preservation of the gaol when the institution is replaced?
- (3) If the answer to (2) is "Yes" will the Minister please provide details?

Mr GRAYDEN replied:

- (1) The National Trust has advised that the gaol as an entity has been classified by the Trust. However, that is not to say that every building in the gaol is classified. In the Trust's records, the chapel, gateway and the gates have been specifically mentioned.
- (2) and (3) The Minister has no knowledge of any such plans. Certainly the Interim Heritage Council of Western Australia, established to advise the Government on the drafting of legislation to provide for the establishment of a Western Australian Heritage Council, has not considered the matter raised by the member. However, the National Trust has advised that it is to shortly undertake a comprehensive review of the Fremantle area during which the gaol will be studied in more detail than at present.

- (2) If "Yes" to either (1) (a) or (1) (b), what is this programme?
- (3) If "No" to either (1) (a) or (1) (b), what plan does the Education Department have for the use of bristol classrooms?
- (4) What moneys have been spent during 1974-75 on repairs and/or renovations to bristol pre-fabricated classrooms?
- (5) What moneys are estimated to be spent during 1975-76 on repairs and/or renovations to bristol pre-fabricated classrooms?
- (6) How many bristol pre-fabricated classrooms are currently in use as permanent classrooms?
- (7) What is the current cost of a transportable classroom?

Mr GRAYDEN replied:

- (1) (a) and (b) No programme of replacement can be implemented unless there is a likelihood of sufficient funding being available. When funds do become available full consideration will be given to replacing the bristol classrooms with the most appropriate type of building.
- (2) and (3) It is the intention of the Education Department to replace those bristol in use as classrooms. Once they are surplus to accommodation needs, schools may elect to retain them for their own purposes. Otherwise they will be removed from the site.
- (4) and (5) Referred to Minister for Works. When the information is available the member will be advised.
- (6) 153.
- (7) Approximately \$12 500.

51.

EDUCATION

Learning Materials and Books: Inquiry into Cost

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) Who were the members of the committee appointed by the Government to inquire into the cost of learning materials/school texts, etc., in secondary schools?
- (2) When was the committee appointed?
- (3) Has the committee completed its work?
- (4) If (3) is "Yes" will the Minister table the findings of the committee?
- (5) If (3) is "No" can the Minister indicate when the information will be available to Members?

50. EDUCATION

Prefabricated Classrooms: Replacement

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) Does the Education Department have a replacement programme for bristol pre-fabricated classrooms in use as permanent classrooms—
 - (a) by permanent classrooms;
 - (b) by transportable classrooms?

Mr GRAYDEN replied:

- (1) Dr. A. N. Stewart, Chairman, Assistant Director-General, Resources. Mr H. W. Loudon, Assistant Director-General, Schools and Services. Mr K. Lockhart, Director, W.A. Council of State Schools Organizations.

Mr J. Casey, President, High Schools' Principals' Association. Dr I. E. Fraser, Superintendent, Planning Branch. Mr F. A. Giles, Executive Officer, Planning Branch.

- (2) 23rd February, 1976.
- (3) The first stage of assessing average costs in a sample of schools has been completed.
- (4) and (5) It is anticipated that the report should be available at the end of June, 1976, and will be tabled.

52. BELMONT, KEWDALE, AND CYRIL JACKSON HIGH SCHOOLS Enrolments

Mr BRYCE, to the Minister representing the Minister for Education:

- (1) How many students in each year are enrolled at the following high schools—
- (a) Belmont Senior High School;
- (b) Kewdale Senior High School;
- (c) Cyril Jackson Senior High School?
- (2) From what primary schools do each of the abovementioned schools receive their intake and what are the enrolments for each of those primary schools in—
- (a) grade 5;
- (b) grade 6;
- (c) grade 7?

Mr GRAYDEN replied:

(1)—

	Year 8	Year 9	Year 10	Year 11	Year 12	Spec.	Total
(a) Belmont Senior High School	393	354	344	172	94	12	1 369
(b) Kewdale Senior High School	329	362	351	167	105	13	1 327
(c) Cyril Jackson Senior High School	269	291	265	131	70	1 026

(2) (a) Belmont Senior High School:—

	Year 5	Year 6	Year 7
(i) Belmay Primary	91	96	93
(ii) Belmont Primary	44	33	40
(iii) Cloverdale Primary (I)	61	94	81
(iv) Redcliffe Primary	40	32	36
(v) Tranby Primary (II)	60	61	68
(vi) Whiteside Primary (III)	70	70	72

(I) Children from Cloverdale primary school living in Fulham Street (both sides) and south thereof having the option of attending either Belmont senior high school or Kewdale senior high school.

(II) Children from Tranby primary school living in the area north-east of Acton Avenue have the option of attending either Belmont senior high school or Kewdale senior high school.

(III) Children from Whiteside primary school living in Keane Street (both sides) and north thereof and in Whiteside Street (both sides) and east thereof shall attend Belmont senior high school.

(b) Kewdale Senior High School:—

	Year 5	Year 6	Year 7
(i) Carlisle Primary	88	74	96
(ii) Cloverdale Primary (I)	61	94	81
(iii) Kewdale Primary	92	81	105
(iv) Lathlain Primary	40	40	48
(v) Rivervale Primary	26	22	26
(vi) Tranby Primary (II) (III)	60	61	68
(vii) Whiteside Primary (IV)	70	70	72

(I) Children from Cloverdale primary school living in Fulham Street (both sides) and south thereof have the option of attending either Kewdale senior high school or Belmont senior high school.

(II) Children from Tranby primary school living in Acton Avenue (both sides) and south-west thereof shall attend Kewdale senior high school.

(III) Children from Tranby primary school living in the area north-east of Acton Avenue have the option of attending either Kewdale senior high school or Belmont senior high school.

(IV) Children from Whiteside primary school living in the area south of Keane Street and west of Whiteside Street shall attend Kewdale senior high school.

(c) Cyril Jackson Senior High School:—

	Year 5	Year 6	Year 7
(i) Ashfield Primary	54	63	73
(ii) Bassendean Primary	43	50	56
(iii) Bayswater Primary	43	55	56
(iv) East Maylands Primary	35	35	38
(v) Maylands	42	62	53

53. TECHNICAL COLLEGE

Francis Street: Land Acquisition

Mr BRYCE, to the Minister representing the Minister for Education:

Adverting to the Minister's answer to part (8) of question 9 of Wednesday, 14th April, 1976, in view of the fact that 60% of the land acquired for the new technical college in Francis Street has been acquired—

- what area of land is involved with respect to the outstanding 40%;
- what is the estimated cost of the land still to be acquired;
- did the Government at any stage own more than the 60% of the land required for this project;
- when does the Minister anticipate work will commence on the new technical school?

Mr GRAYDEN replied:

- 4 497 metres squared;
- \$350 000;
- No;
- No decision has been made.

54. TERTIARY EDUCATION

Admission Examination: Fee

Mr BRYCE, to the Minister representing the Minister for Education:

- Is it intended to charge a fee of any kind for students who enter for the tertiary admissions examination in 1976 or 1977?
- If "Yes" will the Minister provide details?

Mr GRAYDEN replied:

- and (2) No fee will be charged in 1976. The situation for 1977 is under consideration.

55.

EDUCATION ACT

Sections 20 and 32(c):

Amendment

Mr BRYCE, to the Minister representing the Minister for Education:

Is it the intention of the Government to introduce legislation in the next part of this session of Parliament to repeal or amend sections 20 or 32 (c) of the Education Act?

Mr GRAYDEN replied:
Yes.

56.

EDUCATION

School Buildings: Lease from Private Enterprise

Mr BRYCE, to the Minister representing the Minister for Education:

- Is it the Government's intention to encourage private firms to build school buildings for the purpose of leasing such buildings to the Government?
- In view of the difficulty the Government is experiencing in providing the new buildings needed to—
 - limit school numbers of 1 000 for high schools covering years 1 to 4;
 - extend secondary education from five to six years,
 what action has been taken by the Government to adopt the Premier's election undertaking to approach the private sector to provide the additional accommodation required to implement the Government's education promises?

Mr GRAYDEN replied:

- Not at the present time.
- Deferment of these aspects of the programme was announced quite some time ago.

57.

HEALTH

Tronado Case Evaluation Committee: Report

Mr J. T. TONKIN, to the Minister representing the Minister for Health:

- Has the Commissioner of Public Health received the final report of the Tronado Case Evaluation Committee which was formed pursuant to a Cabinet decision in April, 1975?
- If the report has not yet been received, when is it expected it will be available to the Government?
- Is it intended to make the contents of the report public?
- In view of the reported success by doctors at Brooklyn's Veterans Administration Hospital, USA, in

the treatment of cancer by using high frequency radio waves to heat cancerous tissue similarly to Tronado therapy, will the Minister endeavour to expedite consideration of the Tronado Case Evaluation Committee's findings?

Mr RIDGE replied:

- (1) No.
- (2) Within the next fortnight.
- (3) A decision will be made after the report has been examined by Cabinet.
- (4) Consideration of the Tronado Case Evaluation Committee's findings will be given high priority.

58. **ALCOHOL AND DRUG
AUTHORITY**
Auditor-General's Report

Mr DAVIES, to the Minister representing the Minister for Health:

- (1) Referring to the report of the Auditor-General of 15th April, 1976 regarding the Western Australian Alcohol and Drug Authority, have the provisions of the Act now been applied to enable the Auditor-General to comply with the statutory requirements in future?
- (2) If so, can the Minister advise why this was not done earlier?

Mr RIDGE replied:

- (1) Yes.
- (2) Initially the source of funds was obscure as discussions were being held with the Commonwealth Government in relation to the Commonwealth-State hospitals cost sharing agreement and the community health programme.

59. **MENTAL HEALTH**
*Ross Memorial Hospital:
Acquisition*

Mr DAVIES, to the Minister representing the Minister for Health:

From whom was the Ross Memorial Hospital at Forrestfield purchased?

Mr RIDGE replied:

C. H. and J. N. Walker.

60. **RAILWAYS**
Bridgetown Depot: Transfer

Mr H. D. EVANS, to the Minister for Transport:

When is it anticipated that the Government decision as to whether the railway depot at Bridgetown will be moved to Manjimup will be made?

Mr O'CONNOR replied:

The report has only just been received from the committee constituted to study the potential for alternative industries for Bridgetown in the event that a decision is made to transfer the railway depot.

The report will now be studied by Cabinet.

61. **RAILWAYS**
*Perth-Albany Service:
Rolling Stock*

Mr H. D. EVANS, to the Minister for Transport:

- (1) Is it proposed to upgrade the passenger rolling stock currently in use on the Perth-Albany railway service?
- (2) If "Yes"—
 - (a) when is it expected such upgrading will commence;
 - (b) what is the anticipated cost of such upgrading?
- (3) If "No" to (1), what is the expected life of the passenger rolling stock currently in use on the Perth-Albany rail service?

Mr O'CONNOR replied:

- (1) No. The condition of the present accommodation can be maintained by normal overhaul procedures.
- (2) Not applicable.
- (3) The life of the rolling stock is dependent on the relative costs of maintenance versus investment costs for replacement. At this stage it is anticipated a decision on any replacements would not become necessary for approximately three to five years.

62. **HOSPITAL**
Albany: Disused Building

Mr H. D. EVANS, to the Minister for Works:

- (1) (a) Does the Government have any plans for the future use of the now unused hospital in Vancouver Street, Albany; and
- (b) if so, what are they?
- (2) (a) Has the Government considered making available this building for use as an aged persons home under the control of a responsible community management committee; and
- (b) if so, is it agreeable to do so?
- (3) If the Government has not considered the use of the old Albany hospital for the purpose referred

to in (2) will the Minister undertake to do so as a matter of urgency and advise the House of the decision?

- (4) (a) Have any approaches by any private, commercial or any other body been made to the Government regarding the future use of this building; and
- (b) if so, would the Minister give details of the purpose for which it is suggested to devote the building and whether any such proposition has been agreed to in principle or entirely?

Mr Ridge (for Mr O'NEIL) replied:

- (1) (a) and (b) There are no plans for further Government use.
- (2) (a) and (b) General inquiries only have been made. Due to the age and size of the premises, not only renovations but also building extensions would be necessary. This would involve very substantial expenditure—of the order of \$400 000–\$600 000. There is no known responsible community management committee which could be formed with access to such funds.
- (3) Answered by (2) (a) above.
- (4) (a) Yes.
- (b) Home for the frail aged and aged people's home. Agreement in principle has been given but no final approval.

63.

APPLES

Exports: Quota and Prices

Mr H. D. EVANS, to the Minister for Agriculture:

- (1) What was the total quantity of apples which the Australian Apple and Pear Corporation allocated as Western Australia's quota for export onto the United Kingdom/Continent market in the 1976 season?
- (2) Of this amount, how many bushels were actually shipped to this market from Western Australia?
- (3) What price has been paid for Western Australian granny smith apples sold on the United Kingdom market this year?
- (4) What net return will the price given in (4) return to Western Australian growers who sold this fruit if the subsidy payable by State and Commonwealth Governments is not included?
- (5) Does the Government intend to introduce legislation or to take administrative action which will give it or some authority control of the apple industry in the 1977

season to the extent of setting quotas in the event of export restrictions being placed on Western Australian exports or to control the industry in any other way, and if so, would he give details of any such intentions?

Mr OLD replied:

- (1) 542 100 boxes were initially allocated including 429 600 boxes by the A. & P. Corporation and 112 500 by virtue of additional Commonwealth-States financial assistance. Since that time shortfalls from the Eastern States have enabled further re-allocation to a total of approximately 870 000 boxes.
- (2) The export season is still in progress but present estimates would indicate a final figure approaching 720 000 boxes.
- (3) First arrivals were quoted in London at \$8.16 as at 18th May.
- (4) Costs from packing shed door to U.K. have been estimated at approximately \$8.65 and on costs and selling commission in U.K. at approx. \$1.20. On the price quoted in (3) above, this would leave a nett deficit of \$1.69. However, this could be modified by guaranteed advances received by individual shippers.
- (5) Action to be taken will depend on Commonwealth policy for 1977 which has not as yet been stated. I am pressing for early clarification of the issue.

64.

WATER SUPPLIES

Walpole

Mr H. D. EVANS, to the Minister for Water Supplies:

- (1) When was the present water supply for the town of Walpole established?
- (2) What has been the total consumption from the supply in each year since its inception?
- (3) (a) Has there been any upgrading of the Walpole water supply since its inception; and
- (b) if so, would he give details of improvements on each occasion of upgrading?
- (4) Is the dam fenced to preclude access to straying cattle?
- (5) (a) Have any complaints regarding chlorination, discolouration, maintenance of meters or any other matter as it applies to the Walpole water supply been received by his department;
- (b) if so, how many in each category of complaint;

(c) what action has been taken to obviate the cause of each complaint?

(6) (a) Is it proposed to upgrade the Walpole water supply;

(b) if so, when, and in what way?

Mr Ridge (for Mr O'NEIL) replied:

(1) The present water supply for the town of Walpole was established in 1962.

(2) The annual consumption of Walpole has been:—

1962-63—817 000 kilolitres.
1963-64—7 545 000 kilolitres.
1964-65—9 293 000 kilolitres.
1965-66—9 802 000 kilolitres.
1966-67—12 285 000 kilolitres.
1967-68—13 693 000 kilolitres.
1968-69—22 532 000 kilolitres.
1969-70—20 226 000 kilolitres.
1970-71—27 490 000 kilolitres.
1971-72—32 325 000 kilolitres.
1972-73—29 941 000 kilolitres.
1973-74—24 954 000 kilolitres.
1974-75—30 824 000 kilolitres.
To 24-5-76—30 027 000 kilolitres.

(3) (a) No.

(b) Not applicable.

(4) Yes.

(5) (a) Yes.

(b) These statistics are not available.

(c) Each complaint is investigated and appropriate action taken to rectify it.

(6) (a) Yes.

(b) Investigations are in hand to augment the headworks. So far, these indicate that raising of the existing dam offers the best solution. It is planned to carry out the improvements in approximately 2 years' time, subject to the availability of funds.

65. MINING

Greenbushes: Inquiries

Mr H. D. EVANS, to the Minister for Mines:

Has the Mines Department or the Department of Industrial Development received any applications or inquiries regarding mining in the townsite of Greenbushes, and if so, would he give details of each inquiry or application?

Mr MENSAROS replied:

There were no applications for mining tenements. There have been two recent inquiries.

One queried whether any mining tenements are likely to be applied for and granted within the townsite.

Another relative to rehabilitation conditions that have been imposed on mining tenements granted in the Greenbushes area.

66. GERALDTON HIGH SCHOOL

Temporary Rooms

Mr CARR, to the Minister representing the Minister for Education:

(1) Has the Minister received a letter from the Geraldton Senior High School parents and citizens' association seeking replacement of the "temporary" rooms at the school?

(2) Does the Minister recall answers to questions in which he advised that the construction of John Willcock High School would relieve the pressure on accommodation at Geraldton Senior High School?

(3) How many schools have more than 12 "temporary" rooms?

(4) Does the Minister concede that accommodation pressure at Geraldton Senior High School is still a matter of serious concern?

(5) What action does the Government propose to relieve this pressure?

Mr GRAYDEN replied:

(1) Yes.

(2) Yes.

(3) Two schools have more demountable and bristol classrooms than Geraldton high school.

(4) and (5) Since the opening of John Willcock high school, enrolments at Geraldton high school have declined by almost 200. Over the next two years this decline is expected to continue. No replacement buildings are currently scheduled for this school and any such scheduling is dependent upon fund availability.

67. KANGAROO SHOOTERS

Licences

Mr LAURANCE, to the Minister for Fisheries and Wildlife:

(1) How many kangaroo shooters are licensed throughout the State?

(2) How many of these are licensed for—

(a) grey kangaroo areas;

(b) red kangaroo areas?

(3) How many shooters are licensed and operational in the—

(a) Carnarvon area;

(b) Upper Gascoyne area?

Mr P. V. JONES replied:

- (1) 87.
- (2) (a) 38 part-time operators.
(b) 49.
- (3) (a) Carnarvon shire 5.
(b) Upper Gascoyne shire 6.

68. KANGAROO SHOOTERS

Vehicles: Sales Tax Exemption

Mr LAURANCE, to the Minister for Fisheries and Wildlife:

- (1) Is he aware that kangaroo shooters, unlike pastoralists and fishermen, cannot avail themselves of a sales tax exemption on the purchase of vehicles specifically used in connection with their occupation?
- (2) Would he support an application to the Commonwealth Government for such an exemption to be extended to *bona fide* kangaroo shooters?

Mr P. V. JONES replied:

- (1) Yes.
- (2) Yes, but noting that support for a similar application by fishermen's associations was unsuccessful.

69. *This question was postponed.*

70. POTATO INDUSTRY

Implementation of Recommendations

Mr H. D. EVANS, to the Minister for Agriculture:

- (1) Have any of the recommendations contained in—
(a) the Lissamen report;
(b) Professor Garner's report,
into the potato industry been implemented, and if so, which ones?
- (2) Does the Government propose to implement any of the other recommendations contained in either report before the conclusion of the life of this Parliament, and if so, which ones?
- (3) Does the Government propose to introduce any other changes in the potato industry during the currency of this Parliament, and if so, what are they?

Mr OLD replied:

- (1) Yes.
(a) Recommendations 1, 2, 4, 13, 16, 17, 18, 19, 25, 28, 29, 30, 33, 34 and 40 have been implemented.
Recommendations 6, 8, 9, 14, 15, 20, 21, 24, 27, 32 and 39 have been adopted in part.

- (b) Recommendations directed to growers relating to farm management and crop management practices are being implemented as considered appropriate by individual growers.

Recommendations relating to the activities of the Department of Agriculture are being implemented.

- (2) and (3) As and when further action appears desirable an appropriate statement will be made.

QUESTIONS (10): WITHOUT NOTICE

1. MEDIBANK

Invalidity of Agreement

Mr DAVIES, to the Premier:

I apologise to the Premier for the short notice I was able to give him of my question. It is as follows—

- (1) Is it a fact that the Medibank agreement with the Australian Government is invalid?
- (2) If so, when and how did he learn of this?
- (3) Is the decision likely to be challenged by the Western Australian Government in the courts?
- (4) Is any interruption likely to the flow of health funds from the Australian Government to this State?

Sir CHARLES COURT replied:

- (1) It is a fact that the Commonwealth Government has been advised that the hospital funding agreement, which we normally refer to as the Medibank agreement, between the Commonwealth and the States, is invalid. I understand this is the advice of the Commonwealth Attorney-General and the Commonwealth Solicitor-General. I do not know the real reason that it is claimed to be invalid, but I understand that in their opinion it is a clear-cut case of an invalid document and, therefore, has to be treated as such.
- (2) I learnt of this invalidity as a result of urgent advice I received from the Prime Minister today and, therefore, the agreement cannot be acted upon.
The decision presents problems of funding because in such a situation the Auditor-General, for instance, would not be prepared to permit the

expenditure without reporting to Parliament on the issue. That is about as much detail as I have had time to obtain, as is to be expected in a matter of such complexity.

- (3) With regard to a challenge in the courts, I could not answer "Yes" or "No" at the moment.

However, I imagine the Attorneys-General and the Solicitors-General of the States will want to get together in order to discuss the decision, and not just accept the Commonwealth advice that the agreement is invalid, especially in view of the announcement by Queensland that it is looking at the "small type", to see whether or not that State agrees with the advice from the Commonwealth. One has to take notice and check the advice given to us by the Commonwealth.

At the moment I would not like to express any opinion which would embarrass or prejudice our own position. Suffice to say we will be asking the Commonwealth to let us know the grounds on which the agreement is considered to be invalid. I have an idea of some of the grounds which might be in dispute because of the arguments which took place when the formal agreement was being negotiated.

- (4) I have been assured by the Commonwealth Government that it will bring in some emergency measures to ensure the continuity of payments. There has been talk about block payments and payments of that kind, which would carry through until September.

We will want to know more about the matter because our Minister was going to a conference concerning negotiations. At least we want to know more detail because any new arrangement could be beneficial, but on the other hand, it could be detrimental to us. We will want to know how the Commonwealth Government intends to fund the scheme in the interim to the 30th September.

Presumably, by that time the Commonwealth expects to have renegotiated something

which is valid and will stand up to legal challenge, and come to a new arrangement with the States.

I am sure there will be a continuity of funds.

2.

DAIRYING

Overseas Markets, Imports, and Production Cuts

Mr BLAIKIE, to the Minister for Agriculture:

My question arises from the answer supplied to question 26 today. Would the Minister undertake to have his department evaluate at what level of production those producers with recent market-milk entitlement can sustain to at least continue in the Western Australian dairy industry with some degree of viability?

I realise the Minister may not have the information with him in order to answer my question but I would like it at the earliest opportunity.

Mr OLD replied:

I will undertake to do so.

3.

TERTIARY EDUCATION

Fees: Reintroduction

Mr BRYCE, to the Premier:

- (1) Will the Premier make appropriate representations to urge the Fraser Government to reconsider its decision to reintroduce fees at tertiary institutions for second and subsequent degrees and higher degrees?
- (2) In the event of the Fraser Government persisting with its decision to reintroduce the fees, in order to preserve a free university in Western Australia will the State Government accept financial responsibility for fees insisted upon by the Federal Government?

Sir CHARLES COURT replied:

In answer to the honourable member, to whom I extend my thanks for ample notice of his question, it will be recalled that I could not reply to this question yesterday because I did not have a chance to follow it through. The answer which I now have is as follows—

- (1) and (2) The Federal Minister for Education has indicated that the Commonwealth will be discussing the application of its decision with the States and the institutions involved. We plan to participate in such discussions, after which the matter can be considered further.

4. SOUTHERN OCEAN FISH PROCESSORS

Payment of Crew

Mr WATT, to the Minister for Labour and Industry:

Following the aspersions cast by the member for Swan last evening regarding a crew member on a fishing trawler operated by Southern Ocean Fish Processors at Albany, could the Minister advise whether the crewman concerned should be covered by the Workers' Compensation Act, bearing in mind that crewmen enter into written contracts agreeing to payment on a share-of-the-catch basis?

Mr GRAYDEN replied:

In reply to the member for Albany, "No".

As was said, the contract entered into is that the company supplies the crew with food, and at the end of the voyage the crew members are paid a percentage of the value of the catch, depending on their rating.

Subsection (4) of section 19 of the Workers' Compensation Act reads as follows—

(4) This Act does not apply in respect of accidents to such members of the crew of a fishing vessel as are remunerated by shares in the profits or the gross earnings of the working of such vessel.

I would add further that to compensate for that provision, as crew members are not covered the company has arranged personal accident insurance on a group basis with each crewman contributing \$1 a day. That sum is deducted from the share due to the crew member at the termination of the voyage.

5. WEST COAST HIGHWAY

Mullaloo Extension

Mr A. R. TONKIN, to the Minister for Urban Development and Town Planning:

- (1) Was the final decision to route West Coast Highway through the beachfront reserve at Mullaloo made two years ago by the MRPA as claimed by Peet & Co., the developers of Mullaloo Heights?
- (2) Were Peet & Co. guaranteed by the MRPA that West Coast Highway would be routed through the beachfront and not through their subdivisions?

- (3) What are the two alternative inland routes under construction by the MRPA for the extension of West Coast Highway as reported in the North Suburban Section of *The West Australian* on the 7th April, 1976?
- (4) Would the Shire of Wanneroo be liable for any costs of resumption if an alternative inland route were decided upon?
- (5) Does the MRPA intend to seek the Department of Environmental Protection recommendations on this matter?
- (6) Has the MRPA received a letter dated the 15th March from the Mullaloo Progress Association which has not yet been answered?

Mr RUSHTON replied:

(1) to (6). This information is being compiled and I will make it available to the honourable member as soon as practicable.

6. TOWN PLANNING

Subdivisions: Underground Water Schemes

Mr A. R. TONKIN, to the Minister for Urban Development and Town Planning:

- (1) Is he aware of any proposals for subdivisions within the boundaries of the—
 - (a) Barragoon ground water scheme;
 - (b) Yeal ground water scheme;
 - (c) Pinjar water scheme?
- (2) If so, at what stage are the proposals?
- (3) Within which shire area do these areas fall?
- (4) What are the lot sizes and how many lots are there?
- (5) Will he table a plan showing these details?

Mr RUSHTON replied:

- (1) The Barragoon, Yeal, and Pinjar water scheme areas are localities under consideration by the MWSS & D Board for this purpose and their more precise boundaries have not been defined. They are situated within the larger area referred to as the Gnanagara water reserve which occupies substantially the same area as State Forest No. 65. So far as these three general localities are concerned, there are no subdivisional proposals as they are Crown land.

- (2) Answered by (1).
- (3) Gingin and Wanneroo.
- (4) Answered by (1).
- (5) Answered by (1).

7. SITTINGS OF THE HOUSE

Resumption of Session

Mr JAMIESON, to the Premier:

Can he indicate approximately when this parliamentary session will be resumed, so that members may make their plans for the time of the recess?

Sir CHARLES COURT replied:

I cannot be precise about the date but I will communicate with the Leader of the Opposition as soon as Cabinet has had a chance to consider it—if not next Monday, then the Monday after. To assist members, I indicate that Parliament will not resume before the last week in July.

Mr Jamieson: That is, Tuesday, the 27th July?

Sir CHARLES COURT: It is more likely to be in August but it will not be before the last Tuesday in July.

8. FOCAL UNIVERSAL ACTIVITIES

Investigation

Mr DAVIES, to the Minister representing the Minister for Health:

- (1) Referring to question 18 of the 25th May, 1976, regarding Focal Universal, when he told the journalist "the department was looking into the matter" what did he mean?
- (2) When, how, and by whom was the matter investigated, contemplated, researched, pondered, talked about, or considered in any objective way by any person in any department under his control as far as he knows or can find out?

Mr RIDGE replied:

- (1) Mental Health Services had received certain information which was recorded on file and was considering the implications of such information.
- (2) In June, 1975, a departmental psychiatrist expressed his concern to the Director, Mental Health Services, about Focal Universal courses. He had treated a patient in an approved departmental hospital and that patient alleged that he had participated in a course conducted by Focal Universal.

Earlier in February, 1975, the activities of this organisation were discussed generally by the Principal Clinical Psychologist with the Director, Mental Health Services.

As previously advised, Mental Health Services has no legislative powers to investigate this or any other similar organisation and it was decided to adopt the policy of offering departmental services to persons seeking assistance.

In May, 1976, an officer of the Public Health Department spoke with the Principal Clinical Psychologist and advised that two persons had contacted his department expressing concern about the activities of Focal Universal. These two persons were contacted by the Principal Clinical Psychologist and offered Mental Health Services counselling services.

9.

HEALTH

Hazards from Nickel Mining

Mr DAVIES, to the Minister representing the Minister for Health:

- (1) Has any work been done in this State on health hazards likely to be encountered by workers in nickel mining, processing, etc?
- (2) If so, can he give details of such work including the areas involved and the conclusion reached?

Mr RIDGE replied:

- (1) Yes.
- (2) (a) There is a required dust monitoring programme and ventilation control by Mines Department inspectors. Dust levels are in general satisfactory. Medical examinations, including chest X-ray, are statutory requirements.
- (b) Ventilation control and testing of mechanical equipment underground ensure protection from harmful gases. In some treatment areas respiratory protection may be required occasionally.
- (c) There are occasional problems with dermatitis and action to prevent this is required occasionally.
- (d) Noise measurements have been taken and there is an active hearing conservation programme.

The areas involved include mining, smelting and refining. There is no significant or specific health hazard associated with nickel mining.

10. POSTAL SERVICE *Busseton: Disruption*

Mr BERTRAM, to the Minister for Labour and Industry:

I was very heartened by his reply to question 15 on notice. It appears, however, that perhaps by inadvertence he has omitted to answer part (4) (b) of that question, which reads—

(b) to what extent and in what way was the liaison fruitful to the State more particularly to the people in and about Busseton?

Mr GRAYDEN replied:

I think the question has been adequately answered.

TAXI-CARS (CO-ORDINATION AND CONTROL) ACT AMENDMENT BILL

Returned

Bill returned from the Council with an amendment.

Council's Amendment: In Committee

The Chairman of Committees (Mr Thompson) in the Chair; Mr O'Connor (Minister for Transport) in charge of the Bill.

The amendment made by the Council was as follows—

Page 2, line 14—Insert after clause 3 a new clause to stand as clause 4 as follows—

Section 22C amended. 4. Subsection (1) of section 22C of the principal Act is amended—

(a) by deleting the words "one dollar", in line six, and substituting the words "thirty-five dollars"; and

(b) by deleting the word "ten", in line seven, and substituting the word "fifty".

Mr O'CONNOR: I move—

That the amendment made by the Council be agreed to.

On Tuesday evening we proceeded with an amendment to this Bill, and in doing so changed the licence fee from \$1 to \$35, which made it necessary to amend another section of the Act. This amendment from the Legislative Council gives effect to what we thought we had achieved in this Chamber.

Mr McIVER: We on this side of the Chamber have no objection to the amendment, and we support it.

Question put and passed; the Council's amendment agreed to.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

OCCUPATIONAL THERAPISTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 11th May.

MR DAVIES (Victoria Park) (5.00 p.m.): This measure came to us from another place on the 11th of this month. It is not likely to cause any controversy in this House, and indeed it did not cause any in another place. I think the best way to describe the measure is to say it is a housekeeping one.

By an Act of Parliament proclaimed in 1957 occupational therapists received registration. Since then the Act has not been amended. With the passage of time, some amendments have become necessary, not really because of the work undertaken by occupational therapists—basically their skills are the same—but through changes in training methods. Training previously was controlled by the University of Western Australian Institute of Technology. Also, when a measure is introduced to establish controlling authorities, certain clauses dictate the commencement of operation of such authority or board and how it shall commence to operate. Once a board is operating successfully, there is no longer any need for such provisions to remain in the Act.

The Public Health Department wished to take this opportunity to bring the legislation up to date and to make such amendments as it considered necessary. Although the Bill contains quite a few amendments, in no way do they alter the purport or intent of the original Act.

I could speak at some length applauding the work undertaken by occupational therapists, who are now becoming increasingly useful in our community and fully accepted in the para-medical and medical field. This fact was acknowledged by the Whitlam Government when it allocated a large sum of money to provide premises for the training of occupational therapists. We now have splendid new premises at the rehabilitation section of the Royal Perth Hospital at Shenton Park.

As I agree so wholeheartedly with the Bill, there is no need for me to say more than that it is a housekeeping measure designed to update the provisions of the parent Act, and that we support it.

An additional provision is the prohibition of anyone under the age of 21 years practising on his or her own behalf as an occupational therapist. It could be said

that 18 years would be more reasonable in this day and age but this provision should cause no difficulties.

One matter I would like to draw attention to is the proposed new paragraph (k) of section 7. Under the regulations the board may recommend to the Governor the making of rules, and then proposed paragraph (k) reads as follows—

prescribing the manner and form in which applications are to be made and certificates issued under this Act—

That wording is almost the same as appears currently in the Act. However, the paragraph concludes—

—and as to the use of certificates;

Having issued a certificate, I do not see why the board should be able to say what the recipient will do with it. I suppose the board could prohibit a person from enlarging the certificate to put on a large billboard, but I am really not quite certain about what the provision means. There may be some obscure reason requiring its inclusion but in my view the words are superfluous. Having won an award and received a certificate, I would be most indignant if I were told what I could and could not do with it. For instance, to go to an extreme, I could be told to put it in a gold-headed frame with nonreflective glass or in a black-headed frame with reflective glass. That would be taking it to extremes.

I know that occupational therapists are anxious to see this measure passed. It is a necessary one, and we support it.

MR RIDGE (Kimberley—Minister for Lands) [5.06 p.m.]: I would like to thank the member for Victoria Park for his support of the Bill. He raised only the one query in relation to paragraph (k) of clause 4, which prescribes the manner and form in which applications are to be made and certificates issued under the Act. The honourable member then asked the reason for the inclusion of the words—

and as to the use of certificates.

Quite frankly, I cannot answer his query. However, I am positive the board would not be pedantic in nominating how the certificates are to be used. I will convey the honourable member's remarks to the Minister for Health so we can ensure that the provision does not place any unreasonable restrictions on the use of the certificates.

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

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

FINANCIAL AGREEMENT (AMENDMENT) BILL

Assent

Message from the Governor received and read notifying assent to the Bill.

THE CONFEDERATION OF WESTERN AUSTRALIAN INDUSTRY (INCORPORATED) BILL

Second Reading

Debate resumed from the 6th May.

MR HARMAN (Maylands) [5.10 p.m.]: At the outset I wish to indicate that I intend to oppose this Bill unless the Minister can answer a question which is exercising my mind.

The Bill sets out to provide for representation on statutory boards of the Confederation of Western Australian Industry (Incorporated), which body will be made up of the Western Australian Employers' Federation and the West Australian Chamber of Manufactures. There are some statutory boards in this State on which the Employers' Federation has a representative and the Chamber of Manufactures also has a representative; and so do a number of other organisations have a representative, including the Trades and Labor Council.

This Bill will combine two of the organisations represented on those boards, but it provides that the single new organisation will still have two representatives on each board. The new organisation will be performing the role of the two organisations which will become defunct. It will represent employers in Western Australia; it is simply that industrial employers are to amalgamate with manufacturing employers to form a single body.

I cannot see any need for the taxpayers to pay fees—which are paid to those people who represent organisations on the statutory boards—to two representatives of the one body. That is just a waste of public funds. Therefore, I would like the Minister to explain this. I am aware that the Minister for Labour and Industry is not present in the Chamber; I do not know where he is. He took great delight the other night in asking where our members were. Where is the Minister now that we are debating one of his Bills?

Sir Charles Court: It is a Minister for Justice Bill.

Mr HARMAN: Is the Minister out at Channel 2? He is not in his seat, and we are debating his Bill.

Sir Charles Court: It is a Justice Bill, not a Labour Bill.

Mr HARMAN: Is some other Minister handling it?

Sir Charles Court: I am.

Mr HARMAN: Thank you very much. What I want to know is why the Government is pursuing this type of legislation—

Mr Sodeman: Your apology is accepted.

Mr HARMAN: —which will mean that one body has two representatives on all these statutory boards, when that body is merely representing a group of employers just as any other body represents a group of people?

For example, on some statutory bodies the Master Builders Association may have a representative, and often the Chamber of Mines is represented. But they each have only one representative. Why is it that the Confederation of Western Australian Industry, which is merely an amalgamation of two bodies, should be allowed to have two representatives on a statutory board? I want the Premier to give me that information to help me decide whether or not to support the Bill.

MR SKIDMORE (Swan) [5.14 p.m.]: I signify that I, too, have doubts about this Bill and its endeavours to achieve some objectivity in respect of the new Confederation of Western Australian Industry. However, I am more concerned that in his second reading speech the Minister said this new body to be known as the Confederation of Western Australian Industry will take over the West Australian Chamber of Manufactures and the Western Australian Employers' Federation, and this matter is to be finalised after the proclamation of the Act.

I pose a question to the Minister. If it is true, and I assume it is, that the Western Australian Employers' Federation has been disbanded, and since its disbandment has allowed its representative to sit on boards and to deliberate, I wonder whether actions taken by those boards since that time are legal and binding. It could be that the Air Pollution Control Council has made an order against the Midland Junction Abattoir that it must increase its chimney stack by 10 feet because it is causing distress to many people in the area; and sitting and deliberating on that council could be a representative of the now defunct Western Australian Employers' Federation.

I wonder whether instances have occurred in respect of which an adequate defence could be established by a solicitor stating the decision taken is not legal because the statutory body concerned is not properly represented. This shows the untidiness of the manner in which the Government introduced this Bill.

There is another feature I find quite obnoxious—in fact, just as obnoxious as the smell from the Midland Junction Abattoir. The Trades and Labor Council is restricted to representing only those unions which are affiliated with it. Many unions are not affiliated with that council.

I ask the Premier: Is there any difference between the Employers' Federation, the Chamber of Manufactures, the unions represented by the TLC, and the unions not represented by the TLC? Should those unrepresented unions be entitled to representation? I believe they should.

Let us consider the Chamber of Manufactures and the Employers' Federation. The Employers' Federation covers many employer groups in this State in respect of industrial liabilities and responsibilities; and the Chamber of Manufactures covers those employers who quite frequently are able to negotiate outside the realm of the Industrial Commission. For instance, the Chamber of Commerce is able to negotiate agreements in respect of the manning of service stations and the leasing arrangements of oil companies.

Here we have a situation in which a group of employers affiliate with the Chamber of Manufactures, which represents their point of view; and we have the Confederation of Western Australian Industry representing the view of affiliated organisations, and these are two separate bodies. We have the same situation in respect of the Trades and Labor Council—it represents affiliated unions, but other unions are not represented. Surely it would not place one in an untenable situation to say that those unions which are not affiliated with the TLC should be represented. Many affiliated unions are able to enjoy the benefits of certain of the TLC's activities, which would indicate that perhaps the council could speak with one voice.

However, this Bill simply says, "There were two of you doing the same thing and looking after the same people; now you will be one, but you will still have two votes." To my way of thinking, that is not right and proper. I believe the Trades and Labor Council should be viewed in a similar light and should be given the opportunity to represent those unions which are at present not represented.

Unless I can be satisfied that this matter will be given serious attention, I will have to oppose the Bill in its present form.

SIR CHARLES COURT (Nedlands—Premier) [5.20 p.m.]: I thank members for their comments. I am not surprised they tried to draw a red herring or two across the trail of a Bill like this because I would assume they would be a little sensitive to it. Even so, if members opposite have any reservations about the Bill, when it gets into Committee I will be quite happy to report progress, because that is where the main points should arise. By this Bill, we are not trying to give somebody something he does not have.

Mr Skidmore: You are taking away the right of somebody to have something he should have.

Sir CHARLES COURT: In fact, the Bill provides that they will receive the same representation as they would have had collectively; we are not trying to put in any additional representation. If members reflect on this point, they will appreciate there are some Statutes under which the balance of numbers was created for a particular purpose. Therefore, if we change the degree of representation in this case, we will upset the balance.

In all future cases where there are new boards, committees and authorities created, and there must be representation on those bodies then of course the new Statute, which will be under the control of the Parliament, will determine what degree of representation shall be appointed.

I repeat: We are just trying to preserve the situation that exists in relation to the numbers on these bodies; we are not creating something new.

In relation to the other question raised by the member for Swan, I invite his attention to the fact that, as far as these organisations are concerned, there is provision for a transitional period in this measure. He need not be worried about anything that is going to be done that will be *ultra vires* or nullify anything contained in the legislation, because an organisation goes out of existence prematurely. This Bill will become an Act only when it is proclaimed; the reason for this is to make sure that we can have it proclaimed at a date which suits the legal status of the bodies concerned. I believe the Minister made this point during his second reading speech.

Mr Skidmore: He made it very well; that is why I picked it up.

Sir CHARLES COURT: The Minister pointed out there would be a proclamation date which would be agreed upon and which would coincide with the timing of the legal status of the bodies concerned to prevent a hiatus between the old and the new.

However, if members opposite are in any way concerned about this measure, in a spirit of great co-operation—it being the end of the first part of the session—the Government is prepared to report progress during the Committee stage to enable the Bill to be dealt with during the next part of the session.

Mr Skidmore: I accept that.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Thompson) in the Chair; Sir Charles Court (Premier) in charge of the Bill.

Clauses 1 and 2 put and passed.

Progress

Progress reported and leave given to sit again, on motion by Sir Charles Court (Premier).

BUSINESS NAMES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th May.

MR BERTRAM (Mt. Hawthorn) [5.25 p.m.]: The parent Act which will be affected by this amending Bill is the Business Names Act, 1962; it is what may be described as a blood brother of, or coming from the same stock as, a number of other Acts of this State. Similarly, the Bill may be compared with a number of other Bills which have come before this Parliament under this present regime.

They are similar, and can be bracketed, because as I have pointed out in this Chamber on previous occasions there is presently existing in this country a body known, I think, as the Corporate Affairs Commission, which operates largely outside the State of Western Australia. In fact, if it ever gets to Western Australia at all, it would be on only rare occasions because its activities are centralised in the Eastern States, and the people of Western Australia through their Government here have but a very fractional say in the decisions made by that commission; as far as the people of Western Australia are concerned, it is very substantially a nonselective body; only a few ordinary taxpayers from the State of Western Australia act on that body.

That body reaches decisions, whether they have to do with company legislation, stockbrokers or the Business Names Act and usually, such decisions are arrived at in the Eastern States. In the main, they are unreported decisions taken at unreported meetings. The phrase "federalist centralism" would be an adequate description of this system; it is most certainly centralism of the worst type.

The type of centralism that we in this State have been taught to abhor is the centralism of a type which occurs in the Australian Parliament. There, the pace was set by the conservative forces during the first 70 years of the Commonwealth Parliament; over the last three or four years, of course, it has been set by the non-conservative forces.

Mr Jamieson: You are not saying that the attitudes of the past three or four years have carried over to the last six months, are you?

Mr BERTRAM: I regret my singular omission; over the past six months, we have had another gross attack of Liberal-Country Party philosophies in Canberra of which we are all well aware and of

which the Opposition will be making mention in due time. That is one type of centralism. At least it emanates from an elective body put there by the taxpayers of Australia.

This federalist centralism is flowing down through this State from nonelective people. They make decisions. That would not be so bad, but what happens then is that a compact is made, very often outside Western Australia and by a faceless body of persons, that the decisions reached at that level shall be incorporated in Bills and introduced in this Parliament. That would not be so bad if it were not for the fact that there is also an agreement that the Bills will go through this Parliament in the same form as they usually go through the Parliaments of each of the other States. I do not think South Australia or Tasmania are members of the commission.

By reason of those undisputed facts the Opposition finds itself in a sham situation wherein we are pretending to be a Parliament but with regard to this type of Bill are not.

I suppose that this Bill is almost an oblique part of that federalist centralism. Notwithstanding that, it still comes within this bracket of legislation, which is not just unimportant Bills but very often Bills of the greatest moment. So the proposition I am putting forward cannot be pushed off on the basis that it does not matter much as the measures put through in this way are not very important, because very often many of them are of the greatest importance and affect many people throughout the length and breadth of the State.

We do not enter debate on Bills of this kind imagining that we can do very much, no matter how good the amendments or comments may be. However, what we can do is precisely what I have been doing: that is, to point out to the people of this State precisely what is happening in fairly clear terms and thus discharge our obligation as an Opposition. We must do that because we do not have the numbers and there is nothing else we can do.

Having done that, I propose to say little more. However, the Bill is just one of a continuing flood of Bills designed by one Government or another in this place to protect the people of Western Australia from the ravages of what is usually described as private enterprise. It is another classic example of what happens. It appears that some body or bodies have looked at the Business Names Act, perhaps paying a fairly substantial fee to an adviser for that purpose, to ascertain how they can get round the law and work out all sorts of manoeuvres and practices which are anti-social and against the public interest.

The Bill recognises this, and the Minister's second reading speech portrays what has been happening under the provisions of the parent Act. Therefore, I

do not need to detail or repeat it. Nonetheless, I think it is worth while that we should recognise that we are amending the Business Names Act to protect the people of Western Australia from the ravages of certain initiatives within the private enterprise sector. Apparently people have been misled or frauds have been worked upon them. I think that prosecutions have followed but have failed because of a legal technicality. That does not make the acts of the people who have driven a vehicle through the present Act any less reprehensible, but that is what happened. At least it is some comfort that this attempt is being made to protect the people.

One can only hope that as time goes on we will be subjected to fewer Bills of this type by reason of people in the business world choosing not so much to operate just within the law but also doing the right thing by people with whom they do business. Once we get to the stage of fair dealing with a degree of honesty and justice, as distinct from law, we will be able to spend less time in this place because there will be less legislation.

SIR CHARLES COURT (Nedlands—Premier) [5.36 p.m.]: I thank the honourable member for his comments and his support of the Bill, although he does so with some reluctance. I point out to the honourable member that in the final analysis the control of this type of measure is in the hands of the State Parliament. The Standing Committee of Attorneys-General meets on a number of occasions and eventually makes its decisions and recommendations, but in the final analysis each State Parliament has to make the decision as to whether it will accept or reject. There have been occasions when the recommendations have been rejected and when we have not been prepared slavishly to follow with unanimity.

I suggest that on a matter of this kind it makes good sense to have the Standing Committee of Attorneys-General. That committee examines all these things in the hope that we can reach a degree of unanimity. For instance, the explanation for one clause of this Bill is related to somebody who found a loophole and was able successfully to appeal against a decision that was given. It makes good sense to tidy this matter up so that we have some degree of control over people who are wrongly or dangerously soliciting money from persons who could be seriously disadvantaged. This is a way of trying to tidy the thing up.

I also suggest that when we consider matters such as this which come from the Standing Committee of Attorneys-General we should consider them on their merit and we should consider whether we regard it as good law or as something that somebody has trumped up for the sake of

uniformity. If it is the latter it should be rejected; if it is the former we should accept it on its merit.

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

Bill read a third time, on motion by Sir Charles Court (Premier), and passed.

ADJOURNMENT OF THE HOUSE:

SPECIAL

SIR CHARLES COURT (Nedlands—Premier) [5.41 p.m.]: I move—

That the House at its rising adjourn until a date and time to be fixed by Mr Speaker.

I thank the Opposition for its co-operation on the Bills with which we have just dealt.

Question put and passed.

House adjourned at 5.42 p.m.

Legislative Council

Tuesday, the 3rd August, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 4.30 p.m., and read prayers.

BILLS (35): ASSENT

Messages from the Governor received and read notifying assent to the following Bills—

1. Factories and Shops Act Amendment Bill.
2. Metropolitan Region Town Planning Scheme Act Amendment Bill.
3. Metropolitan Region Improvement Tax Act Amendment Bill.
4. Employment Agents Bill.
5. Industrial Arbitration Act Amendment Bill.
6. Acts Amendment (Port and Marine Regulations) Bill.
7. Family Court Act Amendment Bill.
8. Land Tax Bill.
9. Land Tax Assessment Bill.
10. Road Traffic Act Amendment Bill.
11. Education Act Amendment Bill.
12. National Parks Authority Bill.
13. Supreme Court Act Amendment Bill.
14. East Perth Cemeteries Act Amendment Bill.
15. Fremantle Port Authority Act Amendment Bill.

16. Road Maintenance (Contribution) Act Amendment Bill.
17. Transport Commission Act Amendment Bill.
18. Agriculture Protection Board Act Amendment Bill.
19. Rural Housing (Assistance) Bill.
20. Government Railways Act Amendment Bill.
21. Western Australian Tertiary Education Commission Act Amendment Bill.
22. Bulk Handling Act Amendment Bill.
23. Local Government Act Amendment Bill (No. 4).
24. Industrial Lands (CSEB & Farmers Ltd.) Agreement Bill.
25. Mental Health Act Amendment Bill.
26. Justices Act Amendment Bill.
27. Juries Act Amendment Bill.
28. Criminal Code Amendment Bill.
29. Child Welfare Act Amendment Bill.
30. University of Western Australia Act Amendment Bill.
31. Murdoch University Act Amendment Bill.
32. Occupational Therapists Act Amendment Bill.
33. Business Names Act Amendment Bill.
34. Taxi-cars (Co-ordination and Control) Act Amendment Bill.
35. Agriculture and Related Resources Protection Bill.

ART GALLERY

New Structure: Petition

THE HON. A. A. LEWIS (Lower Central) [4.36 p.m.]: I wish to present a petition from the residents of Western Australia, requesting that the members of the Legislative Council do all within their power to support the construction of a new State art gallery. The petition contains 2 816 signatures, and bears the Clerk's certificate that it is in conformity with the Standing Orders. I move—

That the petition be received, read, and ordered to lie on the Table of the House.

Question put and passed.

THE HON. A. A. LEWIS (Lower Central) [4.38 p.m.]: The petition reads as follows—

To the President and Members of the Legislative Council of the Parliament of Western Australia.

We, the undersigned residents of Western Australia hereby and humbly petition the Honourable Members of the Legislative Council of Western Australia to do all within their power to support the construction of a new State Art Gallery and appropriate the necessary funds to initiate its construction.