

Noes—15

Hon. C. R. Abbey	Hon. M. McAleer
Hon. N. E. Baxter	Hon. N. McNeill
Hon. H. W. Gayfer	Hon. I. G. Medcalf
Hon. J. Heltman	Hon. I. G. Pratt
Hon. T. Knight	Hon. J. C. Tozer
Hon. A. A. Lewis	Hon. D. J. Wordsworth
Hon. G. C. MacKinnon	Hon. V. J. Ferry
Hon. G. E. Masters	(Teller)

Pairs

Ayes	Noes
Hon. R. T. Leeson	Hon. R. J. L. Williams
Hon. R. Thompson	Hon. G. W. Berry

Question thus negatived.

Bill defeated.

MEDICAL ACT AMENDMENT BILL

(No. 2)

Second Reading: Defeated

Order of the day read for the resumption of the debate from the 21st October.

Question put and negatived.

Bill defeated.

POISONS ACT AMENDMENT BILL

Second Reading: Defeated

Order of the day read for the resumption of the debate from the 21st October.

Question put and negatived.

Bill defeated.

House adjourned at 12.20 a.m. (Thursday).

Legislative Assembly

Wednesday, the 10th November, 1976

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

QUESTIONS ON NOTICE

Postponement

THE SPEAKER (Mr Hutchinson): I advise that questions will be taken at a later stage of the sitting.

PAY-ROLL TAX ASSESSMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 3rd November.

MR JAMIESON (Welshpool—Leader of the Opposition) [2.20 p.m.]: There is not a great deal I can say in respect of this Bill, except that it is one which keeps pace with inflation. As the Premier indicated, the proposed exemptions are about 15 per cent above those introduced last year, which is roughly in line with the rate of inflation over the year. Of course, one could only encourage the principle of allowing pay-roll tax exemptions for small businesses. As I recall it, it was suggested to the States by the Commonwealth Government that this was an area which

the States could take over and obtain some finance for themselves, and that it could be regarded as a growth tax.

The Premier indicated in his speech that these exemptions would cost the Treasury some \$4.4 million over a full year. This leads us to wonder whether the Government intends to make up this money from other sources. In fact, we are concerned that this may lead to the imposition of a direct income tax—which, of course, could be considered a growth tax—upon the people of Western Australia. If this State does not obtain an infusion of Federal funds to enable it to provide necessary amenities, it may have no recourse but to take advantage of its new powers in this area, and impose additional personal income tax upon the people of our State. If this is to be the case, we can only wait and see just how far it will affect us.

Nothing in the Premier's speech indicated that there would be specific advantages other than those of a general nature applying to those people indulging in business in the country. It seems that they are to be taken into consideration as part and parcel of the whole field of pay-roll tax and are to be considered in the same way as businesses in the metropolitan area are considered.

So far as it goes, this method is undoubtedly a small encouragement to people in the country. No doubt, like all other taxes, pay-roll tax is based on the exemption of more competitive industries and this measure will possibly give encouragement to those in the country to get into a higher bracket so that they will then be subject to higher pay-roll tax.

It appears that in all States the rates and exemptions have been running at about the same level. The rates do not vary very much. In Queensland an annual wage bill must be around \$62 000 before a business is required to pay pay-roll tax. With those few remarks I support the Bill.

MR H. D. EVANS (Warren—Deputy Leader of the Opposition) [2.23 p.m.]: I join with the Leader of the Opposition in supporting this measure. I should like to point out that there is greater opportunity for using its waiver as an inducement in decentralisation. I have made representations about two particular instances. One was in relation to a business connected with television sales and servicing involving a turnover of about \$300 000. It seems to be at this level that business is up against it. The other instance concerns a hop grower. Unfortunately his level of eligibility for concession is not possible.

It might be possible to have a further look at the level of operation of country businesses to see how far pay-roll tax affects them. I appreciate that there has been an extension of the concession

but it would roughly approximate the amount that has been entailed through inflation in the last 12 months. However, this measure is a step in the right direction and I am quite happy to support it.

SIR CHARLES COURT (Nedlands—Treasurer) [2.25 p.m.]: I thank the Leader of the Opposition and his deputy for their support of the measure. Two points arise from their comments. One is in connection with the financing of the ultimate cost in a full year of the concession that is now being made. I set out in detail in the Budget speech the full year's costs that would prevail in respect of various concessions being made by the Government; for instance, with regard to death duties and pay-roll tax.

I assure the House that in framing the Budget last year and this year, and having regard for the future, the Government and its Treasury have been careful to have regard for the flow-on that occurs. As members who have been in the Ministry know, the greatest concern of any Government is the flow-on from a capital work that is started in one year or the flow-on from a cost incurred part-way through a year on the revenue side. The same thing prevails when one makes a tax concession that applies for only part of the year, but when the next financial year comes one loses the full amount for the whole 12 months. In framing the Budget strategy over the last couple of years and having regard for the future, allowance was made for this flow-on effect and the fact that we will have to absorb a full \$4.5 million of pay-roll tax concessions next year.

I shall be having more to say on this aspect with regard to another measure that will be introduced hopefully later today and certainly no later than tomorrow dealing with death duties, because the reason the Government has taken certain actions and has gone to only certain limits in that case is cogent to the point raised by the Leader of the Opposition with respect to this measure.

We had to be certain that by granting a concession we did not finish up with the situation whereby other taxes of a new and perhaps inflationary form were introduced which could impose a continuing and more serious burden on those to whom we sought to give relief with respect to death duties. The same principles prevail in respect of pay-roll tax concessions. We did not want to finish up with the situation whereby, because of predictable circumstances—of course there are always unpredictable circumstances—we failed to allow for this as part of the total strategy for finance of the Government and the flow-on that occurs next year.

With regard to the other point raised by the Deputy Leader of the Opposition, I think the main benefits to arise under the Government concessions last year and

again this year will be experienced by country businesses. Most businesses of the comparatively small type are in the country. When the original pay-roll tax was introduced the figure that was then used as the basic concession for exemption was considered to be something that would take care of about seven or eight employees; in other words, the small one-man type business would have been automatically exempt.

With the onward march of inflation and wage pressures the original exemption figure became almost meaningless. So last year we moved to improve the position as far as the small businessman was concerned and, as a result, exempted a great number of small businesses. That was done for two reasons; one to create relief where it was most needed and the other to reduce the administrative costs of collecting taxes, because all these small traders involve substantially the same sort of administration as for a bigger account.

At the same time during the life of this Government we introduced the pay-roll tax rebate scheme, whereby businesses that can demonstrate that without this relief they will not be able to continue in operation in the country do receive a concession. This concession has been of quite a considerable nature, although it has not been extended to as many people as we would have liked.

I believe the concessions we granted last year and again this year will, in fact, produce a better overall result than would come from the other method of granting rebates on pay-roll tax under special legislation for special cases.

In respect of the improvement this year, the reason it is costing so much money is that instead of the tapering system working right down the scale until we eliminate the basic exemption, on this occasion the tapering system cuts out at a point where the taxpayer must get the basic exemption of the prescribed amount.

Under the Bill introduced last year we had the situation where the tapering system eventually eliminated the exemption altogether for the medium and bigger sized businesses; but that has brought about some concern, some resistance, and some criticism. As a result the Government has now followed a system whereby the tapering cuts out at a point that will ensure that everyone gets the basic exemption, regardless of the higher exemption that is available to the smaller businesses.

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 (Treasurer), and transmitted to the Council.

RESERVES BILL*Second Reading*

Debate resumed from the 3rd November.

MR A. R. TONKIN (Morley) [2.34 p.m.]: I have asked the Government to postpone the debate on this measure, but my request has been refused despite the fact that many other items appearing on the notice paper could be dealt with—for example, the second reading debate of the Appropriation Bill (Consolidated Revenue Fund), which has been on the notice paper for a long time.

Mr O'Neill: You should arrange postponement of items through your leader or Whip, and not indirectly.

Mr A. R. TONKIN: I asked the Minister in his capacity as Deputy Premier.

Mr O'Neill: For a start, you sent a message by another Minister.

Mr A. R. TONKIN: That is right, because I could not find the Deputy Premier.

Mr O'Neill: I have been sitting here all the time. What are you talking about?

Mr A. R. TONKIN: The point is I sent a message through another Minister, because the Deputy Premier was not in his seat when the House commenced sitting.

Mr O'Neill: Why did you not ring me or the Premier?

Mr A. R. TONKIN: I saw the Minister for Lands. As soon as I saw him I discussed with him the problem. I sent a message through the Minister for Police because I could not find the Deputy Premier.

Mr O'Neill: You should do that through your leader or Whip.

Mr A. R. TONKIN: Will the Deputy Premier not speak to me himself?

Mr O'Neill: The business of the House is arranged between the Premier and your leader.

Mr A. R. TONKIN: If a Minister cannot listen to a request from a member then something is wrong. The Deputy Premier seemed to be frightened to postpone the debate on the item for about an hour. I have been supplied with the answers to questions in my name on today's notice paper, but they were supplied to me only two minutes ago and they have relevance to the Bill.

Mr O'Neill: You do not deserve to be supplied with them.

Mr A. R. TONKIN: Does the Deputy Premier expect this House to rubber stamp the Bill? I can tell him that we are opposing the Bill, because we are not prepared to see this Parliament being used

as a rubber stamp. The fact is the questions on today's notice paper have not yet been answered, but I admit that I have been supplied with copies of the answers. I have had those answers for about two minutes, and I cannot be expected to study them in that time.

In any case one answer is not satisfactory, because it is as follows—

It is not known at this time whether pumping equipment will be required.

Yet, in his second reading speech the Minister said that this excision was for a pumping station. Who am I to believe—the Minister for Water Supplies or the Minister for Lands? They appear to disagree with each other.

Mr O'Neill: Read the Bill.

Mr A. R. TONKIN: I have read it.

Mr O'Neill: What does the Bill say?

Mr A. R. TONKIN: It says the land will be revested for water supply purposes.

Mr O'Neill: That is right.

Mr A. R. TONKIN: It does not say there will be a pumping station.

Mr O'Neill: I took the trouble to explain to you the answer, as a matter of courtesy.

Mr A. R. TONKIN: That is right.

Mr O'Neill: But you used that courtesy to attack me.

Mr A. R. TONKIN: I am not attacking the Deputy Premier personally.

Mr O'Neill: Every time we try to assist you, you use what we do against us.

Mr Davies: The Minister is getting testy.

Mr O'Neill: Everybody gets testy with the member for Morley, including members on his side of the House.

Mr A. R. TONKIN: I am saying that the debate on the Bill should be postponed so that we can find out the correct answers. I am not using this to attack the Deputy Premier, but to attack the Government's shortsightedness which does not permit a reasonable postponement of the debate, so that this Parliament can consider the Bill properly.

Sir Charles Court: If you have a genuine reason from one of your members to postpone an item on the notice paper that can be arranged. I would point out that as a matter of good sense, last night I discussed with your deputy leader when the House rose the reasons that items 2, 3 and 4 on today's notice paper were placed after item 1 and before item 5. Surely this is a matter of good sense and orderliness.

Mr A. R. TONKIN: There might be good sense in doing that. However, the Deputy Leader of the Opposition could not be aware that I was relying on the answers to questions which I had placed on the notice paper relating to this Bill, or that

I would get an answer from the Minister for Water Supplies which differed from the answer of the Minister for Lands.

Sir Charles Court: If it will help you, when we reach the Committee stage the debate could be postponed until a later stage of the sitting if you have a particular item you wish to discuss later.

Mr A. R. TONKIN: That was what I was asking a few minutes ago. With a little courtesy from the Deputy Premier we could have agreed on that course.

Sir Charles Court: From the comments you have made you do not deserve courtesy.

Mr A. R. TONKIN: I was quite courteous when I spoke to the Deputy Premier, the Minister for Lands, and the Minister for Police.

Mr. O'Neill: And we supplied you with the answers to the questions, as a matter of courtesy. I explained to you the difference between the speech notes and the provisions in the Bill.

Mr A. R. TONKIN: How has the Deputy Premier explained that to me?

Mr O'Neill: I explained the matter to you.

Mr A. R. TONKIN: The Deputy Premier said there was a discrepancy, but he did not explain the reason for that discrepancy.

Mr O'Neill: The reason is to be found in the answer. You said to me, "I simply want to know whether the water will be taken out of the lake reserve." I replied, "No." I pointed out from where the water will come—the Wanneroo public water supply area.

Mr A. R. TONKIN: Why then is there a discrepancy about the pumping station?

Mr O'Neill: You should read the answer I have supplied. It simply states that at this stage it is not known whether a pumping station will be required. The Reserves Bill states that the land is required for water purposes and a reservoir will be built. What is wrong with that?

Mr A. R. TONKIN: What is wrong is that we should be given more information.

The SPEAKER: Order! The discussion presently taking place is of a kind that could take place in the Committee stage of the Bill. I know the Premier already has said that if the member for Morley wishes he can have progress reported in the Committee stage. That will give him an opportunity to explore the matter further.

I do not think it profitable at this juncture to have a running fire between one side of the Chamber and the other. I suggest to the member for Morley that he pursue the course of his debate.

Mr A. R. TONKIN: In that case there is no debate possible because this measure is purely dealing with a series of quite

distinct clauses. Therefore, we shall discuss them in Committee as we come to each clause. For that reason I see no point in continuing a second reading speech.

I do hope that the Government next year, whichever party is in office, will not take the Reserves Bill as something which is shoved to Parliament in the last weeks and rushed through as a matter of form, and when people ask questions the replies are, "What do you mean? Why are you asking questions?" as though we have no right to ask questions on the matter: as though this is a rubber-stamp procedure. If it is a rubber-stamp procedure, and members know my views on this Parliament and the way it rubber stamps the acts of the Executive, we should be honest and close the place down because we are not prepared to be merely a rubber stamp. That is the reason I asked the questions and why I want certain information.

Sir Charles Court: Before you sit down, could you tell us about which clause you are particularly concerned?

Mr A. R. TONKIN: I will say something about a few of them, but the one which led to this contretemps and which is related to water supplies is clause 10.

MR RIDGE (Kimberley—Minister for Lands) [2.42 p.m.]: I am sorry the member for Morley has adopted the attitude he has because, quite frankly, it is not the intention of the Government to rush this Bill through the House. It was introduced one week ago, and many Bills are introduced into the House and debated one week later exactly as this one has been.

As was explained, the Bill was introduced late in the session to enable every possible clause to be included to make sure that if there is a necessity for any change or alteration to any "A"-class reserves that change or alteration could be placed before the House.

Mr A. R. Tonkin: So in other words you are giving yourself every opportunity to see that every clause is in which means you delay its introduction. You yourself have had months in which to deal with it and the Opposition needs only a week according to you.

Mr RIDGE: We delay it for the reason I gave, and the practice has been accepted by this side of the House and the other side for years.

Mr A. R. Tonkin: I understand that, but you say a week is long enough for the Opposition when you have taken months.

Mr RIDGE: The member for Morley has had a week in which to place questions on the notice paper. He did not do so until yesterday for question time today. He was well aware of the fact that the House was sitting early and that questions would not be taken until after the afternoon tea

suspension. If he felt so strongly on this point he could have put his questions on the notice paper earlier.

Mr Bertram: Where does he get the time?

Mr RIDGE: Where does anyone get time to deal with these things?

Several members interjected.

The SPEAKER: Order!

Mr RIDGE: How many times did members opposite present Bills and then have them debated one week later?

Mr A. R. Tonkin: You have had officers looking at this for months, and this is not the only thing on my plate.

Mr RIDGE: Why did not the honourable member have a look at the Bill before yesterday, which is precisely when he did otherwise he would have put his questions on the notice paper before this?

It is not the Government's intention to try to rush the Bill through the House. The Government is dealing with it in the same way a similar Bill was dealt with by the Minister for Lands in a previous Government and by other Ministers of various Governments on past occasions.

As a point of interest I wish to say I recognised the fact that the member for Morley would be looking for the answers to the questions so that he could debate the Bill in the House, so I left my office at 1.30 p.m. and arrived at Parliament House at 1.35 p.m. I went straight to the honourable member's office on the ground floor, but he was not there. I called back on three occasions and asked several members whether they had seen him. While the bells were ringing I was informed he was in the corridor so I went straight out, but by then he was not there. I returned to the Chamber and found him in here. A particular effort was made to get the answers to the honourable member so that he could use the information in the debate. It was not my fault that they were not available until just before prayers.

Mr Laurance: The Minister is to be congratulated on the efforts he has made.

Mr Davies: You could have used your initiative and had the member paged.

Mr RIDGE: The only clause to which the honourable member has referred in speaking to the second reading debate is clause 10. I do apologise for the fact that the second reading speech notes stated—

Clause 10: The rapid expansion of urban subdivisions requires advance planning of water supply, and the time has arrived for establishment of a reservoir and pumping station to serve a large area at Wanneroo.

The reference to the pumping station is quite incorrect.

Mr A. R. Tonkin: You have officers to do it and you reckon we are inefficient when we have only one week. You have had that Bill in your hands for weeks.

Mr RIDGE: That is right. I say that the speech notes were incorrect inasmuch as they make reference to a pumping station and reservoir. If the honourable member looks at the Bill he will find that the clause is quite correct in that it refers to the area being used for water supplies. With a reservoir there is it not unlikely a pumping facility will be required? So even with the reference to a reservoir and pumping station it would be technically correct, but the area is to be used as a reservoir and is stated in the Bill to be an area required for water supply purposes.

If we are wrong in admitting we made an error in the second reading speech notes, I do not know what more the honourable member requires. He has my assurance that the area is to be set aside for water supply purposes, and there is nothing whatever sinister about it.

Mr A. R. Tonkin: What we object to is the fact that you are being sanctimonious in saying that we have had a week to look at it when you have had months to do it and you have had officers to do the work, and still a mistake has been made.

Mr Sibson: You spend so much time arguing with people that you get nothing done.

Mr RIDGE: I repeat that we have dealt with the Bill in accordance with tradition, if we like to put it that way. Traditionally the debate is resumed one week after the Bill's introduction and we have adopted the procedure on the Bill which has been adopted with similar Bills on previous occasions and will continue to be adopted for a long time yet to come.

Question put and passed.

Bill read a second time.

In Committee

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

Clause 1: Short title—

Sir Charles COURT: I felt I should rise at this point, but I want to make it clear that I have no intention of intervening and taking the Bill out of the control of the Minister because he is in charge of the Bill and will continue to be in this debate.

Mr Davies: You are rescuing him.

Sir CHARLES COURT: In view of the unfortunate situation which developed as a result of the outburst by the member for Morley, I want to make it clear that the Reserves Bill is generally treated as a Bill which concerns individual electorates; and in my experience, going back to 1953, the first thing any member does is to get hold of the Bill to have a look

at it to see whether anything in it concerns his electorate. He then looks at anything of a general interest; for instance, if anything concerned King's Park everyone would be onto it, including the Press.

Usually the Bill itself is one which is not contentious, except on the rarest occasions. I can recall only one occasion when the Bill was subjected to any great debate in the Chamber and again I recall from memory that it was something to do with King's Park which made it of special significance.

In view of the fact that when the Minister responsible introduces this Bill each year certain information is made available to both sides of the House to facilitate consideration by individual members as well as by the Opposition and the Government collectively, I would have thought the time allowed was adequate.

I explained the reason this item, together with two others, was interposed between orders of the day 1 and 5, and it made good sense to me. I gather the honourable member's only objection is in respect of clause 10; I have not heard any other member refer to any other clause which he wants to debate. If any other member does wish to make any comment, naturally he will do so even if only to record his support of the provision in the clause. However, if there is no opposition to clauses 1 to 10, we can proceed to that point and then report progress and have the Bill brought on at a later stage of the sitting—certainly not before questions have been taken.

Mr Davies: The Premier is rescuing the Minister.

Mr A. R. TONKIN: The Opposition represents the imputation made by the Minister for Lands, and others by interjection, that it is an inefficient Opposition. The fact of the matter is that the Minister for Lands has officers working for him and it has taken months to bring this Bill forward but the Opposition, without staff, is expected to step in and do much the same work in one week.

The next item on the notice paper deals with the partial revocation of State forests, but material which was supposed to have been placed on the Table of the House, in conjunction with the motion, was not tabled. As a result, I have not been able to examine the reasons given for the partial revocation of certain State forests. That is inefficiency.

We have had a period of one week during which to consider these two items, and it is sheer nonsense for anyone to think that these are the only matters I have had to worry about during the past week. We are supposed to give our blessing to these measures, but the whole reason for the partial revocation of State forests was left out of the notes provided.

I do not intend to be hard on the Minister—I think he is a fine fellow—but he made an error—or someone made a mistake—and material which should have been tabled was not tabled. If that can happen to a Government Minister with all the resources and officers at his command, what right has anyone to suggest that the Opposition should be able to deal with these matters adequately during a period of only one week when necessary material has not been made available?

Mr RIDGE: I do not believe at any stage I implied that the member for Morley was lazy, nor did I intend to imply anything to that effect. I simply pointed out that in the past Bills had been dealt with within one week of being introduced. The situation is no different now. The member for Morley referred to the next item on the notice paper, and I have already apologised to him for a particular oversight—something which he discussed with me earlier.

Mr A. R. Tonkin: Do not try to pretend you are perfect.

Mr RIDGE: I am not trying to pretend I am perfect. I have already said I apologised to the member for the error which occurred. What more does he want?

Mr A. R. Tonkin: I expect the Minister to be a little understanding of the position of the Opposition, which does not have officers available to carry out research, and which has also had a period of only one week to study the measures.

Mr RIDGE: It has already been suggested to the honourable member that the next item on the notice paper will be deferred so that the papers—which I believed were in his possession—can be studied. Once again, I extend an apology for the oversight on my part.

Clause put and passed.

Clause 2: Reserve No. 8731 at Mongers Lake—

Mr A. R. TONKIN: Clause 2 contains a very disturbing aspect. The City of Perth assumed that the site was subject only to a deed of trust established by covenant imposed by council on certain of its properties in 1941. The City of Perth then did something with that reserve which it was not permitted to do, because it was a Class "A" reserve. It has now been decided to excise part of that Class "A" reserve, in order to validate an error made by the City of Perth.

It is a disturbing aspect—not that I am impugning the City of Perth—that it is possible for anyone to construct a building on a Class "A" reserve without doing the necessary research, and then have the area of land on which the building has been constructed excised from the reserve. I hope this kind of action will not

be taken as a precedent so that any person will be able to tamper with Class "A" reserves, and then ask Parliament to validate that action.

I am not saying an error did not occur in this particular case, but I certainly would not like to think that anyone should get the idea that the way to get an excision from a Class "A" reserve is to do something illegal, and then expect Parliament to make that action legal. That is an undesirable state of affairs, and I hope we do not have many more requests to validate illegal acts.

Mr RIDGE: I would like to give the member for Morley an assurance that I share his concern in this matter. What has happened is very disturbing. I would like also to assure him the Department of Lands and Surveys is not prepared to go on tolerating this sort of occurrence.

There have been two instances of this type, and they are covered by this Bill. The next clause deals with a similar situation. I have asked the department particularly to make sure that the local authorities concerned are made aware of the fact that in future we would not be prepared to rectify similar situations.

The point is well taken; the department has been asked to be vigilant in matters of this nature and if it is necessary all local authorities will be circularised so as to ensure they will be completely aware of their responsibilities in connection with Class "A" reserves.

Clause put and passed.

Clause 3 put and passed.

Clause 4: Reserve No. 687 at Namalcatching Well—

Mr A. R. TONKIN: In passing, I want to point out to the Minister that clause 3 is of a similar nature to the clause I have already discussed. As the Minister has indicated, the same comments apply.

Clause 4 deals with an unfortunate situation. The Namalcatching Well reserve is vested in the Shire of Dowerin, and large quantities of sand have been removed recently by unknown persons. It seems the solution to controlling the removal of sand is for the Shire of Dowerin to vest the land so that its control can be delegated to the Western Australian Wild Life Authority.

I ask the Minister how will the Wild Life Authority control this matter when the local shire has not been able to control it? I do not know that by passing the control over to another body the problem will be solved.

Mr RIDGE: I cannot specifically answer the question raised by the member for Morley but I gather there has been discourse between the Wildlife Authority and the shire council in connection with the matter and it is possible the Wildlife Authority will still ask for the assistance of the council in ensuring sand is not illegally

removed from the area. I could share the honourable member's concern but I expect there would be some degree of consultation between the two bodies in an effort to ensure the reserve is adequately cared for.

Clause put and passed.

Clause 5: Reserve No. 29057 at Tunney—

Mr A. R. TONKIN: I have on today's notice paper a question addressed to the Minister for Lands and I thank him for giving me an advance copy of his answer. However, the answer mystifies me and perhaps he can clear it up.

In his second reading speech the Minister said this Class "A" reserve, which was set apart for camping, caravan park, and water to protect some attractive bushland, contains nearly 67 hectares and the intended uses have proved to be unnecessary. In my question I have asked what were the intended uses and whether they included the protection of some attractive bushland.

Mr Ridge: No. The intended uses were for camping, caravan park, and water, and those are the uses that are now found to be unnecessary.

Mr A. R. TONKIN: But was it not set apart for camping, caravan park, and water in order to preserve some attractive bushland?

Mr Ridge: Perhaps it was. Nevertheless, it was never used for the purpose for which it was set aside.

Mr A. R. TONKIN: So it was not for camping, caravan park, and water?

Mr Ridge: That is right. The new form of vesting will still protect that bushland.

Clause put and passed.

Clauses 6 to 8 put and passed.

Clause 9: Reserve No. 27004 at Kalbarri—

Mr A. R. TONKIN: I find it hard to understand why it has been decided to excise part of the Kalbarri National Park. Two reasons are given. I do not know whether two reasons are needed or whether they support one another. The two reasons seem to be the need to extend the Kalbarri townsite and the fact that there are no significant physical features being protected in this area.

The land being taken away comprises over 500 hectares, which is something like 1 200 acres. That is a very large area to be taken away from a national park. I am not really happy that 1 200-odd acres should be taken away from a national park in such a manner. It is just tucked away in the Reserves Bill and there are brief notes on it. It seems this matter will not attract a great deal of debate or public attention, and if we decide to take away from a Class "A" reserve such a sizeable chunk of land a rather good case should be put up. No such good case has been put up that I can see.

It seems the Kalbarri townsite is to be extended. Is this the only direction in which it can be extended? Why is it necessary? Is there a tremendous shortage of land or pressure upon the available land? What is meant by "no significant physical features"?

I think in the past we have been rather barbaric in our attitude towards some of our country. I remember a foreign-born gentleman who apparently did not have a great deal of feeling for Western Australia and who defended the very harsh scar caused by quarrying on the Darling scarp at Gosnells. The shire clerk of Gosnells said, "In our opinion the scar looks better than the ugly grey scrub that used to cover the original scarp." In other words, to him the scarp was ugly anyway, and he would have said it had no outstanding physical features and a quarry probably improved it. I think there is something wrong with those values but that was the attitude of the shire clerk of Gosnells who was defending a quarry on the face of the Darling scarp.

It is not good enough to say there are no outstanding physical features. Because it would not be a scenic attraction and we could not expect thousands of Americans to come here and gape at it does not mean to say it is without value. I do not believe we should be agreeing in such a cavalier manner to a big subtraction from a park such as Kalbarri National Park. This is a very fine park. No really good case has been put up to show the Kalbarri townsite is under serious pressure or that this is not an essential part of the park.

It has been suggested there is a lot of litter in the area and it is very difficult to police. How will it be policed if the area is excised? The suggestion is the shire will be able to police it, yet the Shire of Dowerin says it cannot stop sand being taken away. The National Parks Authority is now saying, "We cannot control litter so we will give it to the local shire." It seems to be an argument of convenience.

I deplore the way this matter is being brought to the Parliament. Perhaps there is a very good argument for taking away over 1 200 acres from this national park but Parliament should have a case put to it. We should be given very cogent reasons for this subtraction.

I think in the future we need to look at this Reserves Bill more closely. In the past it has been an automatic procedure at the end of a session. I know the reason for that but it seems to me it is almost like signing a requisition form for stationery. It has not excited a great deal of interest. As the Premier said, the main thing is for individuals to see whether the Bill affects their areas or King's Park, and if it does not it is not important.

We are moving into a time when reserves must be taken much more seriously than that. For those reasons I cannot agree to this proposal. I know it will go through no matter what I say but I certainly cannot say I support this clause, because I do not have enough information. I come back to the provision of proper information to the Parliament. If this Parliament had a standing committee on the environment it could have a look at this national park and make a recommendation to the Parliament, but the Premier is determined that the Parliament will not operate in that efficient manner.

Mr RIDGE: The Kalbarri National Park has some very fine physical features. I do not think anybody would deny that. The area in question does not have any particularly attractive physical features. The member for Morley has on today's notice paper a question in which he asks what are the physical features of the area which it is claimed are not significant. The answer to that is that the National Parks Authority considers this section of Kalbarri National Park does not contain any significant features. The surveyor's field book refers to rough rocky outcrops and breakaways with some yellow sandy soil; it contains thickets of ti-tree and wattle.

Mr A. R. Tonkin: It sounds like the Grand Canyon.

Mr RIDGE: Has the honourable member seen the Kalbarri National Park?

Mr A. R. Tonkin: Yes I have.

Mr RIDGE: Has he seen the Grand Canyon?

Mr A. R. Tonkin: Not personally, but the point I am making—

Mr RIDGE: I have, and I assure the member there is a great difference.

Mr A. R. Tonkin: I know that, but that description—with rocky outcrops—could describe some of the most lovely scenery in the world.

Sir Charles Court: Have you been to Kalbarri lately?

Mr A. R. Tonkin: I am saying—

Sir Charles Court: Do you know the Murchlson gorges?

Mr A. R. Tonkin: Yes.

Sir Charles Court: Do you know the S-bend?

Mr A. R. Tonkin: Yes.

Sir Charles Court: That is what is being protected, and for good reason.

Mr RIDGE: The Kalbarri National Park contains some fine natural features but the land which is the subject of this legislation does not contain any of these physical features, and the honourable member has my assurance on that point.

The member for Morley referred to 500 hectares of land being a particularly large lump to excise from a national park, and I agree that it appears to be so. However, I point out that the Kalbarri National Park contains about 186 622 hectares which, on a rough calculation, is fairly close to half a million acres. So approximately 500 hectares is a comparatively small area particularly when one considers the shortage of land in and adjacent to the Kalbarri townsite.

What is the purpose of having great attractions if we do not have areas of land which people can utilise when they visit these attractions? Certainly Kalbarri will be utilised fairly considerably, and quite obviously land is necessary for the extension of the townsite.

If the member refers to the plan which was tabled at the second reading stage, he will find that a coastal strip is to be excised from the park and vested in the local authority. This coastal strip will be available for recreational uses by the people in the area. The strip to the east of Red Bluff Road—I think that is the name of the road—will become available for future townsite extension.

I cannot say how the local authority intends to police the area under its control. Certainly we know we have two very dedicated park rangers looking after this national park and these gentlemen do a magnificent job. It is no good suggesting that each local authority is the same; because one local authority may not have the facilities for maintaining land in its area, another could well have the staff and facilities to do so. I do not believe there is a reasonable argument on that point.

I assure the honourable member that the land is needed urgently for extensions to the townsite and for additional recreational facilities for the people who utilise the area.

Mr Skidmore: The reference to the S-bend should have been a reference to the Z-bend.

Mr A. R. TONKIN: In answer to the Minister for Lands, I would like to say: "Snip, snip". I am concerned about this continual snipping away. It is all very well to say this is a small area as a percentage of the whole—it is less than 1 per cent—but if we continue in this way each year, we will soon be in trouble. It is one thing to excise half an acre of an "A"-class reserve for the erection of a toilet block, but to excise 500 hectares is another matter.

It is important to realise this is not just a question of the physical features of the area involved. The Premier said this land does not have any wonderful physical features, but we need to remember that the ratio of the perimeter to the area of reserve must not be too great. We should

not reserve just the areas of outstanding physical beauty; it is important also to remember that we need buffer zones. Let us not be simplistic about this—we are not reserving just the pinnacle or the gorge; we must allow for a fairly large buffer area.

The Minister said it is no good having tourist attractions without an adequate townsite, but that is not the point at issue at all. The point is that no case has been made out to increase the size of the townsite. All we had was the bland statement that there was a need for extension. No figures have been supplied in regard to a demand for land and we do not know how many vacant blocks there are in the area. I am not saying there is no need to extend the townsite, but I am saying that no case has been made out to extend it. So there are two very different propositions.

I believe this Parliament should be provided with a great deal more information. A cogent case should be put before us, and I hope next year, whatever political party is in Government, a good argument will be advanced in regard to any such excisions.

Presumably the Lands and Surveys Department has a good argument for this excision, otherwise the provision would not be before us. However, if we presume this, we may as well let the Lands and Surveys Department legislate for us. We should be told if there is a good case for the extension of the townsite.

Mr TUBBY: I would like to make a few comments in regard to the resumption of this 500 hectares of land from the Kalbarri National Park. The development at Kalbarri has been stifled and cramped because of the lack of land in the residential area. The area we are discussing would be one of the most uninteresting sections of the national park. As indicated, it is a strip extending south from Red Bluff along the edge of the coast, and it is typical of many thousands of acres of land in the area. It has no significant value as far as tourists are concerned.

Kalbarri is a small town on the edge of a large national park and it is an area of great attraction to tourists from throughout the whole of Australia. It is a great shame that this wonderful area—with its free and easy way of life, beautiful scenery, and marvellous climate—will be prohibited from developing to its fullest extent because of the shortage of land available for residential, sporting, and other activities. As the elected member for Greenough, I would like to say that I wholeheartedly support this clause.

Mr JAMIESON: For some time the people of Kalbarri have pressed for an airport. I would like to know from the Minister whether some part of this excised area will be set aside for an airport, or whether there will need to be a further excision for this purpose.

As the member for Greenough just indicated, a great deal of the inland area is very similar, and there is nothing grandiose about it except that during one part of the year it produces a significant crop of wildflowers. Of course, other areas produce these flowers also, and I do not think the overall reserve will be damaged by excising this area to use as an extension of the townsite. However, an important point is the area envisaged for this extension. The scrub itself does not go very far south, and I have noticed from the air that in some places the scrub has been rolled or burnt and then pastured. There is rather more natural vegetation towards the northern highway than there is south of Kalbarri.

I hope we leave ample room to ensure the vegetation continues to grow in its natural state without infestation by foreign grasses which seem to take over and choke the natural herbage.

Referring back to the provision of a landing strip for aircraft, I point out Kalbarri will not be used to the maximum and will not attract as many people as possible from Perth until it has a landing strip adjacent to it. It is a long drive from Perth to Kalbarri. I know the Minister handling the Bill could say he drives further distances in his electorate, but it is a tedious drive for metropolitan people. Many senior civil servants have already established homes there; and there is no doubt that access by air to the metropolitan area would be a great advantage to those who intend to set up their homes at Kalbarri. I would like the Minister to comment on that.

MR RIDGE: I assure the Leader of the Opposition that I agree it is a long way to drive from the city to Kalbarri. As Minister for Tourism, I again assure him that I am anxious to see an air field established there so that people can visit the national park with some ease and comfort instead of having to drive to that area. I know a proposition is being considered for the provision of an air field in the locality, and I believe it is within the area under discussion. Unfortunately at the moment I cannot give an unqualified assurance in that respect, but if I am incorrect I will certainly let him know.

MR A. R. TONKIN: I do not think I made myself very clear on the last occasion. The point I was trying to make is that it is not only the areas of outstanding physical beauty that need to be preserved; just as important are the areas which surround the areas of outstanding beauty, because they are required as buffer zones. I hope it is realised by members that it is gauche in the extreme to suggest that we can just reserve the particular area that we want to keep, without ensuring there is a large buffer zone around it to protect it.

MR CARR: I make one brief comment for the information of the Leader of the Opposition and the Minister for Lands regarding the suggested air service to Kalbarri. There is a proposal that Avior Pty. Ltd., which presently operates a commuter air service between Perth and Geraldton, calling at Leeman, Eneabba, and Geraldton, extends its service to Kalbarri. My understanding is that an airport site is under consideration, and the company is considering a date some time in December of this year for commencement of the service.

MR RIDGE: By way of interjection, I indicate I have just been advised that the proposed airport is within the area under consideration.

MR CARR: Thank you.

Clause put and passed.

Progress

Progress reported and leave given to sit again at a later stage of the sitting, on motion by Mr Ridge (Minister for Lands).

(Continued on page 3876)

LICENSED SURVEYORS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 4th November.

MR BARNETT (Rockingham) [3.25 p.m.]: The Minister for Lands, having had a number of brickbats thrown at him in the last half hour or so, will no doubt be pleased to hear that I do not intend to throw any brickbats at him in relation to this Bill; rather I feel he should be offered a bouquet, though I do not feel inclined to present the bouquet myself!

This Bill essentially provides for five changes to the parent Act. The first makes provision for the termination of the articulated pupil system. The second provides that the only means of entry to the profession of surveying will be through a university degree or equivalent qualifications from a tertiary institution. The third ensures that one member of the board shall be a member of the teaching staff of a Western Australian educational institution conducting a course in surveying. The fourth seeks to increase penalties from \$100 to \$1000. The fifth amends the definition of "institute" to provide for a change in the title of the appropriate institution.

I have been in touch with both the president and the immediate past-president of the institution, bearing in mind that the president has held that office only for a matter of weeks. Both those people informed me their representatives have been given the opportunity to discuss the Bill with the Minister's officers. They also informed me their representatives were extremely happy with the Bill, and they

feel it is certainly not before time, in view of the fact that the institution has been endeavouring to have most of these changes made since 1958.

There is no point in continuing my remarks any further and wearying the House. We on this side agree to the Bill.

MR RIDGE (Kimberley—Minister for Lands) [3.27 p.m.]: I thank the member for Rockingham and the Opposition for their support of the legislation.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

APPROPRIATION BILL (GENERAL LOAN FUND)

Second Reading

Debate resumed from the 7th October.

MR JAMIESON (Welshpool—Leader of the Opposition) [3.30 p.m.]: The loan programme presented by the Treasurer puts forward a fairly attractive picture on the surface. Expenditure on public works is up by 18.7 per cent, which represents a reasonable performance by the Government in the present economic circumstances.

However, to obtain a true picture of the expected increase in public works, we need to look at Australia's rate of inflation over the last year. Between September last year and September this year, Australia's overall inflation rate was 13.9 per cent. In addition, the rate was higher in Western Australia; in fact, Western Australia's rate of inflation was the highest of any of the Australian States. Perhaps the Government forces are getting tired of hearing me say that, but I believe it bears emphasis. The rate of inflation in the construction industry in this State was higher than the general rate of inflation, running at over 17 per cent per annum.

If this inflation rate continues, there will be almost no increase in the real level of public works undertaken in Western Australia during this financial year. There are signs that the national inflation rate may be falling off, but even with a dramatic improvement in Australia's inflation performance, there will be only a very modest increase in Western Australia's public works programme. However, we are living in a fool's paradise if we think the position is going to get any better, given the current Commonwealth-State financial situation.

At the last Premier's Conference the Fraser Government put the States in a straightjacket with regard to loan funds. The increase the Fraser Government allowed the States in general purpose capital grants and approved borrowings for capital purposes was a mere 5 per cent. After allowing for inflation this represents a substantial cut in real terms in the amounts being made available for vital public works. This is in line with the Fraser Government's openly stated policy of cutting back on Government activity, which amounts to a policy of doing nothing to improve the public facilities which the people rely on Governments to provide.

The Western Australian Government has been able to overcome the Federally imposed cutbacks to some degree by taking funds from other areas to bolster the works programme, but if we look at the sources of the funds the State has diverted it is apparent we cannot always count on having finance available for the works programme. We may not always be able to subsidise the financial meanness of the Fraser Government from State revenue funds and departmental internal funds. We may not always be able to disguise with State funds the Fraser Government's failure to accept its responsibilities to the people.

Unless there is a substantial increase in Federal loan funds next financial year, public works in Western Australia may fall well below acceptable levels. The Fraser Government must provide increases in loan funds to build them up to a level that is at least equal to the inflation rate. Western Australia is a growing and expanding State. We have a need to provide public facilities for our developing areas. We cannot do it if we do not have the money. We need to look at where the money came from to finance the 1976-77 works programme in Western Australia.

As happened in 1975-76, this year's programme has been bolstered by expenditure from internal funds of Government authorities.

Expenditure by these authorities in this year's works programme is estimated to be \$78.5 million compared with an actual expenditure in 1975-76 of \$38.2 million. This means the expenditure from these sources is estimated to increase by \$40.3 million, or 105 per cent. Whether this will occur or not is a matter of great conjecture.

This year's works programme depends largely on the expenditure of funds by local authorities. Last year the difference between the estimate of expenditure from internal funds and the actual expenditure from internal funds was very great. Last year the actual expenditure of internal funds on public works was \$23.8 million less than was estimated in the Treasurer's speech introducing the Loan Estimates.

This is a hefty amount and if this trend continues this year there will be a lot of things left undone.

I should point out that the speech the Treasurer made last year when introducing the Loan Estimates was very misleading. There is very little relationship between the public works programme the Treasurer announced last year and the one that was actually carried out. In his speech last year the Treasurer said the State would be undertaking a works programme costing \$339.8 million, which was an increase of 18.8 per cent on 1974-75. In actual fact, expenditure last year on public works was only \$315.8 million—or an increase of 10.4 per cent on the 1974-75 works programme.

Given that the inflation rate in the construction industry last year was 17 per cent, we actually spent less on public works last year, in real terms, than we did the year before—about 6 per cent less. The shortfall between what the Treasurer estimated would be spent on public works last year and what was actually spent was made up almost entirely of a shortfall in the estimated spending financed from internal funds. So it can be seen these expected internal funds very often do not come to light when the pressure is put on.

Last year the State actually spent \$23.8 million—or 31 per cent—less than was estimated from the internal funds. It was the estimated spending from internal funds that made last year's works programme look so good when it was announced by the Treasurer. It was a very much gloomier picture when we considered the actual expenditure from internal funds—31 per cent gloomier, of course.

There may be some perfectly reasonable explanation why the internal funds which were estimated would be spent last year were not spent. However, the Treasurer again relies very heavily this year on internal funds from Government authorities to boost his works programme. The percentage increase in the funds estimated to be spent on public works this year would be very much lower if it were not for the 105 per cent increase in works funded from internal funds. If the same thing happens this year as happened last year, with the actual expenditure of internal funds being very much less than estimated expenditure, the picture will again be much gloomier than the one the Treasurer painted in his speech.

The second source of State funds to boost the works programme this year is the transfer of \$10.8 million from the Consolidated Revenue Fund to the General Loan Fund. If this money had remained in the Consolidated Revenue Fund it could have been used for a number of necessary and highly desirable purposes; such as restoring free travel for pensioners on public transport, or abolishing the pre-school levy. But the Government decided instead

to continue charging pensioners for travel and to continue charging small children to attend pre-school.

The Government has used revenue funds to prop up a works programme which, without them, would look very sick indeed, mainly because of the effects of the so-called new federalism of the Fraser Government, which the Premier has embraced so joyfully. I think that before very long, some of his joyful relations with the Federal Government will come home to roost. The Premier has been in active politics almost as long as I, and he will discover he will receive exactly the same reception as other States in his requests to Federal parliamentarians for financial assistance and action.

It is not good enough for the Premier to protest, as so often he does, that the new federalism concerns only personal income tax sharing and nothing else. The fact is that Commonwealth-State financial relations must be seen as a total package. The new total package is called "the new federalism". It is a package which has a lot of glittering and fancy wrapping paper with a very sour lemon in the middle. It is a package which already is spelling financial disaster for the States.

Let us look at the loan funds which the Fraser Government is allowing us to have this year in the name of new federalism. In 1976-77 Western Australia will receive \$209.1 million from the Commonwealth Government by way of general purpose loan funds, general purpose capital grants, and specific purpose capital grants.

One matter that has been shamefully omitted and about which nothing has been done is the development of Carnarvon. The Premier has accepted the dictates of the new federalism by saying that the development of Carnarvon, which was promised some years ago, should be part and parcel of the State's normal loan activities.

I have researched this matter fairly thoroughly. I find that in the speech of Her Majesty in Canberra on the 28th February, 1974, she said, among other things, that legislation to provide financial assistance to Queensland for the Ross River Dam and to Western Australia for water supplies for the Gascoyne plantations and Carnarvon will be presented. In itself that is a straightforward promise that something would be done in this regard.

Sir Charles Court: Is this 1974?

Mr JAMIESON: Wait a moment; the Premier will be sorry when he hears the rest of it. During the period the Whitlam Government was in office a question was asked in regard to this matter by the present member for Gascoyne on the 2nd October, 1974. Later the same day the member for Gascoyne raised the matter during the grievance debate because no money was forthcoming.

The next action taken was that Mr Collard, the then Federal member for Kalgoorlie, asked Dr Patterson, the Minister handling this matter, what was going on. He was told that aspects of financing and other environmental problems were being investigated and that when those conditions were straightened out the Minister would be in a position to make an announcement regarding the scheme.

On the 3rd November, 1974, in the *Sunday Independent* we saw a sort of semi-announcement that there was to be a \$6 million north-west water scheme which, according to the Press, would be announced within a few days. But the announcement was not made.

That was followed by a further question in March, 1975, by the current member for Gascoyne in regard to what was happening.

On the 15th May, 1975, Mr Collard asked a further question in respect of this matter and received the answer that the proposal would be considered in the normal way by Cabinet in a budgetary context.

Then the days of the Whitlam Government ran out and no further activities regarding this matter were reported by various Liberal members here or by the Federal member for Kalgoorlie in the respective *Hansards*. The matter seems to have died a natural death because we have been told, under the new federalism package deal, that this is one of the things the State must look after itself. I did a lot of personal work on this scheme.

Sitting suspended from 3.45 to 4.04 p.m.

Mr JAMIESON: I have indicated that I took a great personal interest in the additional water supply for Carnarvon when I was Minister for Works, and I followed the matter through for a long time. At the time the departmental officers were telling me that we could either undertake this project in one fell swoop if the requisite finance was available—and at the time the figure mentioned was some \$5 million—or we could undertake the work piecemeal from the funds of the State, but the project would finish up costing twice as much or more. Because of that we presented a very strong case to the Federal Government.

I have made reference to a few questions which were asked, and it appears that our case was getting a very good hearing, to the extent that reference was made to the project in Her Majesty's Speech at the opening of the Federal Parliament; an assurance was thereby given.

However, something along the line went wrong under the new federalism policy. The Government of this State stopped prodding the Federal Government, and members stopped asking questions. It is significant that no questions were asked in either House of this Parliament and

none were asked by the new Federal member for Kalgoorlie (Mr Cotter) in the Federal Parliament.

The last question dealing with this project was asked by a Labor senator in more recent times. Other than that very little has been said on this matter. On the 27th May last Senator Walsh asked Senator Cotton a question in which he indicated there had been some rejection of the proposal; again in 1976 the Premier of this State requested further consideration of the matter, and in March, 1976, he obtained information from the Prime Minister that the matter would not be reconsidered.

The great pity is that another project which was announced at the same time is proceeding, and it actually is being financed by the present Liberal-National Country Party Government at Canberra. In this respect I refer to Federal Budget paper No. 7 of 1976-77, which deals with the Ross River Dam. The following appears—

Ross River Dam

Under the *Queensland Grant (Ross River Dam) Act 1974* the Commonwealth Government is to provide grants of up to \$2.56 million to Queensland towards the cost of construction of Stage 2 of the Ross River Dam, which will augment the supply of water to Townsville. An amount of \$1.4 million was paid to the State in 1975-76 and it is estimated that the balance of \$1.16 million will be paid in 1976-77. Details of the assistance provided for Stage 1 of this project are given in last year's document at page 208.

While this project was being implemented through the action of the Whitlam Government, the project in Western Australia was delayed by an environmental study and by other factors. Consequently the latter project did not get off the ground.

The point I make is that this Government is not doing enough to make sure that the Federal Government lives up to the statement made by Her Majesty. The other project clearly is being implemented, and the one in Western Australia also should be implemented. The Premier seems to be prepared to accept the statement of the Prime Minister that the money for this purpose has to be found from loan funds, and not provided under a specific purpose capital grant as was proposed.

Mr Laurance: It is nice to get hold of the money. The people were duped.

Mr JAMIESON: When those people elected a dupe they were duped!

Mr Laurance: There was an announcement in Carnarvon but nothing came of it.

Mr JAMIESON: That is not so. The honourable member should take into account the history behind this proposal, and he

should read the Federal and State *Hansard* debates. The questions strangely ceased when the present Federal Government was elected.

Mr Laurance: We will do the job, but you merely talk about it and make promises.

Mr JAMIESON: The member for Gascoyne is having a bit of money each way. He was not prepared to do anything about the matter, and the Federal member for the area has not raised the matter either. The only one who has raised the matter in recent times is Senator Walsh, who tried to get an understanding from the Federal Government.

Sir Charles Court: There is a good reason the matter has not been pushed at that level. I will give it when I reply to the debate.

Mr JAMIESON: The Premier will need a good reason, because with the project being undertaken in a piecemeal fashion it will cost the State a mint. In case the Premier did not hear me, I pointed out that I had this matter thoroughly researched.

Sir Charles Court: I heard you say that.

Mr JAMIESON: I was well aware what it would cost the State if the project had to be undertaken with funds from the State, as against the proposed specific purpose capital grant promised in Her Majesty's Speech at the opening of the Federal Parliament in March, 1974.

I suggest we need to exert a lot more pressure on the Federal Government. If specific purpose grants can be made available to Queensland for the project I have mentioned, to Western Australia for the Ord River project, and again to Queensland for water conservation, then certainly the same should be done for the project in the Gascoyne area and the matter should be pursued.

I do not mean that it should be pursued in such a way that it will still be continuing in another 10 years because of the tremendous cost to the State as a result of inflation and other problems.

Mr Laurance: The Queensland project went ahead in an effort to save someone's head, but it was forgotten by the Whitlam Government.

Mr JAMIESON: That statement is not in accordance with what I read a moment ago. If the honourable member had been here he would have heard what I said.

Mr Laurance: You know that that announcement was made in Carnarvon three weeks before the last election, and then nothing happened.

Mr JAMIESON: That was made by no less a person than the Queen at the time. We happened to be in Carnarvon—

Mr Laurance: A rabbit out of a hat.

Mr JAMIESON: —when the announcement was made. We did not know it would be made, but we were highly delighted when it was. The shame of it is that the State Government and the honourable member have ceased to press the Federal Government for a special grant for this purpose since the political colour of the Government altered. While the colour was red in their eyes, it was all right to pursue the matter, but now the colour is blue they do not bother anymore. The member for Gascoyne disregards his responsibility to Western Australia as he has demonstrated very clearly in *Hansard*. I defy him to indicate anywhere else he has done anything to try to initiate any action on this matter since the Fraser Government took office.

Mr Laurance: What about the Budget—\$900 000.

Mr JAMIESON: Last year we received \$204.9 million from the Commonwealth for general purpose, capital grants, and specific purpose grants, which was not a high increase. It was only some 2 per cent which is nothing when we have a double figure for inflation. So we are not getting very far ahead.

If this is an example of the new federalism, the sooner we get back to the old system the better. The Premier is one of the architects of the new system and is one of its greatest supporters, although I am not too sure after yesterday. The Premier has been sold a pup and does not realise it. However, he will realise it more and more as the years go by.

Mr Laurance: Who wrote this for you?

Mr JAMIESON: The member for Gascoyne certainly did not because he would not be capable of doing so.

Mr Laurance: Not that sort of trash.

Mr JAMIESON: The Fraser Government talked so much hogwash when it was in Opposition about the Labor Party's centralism, but now it is financially strangling the States. It is robbing the States of the funds needed to provide adequate public facilities for the citizens.

Mr Laurance: You read well.

Mr JAMIESON: It is achieving all this while still trying to persuade the people and the State Governments that it is giving them a wonderful new financial deal which gives them greater freedom to spend their funds as they see fit. The trouble is we are getting greater responsibility, but less funds. Freedom for the States to spend their funds the way they see fit is no freedom at all when they have no funds. That is the way the present federalism is developing.

I think the Premier is the last State politician in Australia who still believes that the pattern of Federal-State financial relations begun by the Fraser Government is good for the States. There are none so

blind as those who will not see. Western Australia cannot afford to have a leader who looks at everything his Federal colleagues do through such rose-coloured glasses.

What will happen when our Government authorities cannot afford to finance works from their internal funds to the same extent they are doing at the moment? This occurred last year and will undoubtedly occur again this year. Certainly there have been problems.

What will happen when the Consolidated Revenue Fund can no longer afford to subsidise the General Loan Fund normal spending? What will happen then? All these things which are now to be done for the public will not be done. The works programme will be seriously curtailed. If we cannot keep up the level of public works we are undertaking, unemployment will increase. It is already very high and despite the fact the Government wants to claim how much it has improved the figure is still over 2 000 more than it was at this time last year, and that is a large increase.

If we are to avoid these consequences there is only one way out for Western Australia, and that is to impose a State income tax, as I mentioned before, and it looks as though that is the method the Premier will adopt to finance things in the future. We hope the electors will have something to say about that of course.

That is the strength behind the Treasurer's speech in this House when he introduced the Bill. It is the story behind the figures in the General Loan Fund Estimates, which have been distributed to us, and as long as the Treasurer goes on with these sorts of calculations, we will not get very far.

A number of funds have been transferred from the Consolidated Revenue Fund to the General Loan Fund including transfers from—

	\$ Million
Metropolitan Water Board ..	2.5
Forests Department	0.609
Government Employees' Housing Authority	0.50
King's Park Board ..	0.1
National Parks Authority ..	0.381
Community Recreation Council	0.458
South Perth Zoo ..	0.217
Earnings from the short- term investment	6.0
	<hr/> 10.8

An amount of \$10.8 million has been used to prop up the General Loan Fund.

This year there will be less to be spent on Aborigines and education. On the 7th October, 1976, the Treasurer said—

Education is one of the yardsticks by which the performance of Government is measured.

As most of the money for education goes in construction, with a smaller amount being spent, the department will not be able to keep up with the 17 per cent inflation rate experienced in the construction industry. Therefore we will get a lot less done than before.

All in all it comes back to the fact that we are not getting a reasonable deal because the Treasurer is prepared to prop up this new federalism of which he is so fond. He is prepared to say that anything the Fraser Government does is right. It does not matter how wrong it is. He will fail the same as any other Treasurer who attempts to adopt that line of action with a Federal Treasurer; and in the ultimate the State will be worse off for this advocacy on the part of the Treasurer.

I support the Bill because we need to have carried out all those works listed in the General Loan Fund account. However, we certainly must be critical of the way the finance is being handled and the way the Treasurer is indulging himself on behalf of the State in the luxuries he has proposed in the new federalism and the other kinds of financial extravagances which will not work out.

In the end I believe we will find that we are the worst taxed State of them all because a bigger tax on a personal level will be imposed in this State when we get around to introducing personal income tax Bills into the State Parliament, undoubtedly before the next financial year begins.

I support the Bill.

SIR CHARLES COURT (Nedlands—Treasurer) (4.20 p.m.): I thank the Leader of the Opposition for his support of the Bill. When I have replied, and when we have passed the second reading, I propose to leave the Committee stage and have it made an order of the day for another sitting because some members might want to study the individual items in the Estimates. It is more appropriate to debate individual items than take part in the general debate.

In his comments on the loan fund budget, the Leader of the Opposition did not make the contribution I was hoping he would make to the general economic scene within Australia and, particularly, within our own State. His criticism, such as it was, was largely of a statistical nature and referred to various items being over-spent, or underspent, as the case may be.

It is the responsibility of the Opposition, when speaking to the General Revenue Estimates, as well as the General

Loan Fund Estimates, to make a contribution to the economic scene in our own State, as well as at the national level. I do not think one could say the Leader of the Opposition has made such a contribution. I must admit that, conversant though I may be with the figures in both sets of Estimates, I found it difficult to follow some of his criticism about so-called shortfall and the underspending of loan funds during 1975-76, and his prediction of a similar shortfall in 1976-77.

My appreciation of the Government's financial programme, both in respect of the Consolidated Revenue Fund and the General Loan Fund is that not only have we been responsible but also we have had a strategy to arrest inflation, as well as provide something for the future. There has been an improvement each year—this year in particular—because in bringing down the Consolidated Revenue Fund Estimates we were able to maintain a loan fund programme which must have surprised practically every member in this House—from both sides.

Far from being critical, I thought the Leader of the Opposition would have been at least fair enough to tell the Government that in a difficult financial situation it had done fairly well in trying to maintain the level of employment. The simple fact is we were able to bring forward a loan fund programme which showed an increase of 18.7 per cent on last year in spite of the fact that the base figure of the Commonwealth Government was only 5 per cent. I have been critical of the Commonwealth because I think it made a tactical error in keeping the States down to 5 per cent in respect of loan funds when a sum in the vicinity of 12½ per cent would have made a tremendous difference to the States, whereas, on the other hand, it would not have made a great difference in the national scene.

It is true the States were seeking something much higher, but that is not unusual. I believe the Prime Minister was on very sound ground when he said the States should make their contribution towards curbing inflation. The proposition was put forward by some of us that the best way was not to turn off the tap too quickly, by bringing the amount down to 5 per cent, but at least to meet us half way at about 11 or 12 per cent within which figure we could live. I think we have demonstrated, by rearranging our finances and still producing an 18.7 per cent increase, we could have done it that much better and easier had the Commonwealth given us a little more.

However, the Commonwealth has a set policy to abate inflation. It has been prepared to take the political risk and face the odium which goes with it. Therefore, we have to look at the position in the light of reality and not conjecture. Because of

the action taken over the last couple of years we have managed to produce from revenue money which has enabled us to maintain a programme which did not involve us in severe cutbacks in employment within the Government service.

The Leader of the Opposition tried to paint a picture that because we have done this, and because we were frugal and saved some fat to live on, and because we were able to feed some money into capital works to maintain employment, next year we will not have any fat. I have explained previously, when speaking to the pay-roll tax legislation, that the Government in its financial strategy does not work on one year alone—so far as I am concerned. We have tried to balance our finances on a progressive basis of looking to the years which lie ahead, and the problems which will arise during those years. That is the reason we have said, "No" to some programmes, both capital works programmes and Consolidated Revenue programmes.

I remind the Leader of the Opposition that if he ever becomes Treasurer the best money, so far as the State is concerned, for capital works is the money which can be channelled internally, and the money which can be channelled from Consolidated Revenue into capital works programmes.

Mr Jamieson: Yes, but that is being unfair to the current taxpayers. It is providing something for the future. The Government should not spend all its money to the advantage of somebody else in the future.

Sir CHARLES COURT: I am amazed—

Mr Jamieson: You never cease to amaze me by trying to soak the present population of Western Australia for something in the future.

Sir CHARLES COURT: I thought I was being very kind and very gentle in the way I was replying to a very mediocre response by the Leader of the Opposition to the Budget. If he wants me to lambaste him, I will.

Mr Jamieson: Go for your life; you have never frightened me.

Sir CHARLES COURT: I remind the Leader of the Opposition that when he talks about soaking the people, he overlooks the fact—to his great embarrassment—that in the Consolidated Revenue Budget we did not increase taxes.

Mr Davies: There could not be any more increases.

Sir CHARLES COURT: We actually reduced taxes, such as land tax, last year. Many people have benefited, and now there is to be a reduction in probate and in pay-roll tax.

Mr Davies: All charges have gone up.

Sir CHARLES COURT: I think members opposite would do well to have a good look at the Budget, both at the Consolidated Revenue Fund and the loan fund level; they should have a better appreciation of what has been done.

Mr Jamieson: It was a consolidated rip-off.

Sir CHARLES COURT: The Leader of the Opposition has shown a very poor appreciation of the financial management which has been displayed. He has also shown a very poor appreciation of the flow-on effects of the capital works programme, and the flow-on effects of revenue expenditure, and the flow-on effects of commitments to reduce taxation. He has not brought those things together, otherwise he would not have made some of his comments.

The Leader of the Opposition referred to short spending and shortfall, of the money channelled from internal sources.

Mr Jamieson: That was factual for last year.

Sir CHARLES COURT: Another point touched on by the Leader of the Opposition was the new federalism. I want to tell the honourable member that the Commonwealth allocation in respect of loan funds has absolutely no relationship at all to the income tax sharing agreement between the Commonwealth, the States and local government. The cold, hard facts are that the Commonwealth decided, as part of its anti-inflation strategy, that it would cut back very harshly on its own programmes. The cut-back in the State loan fund programme is a quite separate and different compartment altogether from that of the income tax sharing arrangement between the Commonwealth, the States, and local government. If the Leader of the Opposition gets those matters confused in his mind he cannot appreciate the consequences of this General Loan Fund Budget currently before the House.

Mr Jamieson: That is where the Treasurer is confused; he is juggling the finances.

Sir CHARLES COURT: I want to make the point for the edification of the Leader of the Opposition that he is wrong when he considers that we will have a void or a vacuum next year because the Commonwealth has cut back to 5 per cent the increase in loan funds to the States this year, and because we have drawn so heavily on other sources to give us a good capital works programme.

If, of course, the Commonwealth Government digs its toes in and says it will go on and on with those cut-back measures, that could be the case. However, we must take each year on its own when we are dealing with the amounts we obtain from the Commonwealth Government because,

when it is dealing with loan funds, it makes its decisions in a quite different manner from the way in which we make our budgetary decisions. The Commonwealth Government makes its decisions in the light of the budgetary situation and in the light of the market situation for money, and it is not unusual for these decisions to vary year by year. I think it has been made very clear that next year, when we go along to consider loan funds, presuming there has been some reasonable progress in regard to inflation abatement, we can expect some of the extra funds that are rightly ours as a percentage of loan funds.

Therefore, I believe the Government is worthy of commendation because of the fact that we have been prepared, in a reasonable way, to use some of our revenue for capital works programmes to maintain an impetus in Government department circles. No doubt we will have people on the other side saying that we should reduce the rate of growth we have planned in Government employment, and I am waiting for some comments. The percentage increase built into the Budget was adopted because of the unemployment situation. The fact that we were able to do this while maintaining our solvency and keeping within our own resources was a matter of considerable satisfaction to the Government and a commendable effort, not only on the part of the Government but also on the part of those who have the day-to-day management of our finances.

Mr Harman: I hope you can keep up the unemployment figures.

Sir CHARLES COURT: The honourable member is not hoping that.

Mr Harman: I hope you can keep up the decrease in unemployment.

Sir CHARLES COURT: The member for Maylands is not really hoping that.

Mr Harman: I really hope that is so.

Sir CHARLES COURT: The Opposition has a vested interest in unemployment.

Mr Davies: Not like you—that would be very low.

Sir CHARLES COURT: The other point raised by the Leader of the Opposition was in connection with the Carnarvon water supply. He tried very valiantly to switch the spotlight away from the Whitlam Government's failure to honour a promise onto the present Governments at both Commonwealth and State level.

Mr Jamieson: You let them off the hook.

Sir CHARLES COURT: I have news for the Leader of the Opposition. In February, I think it was, of 1974, when Her Majesty made a speech from the throne in Canberra—a speech prepared by the Whitlam Government very conveniently just a little before the State election—out came this magnificent promise.

Mr Jamieson: They did not give us very much—don't worry about that.

Sir CHARLES COURT: There were no qualifications on the promise. This statement was so phoney that it made no impact in Carnarvon at all, because the people are not so silly that they would accept it. If the statement had been made a month beforehand, it may have had more effect.

Mr Laurance: Two Federal Budgets later and still nothing.

Sir CHARLES COURT: The cold, hard fact is that the Whitlam Government made no move at all about this promise, except to fob off the Carnarvon scheme. We then came to the situation where the Fraser Government had taken over and we made our representations to it. The Fraser Government wanted to re-assess its whole programme in respect of urban development, transport, sewerage, and water supplies generally. That attitude was fair enough.

We realised quickly that the smart thing for us to do as a State—and I hope the Leader of the Opposition is getting the message—was not to press for that comparatively small sum of money compared with what we may want for other major water schemes. We thought it better to accept the Carnarvon outlay ourselves, and this is what we are doing. In the Budget this year \$900 000 is set aside to get on with the Carnarvon programme.

Mr Jamieson: Do you know how much the whole scheme will cost? I will tell you—\$15 million.

Sir CHARLES COURT: This will leave us free, when we have other negotiations with the Commonwealth about major water development, to commence with a clean sheet. We will not have that \$6 million or thereabouts which is under discussion held against us. We may have ended up showing a loss because we could not put forward a better and more imaginative scheme that we could not possibly meet from within our own resources. So we are committed now; the people of Carnarvon know we are committed, and we are proceeding with the scheme our way.

Mr Jamieson: You could have fooled the people of Carnarvon from what they told me.

Sir CHARLES COURT: I have just come back from Carnarvon.

Mr Jamieson: You must have been talking to some funny people—the president of the Liberal Party up there, I suppose.

Sir CHARLES COURT: The people up there are not fools. One of your erstwhile strongest supporters—

Mr Harman: Who was that?

Sir CHARLES COURT: —was eulogistic about what the Government is doing. I want to make a point to the Leader of the Opposition that I have been assured this is the best way to undertake the scheme. We know it will proceed on our timetable and we know it will proceed positively, and not simply at the whim of someone in Canberra who would not only take a long time to allocate the money but also would lay down all sorts of conditions when he did get around to it. Carnarvon might suffer another drought by that time.

Mr Jamieson: It will take 12 years.

Sir CHARLES COURT: That is not the information I received from my advisers, and I would place more reliance on their judgment than on the judgment of the Leader of the Opposition.

Mr Jamieson: You know everything, of course.

Sir CHARLES COURT: No, I do not know everything but I am saying I accepted the advice given to me.

I hoped we would have something more to answer in the debate. This is a very effective Budget for loan funds for capital works, side by side with a very imaginative Consolidated Revenue Budget, and I appreciate the support that has been given.

Mr Jamieson: God save the Queen.

Question put and passed.

Bill read a second time.

QUESTIONS (61): ON NOTICE

1. POLICE STATION AND COURTHOUSE

Jurien Bay

Mr CRANE, to the Minister for Police:

- (1) When is the anticipated finishing date for the new police station and courthouse complex at Jurien Bay?
- (2) When is it anticipated this building will commence being used?

Mr O'CONNOR replied:

- (1) The building is expected to be completed by the end of December, 1976.
- (2) The building will commence being used immediately the Public Works Department inspector gives approval after final inspection.

2. NICKEL PRODUCTION

Monitoring of Toxic Agents

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

- (1) What steps are taken within the mining, smelting and refining of nickel procedures to monitor the presence of nickel carbonyl and other toxic agents?

- (2) What personal examination of workers involved within the nickel industry is conducted to detect effects from toxic agents associated with the industry?

Mr MENSAROS replied:

- (1) and (2) Nickel carbonyl has not been detected in the mining, smelting and refining of nickel in Western Australia and no special monitoring steps are taken in that regard. The usual precautions for toxic agents are taken in the nickel industry as provided in the Mines Regulation Act and regulations thereunder, which also provide for health examinations.

3. SPODUMENE DEPOSIT

Potential

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

- (1) Is he aware that it has been alleged that the world's largest deposit of spodumene exists in the immediate vicinity of Kalgoorlie and that production from same is expected to begin within the next two years?
- (2) Will he make a statement with regard to the potential of the deposit?

Mr MENSAROS replied:

- (1) No.
- (2) If the member is referring to the Mt. Marion spodumene deposit situated 40 km south of Kalgoorlie, the published ore reserves are 1.52 million tonnes averaging 1.7 per cent lithia (equivalent to approximately 12 000 tons of lithium). Of the known Western Australian deposits it ranks behind that at Pilgangoora in the Pilbara (2.6 million tons of ore containing 14 500 tonnes of lithium) but ahead of that at Ravensthorpe (1.3 million tonnes of ore containing 7 600 tonnes of lithium). Comparison with individual spodumene deposits in other parts of the world is difficult, but it is known that similar deposits in North Carolina contain 750 000 short tons of lithium, and two Canadian provinces have reserves in excess of 80 000 tonnes.

4. IRON ORE

Amendment of Agreements, and Marandoo Project

Mr T. D. EVANS, to the Premier:

- (1) With reference to his answer to part (2) of question 10 of Wednesday, 3rd November—
- (a) does his reference to "approved projects" mean approval by the prospective

purchaser of iron ore who is satisfied as to the viability of the project; or

- (b) does it mean approval by the Western Australian Government or some other meaning?

- (2) Is he aware of the view expressed by the retiring chairman of Consolidated Goldfields Australia Limited and reported in *The Australian* newspaper of 28th October, 1976 that it was doubtful if the new Goldsworthy consortium could get Area "C" off the ground in the foreseeable future?
- (3) Is he further aware of Japanese steel milling interests being satisfied with the viability of the Marandoo project?
- (4) Does the Government intend to support the exploitation of the Marandoo deposit, particularly to promote greater employment opportunities?
- (5) If not, why?

Sir CHARLES COURT replied:

- (1) (a) and (b) I was referring to approved projects as those where the terms and conditions for development are prescribed in agreements, and receive Government sanction of the proposals submitted pursuant to those agreements.
- (2) Yes. The retiring chairman expressed his disappointment at the outcome of Goldsworthy's efforts to contain costs and arrange ore contracts at satisfactory price levels. I am also aware that consortium representatives are not pessimistic about their future.
- (3) No, but I am aware of continuing discussions between Marandoo representatives and the Japanese steel mills.
- (4) and (5) Marandoo project has been the subject of detailed and continuing interest of Government. In our discussions with the steel mills and the project managers we have been seeking a viable satisfactory development. Texas Gulf, as project managers, has been afforded all the interest and help we give to similar potential developments in Western Australia.

5.

EDUCATION

Isolated Children: Kalgoorlie Hostel

Mr T. D. EVANS, to the Premier:

- (1) Is he aware of the following resolution carried at the meeting of the goldfields ward of the Country Shire Councils Association held on 18th September, 1976:

"That the need for extended accommodation in the Isolated Children's Hostel (Egan Street Kalgoorlie) be brought to the attention of the Minister for Education and members of Parliament?"

- (2) Is he further aware of the following extract from the letter of the secretary of the said goldfields ward to the questioner:

"It seems that two actions are needed by the Government:—

- (a) Over-ride the policy formulated by Country members of the Liberal Country Party coalition at a meeting held on April 1976, which resolved:

"that there be no additional hostels built or present ones extended whilst there are empty beds available at existing hostels."

- (b) take an interest in satisfying the needs of isolated children in the Kalgoorlie region?"

- (3) Is the subject matter of (a) and (b) above Government policy?
- (4) Is there any financial assistance the Government can give to assist the Kalgoorlie situation?

Sir CHARLES COURT replied:

- (1) and (2) Yes.
- (3) Government policy is to give generous consideration to every legitimate request for additional hostel accommodation.
- (4) The Kalgoorlie situation is currently being surveyed by the Education Department to determine actual need for hostel facilities.

6. GOVERNMENT DEPARTMENTS

Motor Vehicles: Auctioning

Mr McIVER, to the Premier:

On Wednesday, 3rd November, 1976, per my question 42 the Premier replied, in part,—

"...but all government vehicles sold at auction are inspected by the Mechanical and Plant Engineer to ensure that they are in roadworthy condition and any necessary repairs are effected."

- (1) Having regard for the provisions of the Motor Vehicle Dealers Act, from the answer to part (3) so given, is it correct to assume that the Government is not prepared

to accept similar obligations or responsibilities as the warranty provisions of the said Act, as a licensed dealer would be so bound by had he sold such vehicle?

- (2) If the answer to (1) is in the affirmative, why will the Government by way of setting an example and in the interests of the public, not accept similar responsibilities as a licensed dealer would be bound by in regard to the warranty provisions?
- (3) Is it correct that all the answers given on question 42 refer to "prior to sale by auction"?
- (4) If the answer to (3) is in the affirmative, what would be the Government's attitude if a fault was found after sale that obviously existed before sale?
- (5) Is he aware that a Valiant Sedan motor car was purchased from the Government on 21st July, 1976 for \$2 575, within a few weeks after purchase the wheel alignment had to be adjusted, followed shortly afterwards by a failure of the alternator, followed by the gear box collapsing, followed by brake failure an examination of which revealed that the linings were down to the rivets and in fact it was metal to metal, that this vehicle is now at the Shell Garage, North Innaloo next to the Morris Hotel (plate No. UQM 500) and the anticipated repair bill is approximately \$500?

- (6) Would he have this particular matter of (5) investigated and if it is found that the faults or some of the faults existed prior to sale some consideration be given to the present owner by way of—

- (a) the repair work being performed at Government cost by the Mechanical and Plant Engineer; or
- (b) financial assistance to reduce the repair bill to be paid by him?

Sir CHARLES COURT replied:

- (1) to (6) This matter is being investigated following receipt of a complaint addressed to the Minister for Works in a letter dated the 9th November, 1976, which was received at the Minister's office this morning.

7. **TRAFFIC***Motor Vehicles: Work Orders*

Mr McIVER, to the Minister for Traffic:

With reference to answers to question 13 of 3rd November, 1976, parts (1), (3) and (4):

- (1) Referring to (1), of the 49 778 motor vehicles that had "work orders" placed on them, how many were ordered "off the road" forthwith?
- (2) Referring to (3) and (4), of the 21 311 motor vehicles that were not presented or represented for inspection, how many were "followed up" and what action was taken to ensure the correct procedure was being adopted?
- (3) Referring to (4) wherein it is advised that "investigation action is initiated", what action is actually taken?
- (4) Is it true that actual interviews with the offending motorists for failing to present or re-present the said motor vehicles for inspection is, in the main, not being performed?
- (5) If the answer to (4) above indicates that the suggestion is not true, then how many persons have—
 - (a) been interviewed;
 - (b) had action taken against them?
- (6) If the answer to (4) above indicates that the suggestion is not true then why is it that so many motor vehicles (21 311) are still outstanding for inspection?

Mr O'CONNOR replied:

- (1) Exact figures are not known but less than 500.
- (2) The numbers are not known but follow up action is taken against persistent offenders.
- (3) Where the offenders can be located and evidence obtained charges are preferred.
- (4) to (6) Yes.

8. **ROAD TRAFFIC AUTHORITY***Engineer in Charge: Appointment*

Mr McIVER, to the Minister for Traffic:

On page 41 of *The West Australian* newspaper under date 6th November, 1976, appears an advertisement "Road Traffic Authority

—Engineer in Charge" and applications are invited for appointment to this position at a salary of \$13 940-\$15 592. Will he advise—

- (1) Is it a fact that within the Road Traffic Authority there are highly qualified personnel, who are motor engineers and are—
 - (a) Member/s of the Institute of Automotive Mechanical Engineers (MIAME) and/or
 - (b) Member/s of the Society of Automotive Engineers (MSAE)?
- (2) Is it a fact that in the past and prior to the creation of the position of engineer in charge, personnel such as is mentioned in (1) did direct and were in charge and controlled technical services when these duties were performed by—
 - (a) the Police Department;
 - (b) the Department of Motor Vehicles;
 - (c) initially the Road Traffic Authority?
- (3) That these persons represented their respective departments on committees not only in this State but in other States?
- (4) Is there any adverse criticism known to him of the ability of these persons in the past to properly represent their respective departments?
- (5) As Western Australia is not considered as a motor vehicle manufacturing State, and having regard for parts (1) to (4), why then is it considered necessary to incur an expense of \$13 940-\$15 592?
- (6) Instead of appointing an engineer as advertised, is there any reason why this duty could not be performed by a person such as is mentioned in (1) and, if the answer to (2) is in the affirmative, as was done in the past and so save the State an expenditure of \$13 940-\$15 592?

Mr O'CONNOR replied:

- (1) Not of the required level
 - (a) Yes;
 - (b) No, not full membership which, in any event, does not necessarily mean a person is a qualified mechanical engineer.
- (2) Yes.

- (3) Yes, but other States employ and are represented by qualified engineers.
- (4) No.
- (5) and (6) The importance of the authority's role in motor vehicle safety and design warrants the appointment of a person with qualifications in mechanical engineering at university, or equivalent level.

9. *This question was postponed.*

10. TRAFFIC

Motor Vehicles: Speedometer Testing

Mr McIVER, to the Minister for Traffic:

Having regard for my questions to him on 8th, 15th September and 3rd November, 1976, in regard to the testing of speedometers—

- (1) Is the use of the dynamometer at firms recognised as having proper testing equipment the only way a motorist can test his speedometer?
- (2) If not, why?

Mr O'CONNOR replied:

- (1) No.
- (2) There are other recognised means.

11. TRAFFIC

Speeding Charges: Margin

Mr McIVER, to the Minister for Traffic:

On Wednesday, 3rd November, 1976, I asked questions of him relating to speed limits, and the reply was "The information is not collated": In view of this, will he—

- (a) cause inquiries to be made at the Perth Road Patrol section from each of the patrol shifts to ascertain whether or not members of the respective shifts have charged persons with exceeding the speed limit by 5 km/h or less; and
- (b) whether any persons have been charged with exceeding the prescribed speed limits by no more than 10% of such speed limits over 50 km/h?

Mr O'CONNOR replied:

- (a) No.
- (b) Not known.

12. TRAFFIC

Right-of-way at Intersections

Mr McIVER, to the Minister for Traffic:

Having regard for the provisions of regulation 609 of the Road Traffic Code—"Right-of-way at three way intersections":

- (1) Does the first diagram shown on page 14 of the booklet "Learn & Live Longer" appear to be in conflict with the last diagram shown on page 15 of the said booklet, in that the continuing and terminating roads have been reversed?
- (2) As a clear determination in this matter is of vital interest to the motoring public, will he obtain a Crown law ruling in regard to these diagrams to establish which is right and which is wrong?
- (3) If the Crown law officers find that there is an error will he undertake to have this error corrected in any future publications of the said booklet?

Mr O'CONNOR replied:

- (1) The diagrams are believed to represent a true interpretation of the regulation.
- (2) and (3) The matter will be examined by the Road Traffic Authority to see if any action is necessary.

13.

TRAFFIC

Motor Vehicles: Number Plates

Mr McIVER, to the Minister for Traffic:

- (1) For the last 12 months how many number plates have not been recovered from vehicles the licence for which has expired over 15 days?
- (2) Apart from the letter or letters being sent out to all persons who have not returned number plates, what other action is taken to recover these number plates?
- (3) Is it a fact that within the structure of the Road Traffic Authority, and previously within the structure of the Department of Motor Vehicles, there is a section known as "the recovery section"?
- (4) If this "recovery section" is not being used for the purpose of recovering all outstanding number plates within the metropolitan traffic area, why not?
- (5) Is it a fact that the non-recovery of expired number plates is providing an opportunity for some of these plates to be used on unlicensed vehicles?

Mr O'CONNOR replied:

- (1) Not known.
- (2) The member is referred to answer 2 (b) to his question of Wednesday, 3rd November, 1976.
- (3) Yes.
- (4) The recovery of number plates was first discontinued by the Police Department in 1971 and this policy was continued by the Department of Motor Vehicles and the Road Traffic Authority. The recovery section is fully occupied on other duties.
- (5) Yes.

14. POLICE

False Number Plates on Vehicles

Mr McIVER, to the Minister for Police:

Further to part (5) of question 14 to the Minister for Traffic on Wednesday, 3rd November, 1976—is it a fact that stolen number plates or number plates that do not belong to the motor vehicle being used have been used on vehicles concerned in the matter of crime?

Mr O'CONNOR replied:

Yes, in isolated cases. The number of occasions are not recorded statistically.

15. BALDIVIS SCHOOL

Upgrading or Replacement

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

- (1) Since the Minister received a deputation from the Baldivis Primary School parents and citizens' association earlier this year, has the department proceeded with any plans for upgrading or replacing the school?
- (2) What is proposed?
- (3) At what stage are these plans now?

Mr GRAYDEN replied:

- (1) Yes.
- (2) An exchange of land is at present being negotiated in order to relocate the proposed new school in a more suitable position.
- (3) It is anticipated that agreement will be reached in the near future.

16. SAFETY BAY SCHOOL

Fence

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

- (1) At what time was the Safety Bay Primary School rezoned from country to metropolitan?

- (2) When was the first approach made to the department for a fence to be erected along the Rae Road boundary of the school?
- (3) (a) Is there a regulation which provides for fences for metropolitan schools;
(b) what is that regulation?
- (4) What has been done about the request to date?
- (5) When will the fence be erected?

Mr GRAYDEN replied:

- (1) January, 1970.
- (2) 10th March, 1976.
- (3) to (5) There is no regulation but the practice is to provide fencing of school grounds where there is a major traffic hazard or danger from straying stock.

17. EGG MARKETING BOARD

Loss from Fertile Eggs

Mr BARNETT, to the Minister for Agriculture:

- (1) How many fertile eggs has the board received this financial year in each month?
- (2) (a) Is there a loss involved in the handling of these eggs;
(b) what is the loss involved so far this financial year?

Mr OLD replied:

- (1) In four weekly periods to—

	dozen
31st July, 1976	29 980
28th August, 1976	43 790
25th September, 1976	25 300
23rd October, 1976	12 500
	<hr/> 111 570

- (2) (a) Yes
(b) Estimated to be approximately \$29 000 to 23rd October, 1976.

18. MOTOR VEHICLE LICENCES

Pensioners: Concession

Mr SKIDMORE, to the Treasurer:

- (1) When was the basic rate of \$48.50 for pensioner concessions for vehicle licences last assessed?
- (2) What was the basis of that assessment?
- (3) What percentage did the rate of \$48.50 bear to the combined pensions of married couples when that rate was assessed?
- (4) What is the present percentage ratio as applied to to-day's combined pension rate?
- (5) Will the Treasurer immediately upgrade the basic rate to a more realistic figure in fairness to all pensioners?

Sir CHARLES COURT replied:

- (1) to (5) The motor vehicle licence concession scheme for invalid pensioners is based on the level of pensioners' income and the basic wage. With the advent of the minimum wage, the basic wage has not been adjusted since 1974.

A new scheme is currently under consideration by the Government, and an announcement about it can be expected shortly.

19.

GUILDFORD ROAD

Underpass at Bassendean

Mr SKIDMORE, to the Minister for Transport:

- (1) Have provisions been made for an underpass between the Bassendean station and the shopping centre to be constructed under Guildford Road during the realignment of that road?
- (2) If "Yes" what is the estimated cost and how is this amount to be funded?
- (3) If the proposal has been planned but cannot be proceeded with because of finance problems, could he advise what these problems are?
- (4) If problems do exist, would he make every endeavour to have the subway put in, in view of the fact that at this stage of construction the provision of the subway would entail the least amount of cost?
- (5) Have any of the other authorities, e.g., Westrail, State Energy Commission, etc., been contacted with a view to their providing some of the funds needed for the project?

Mr O'CONNOR replied:

- (1) and (2) No.
- (3) to (5) The Main Roads Department was prepared to contribute \$60 000 toward the cost of the subway but other authorities concerned declined to contribute because of its low priority in relation to other works for which they are responsible.

20. *This question was postponed until Tuesday, the 16th November.*

21.

RESERVES BILL

Reference in Clause 5

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

With respect to the notes on the Reserves Bill provided by him and with particular reference to Clause

No. 5, noting the passage "... the intended uses have proved to be unnecessary ..." in line 7:

- (1) Does this refer to the protection of "some attractive bush-land"?
- (2) If so, why has the area proposed to be excised not been necessary for its intended use?
- (3) If the answer to (1) is in the negative, to what uses does this refer?
- (4) If (1) is answered in the affirmative, how can it be known that this land will not be needed for those uses in the future?

Mr RIDGE replied:

- (1) No.
- (2) Not applicable.
- (3) Camping, Caravan Park and water.
- (4) Not applicable.

22.

RESERVES BILL

Reference in Clause 9

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

With respect to the notes on the Reserves Bill provided by him, and with particular reference to Clause No. 9:

- (1) What are the physical features of the area which it is claimed "... contain no significant physical features ..."?
- (2) If the National Parks Authority has insufficient staff at Kalbarri to cope, is it not possible for shire personnel to assist while the area is still vested in the authority?

Mr RIDGE replied:

- (1) The National Parks Authority of Western Australia states simply that this section of Kalbarri National Park does not contain any significant features. The surveyor's field book refers to rough rocky outcrops and breakaways with some yellow sandy soil and dense thickets of ti tree and wattle.
- (2) These matters come within the province of the Minister for Conservation and the Environment and perhaps the Minister for Local Government.

23. **RESERVES BILL***Reference in Clause 10*

Mr A. R. TOKIN, to the Minister for Lands:

With respect to the notes on the Reserves Bill provided by him and with particular reference to Clause No. 10:

- (1) Does the Neerabup Lake National Park contain a lake known as Neerabup Lake or known by any other name?
- (2) Is there only one such lake?
- (3) What is the area of the lake or lakes and what is its (are their) average depths of water and its (their) greatest depth of water?
- (4) How far is the proposed pumping station from—
 - (a) Lake Joondalup;
 - (b) the lake or lakes referred to in (1) above;
 - (c) Mariginiup Lake?

Mr RIDGE replied:

- (1) No, there is no lake within Neerabup National Park.
- (2) There is only one Lake Neerabup which is outside the boundaries of Neerabup National Park.
- (3) The area of Lake Neerabup is about 93 hectares; the extent or depth of water is not known in this department.
- (4) The proposed reservoir is:
 - (a) about 1½ kilometres from Lake Joondalup
 - (b) about 2½ kilometres from Lake Neerabup
 - (c) about 5½ kilometres from Mariginiup Lake.

24. **RESERVES BILL***Neerabup Lake National Park: Pumping Station*

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

- (1) With reference to the Reserves Bill at present before Parliament which refers to a pumping station in what is at present Neerabup Lake National Park, is the water being obtained from ground water sources in the National Park?
- (2) If not, what is the source of the water?

Mr O'NEIL replied:

- (1) A service reservoir as described in the Reserves Bill will be constructed in the prescribed area in the Neerabup Lake National Park. It is not known at this time whether pumping equipment will be required or whether the reticulation will be served by

gravity feed. The water stored will not be extracted from the Neerabup Lake National Park.

- (2) Wanneroo public water supply area.

25. **WATER SUPPLIES***Consumption, 1960 to 1975*

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

- (1) How much water was used from Metropolitan Water Supply, Sewerage and Drainage Board Sources in the years:

1960;
1965;
1970;
1975?
- (2) Was all this water used in the board's metropolitan area?
- (3) If not, what are the details?

Mr O'NEIL replied:

	cubic metres
(1) 1960	81 894 000
1965	98 692 000
1970	148 680 000
1975	194 073 000
(2) Yes.	
(3) Not applicable.	

26. **CAVERSHAM SCHOOL***Land Exchange*

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

- (1) Has the Government recently exchanged land belonging to the Caversham Primary School with land belonging to the Shire of Swan?
- (2) What is the area of each parcel of land?
- (3) At whose initiative was this action undertaken?
- (4) Was the parents and citizens' association consulted on the matter?
- (5) If so, what form did the consultation take and will the Minister table the appropriate file?
- (6) Is the Minister aware that the land given to the school consists of an old road, gravel and drainage ditch, which is possibly unsuitable as a playground?
- (7) Even if the land were suitable, could the Minister indicate the cost to the parents and citizens' association of putting it into serviceable shape as a playground?
- (8) Is the Minister aware that the land ceded to the shire is possibly suitable for use as a playground?
- (9) Is the Minister aware that without the ceded land, it will not be possible to have an athletics race or a softball or cricket game?

- (10) Is the Minister aware that Taylor Park, which has been suggested as an alternative playground, lies on the other side of a very busy road and that the use of that park at recess time or at lunch time could not be contemplated for that reason?
- (11) Is the Minister aware that the gravel and bitumen portion of the new "playground" is used as a bus turn around and as a pick up point for parents' cars?
- (12) Will the Minister undo the possible damage already done and give back to the school children of Caversham that land ceded to the Shire of Swan?

Mr GRAYDEN replied:

- (1) Initial discussions on this matter began in 1971. Agreement on the land exchange was reached later in 1971 and the formalities are currently being finalised.
- (2) Land to the Shire of Swan—0.18 hectares.
Land from the Shire of Swan—0.16 hectares.
- (3) The Shire of Swan.
- (4) No. Parents and Citizens' Associations are not consulted on such matters. However, at the time negotiations occurred, the then principal of the school was involved in the discussions.
- (5) Not applicable.
- (6) Yes, but the area is to be upgraded as a playground.
- (7) Nil. The work will be undertaken jointly by the Education Department and the Shire of Swan.
- (8) Yes.
- (9) The Shire of Swan has agreed that Taylor Park can be used for major sporting events held by the Caversham Primary School.
- (10) Yes. However, it is not envisaged that Taylor Park will be used by children from the Caversham Primary School during normal recess periods. Children from the school will be supervised crossing West Swan Road for major sporting events at Taylor Park.
- (11) Yes.
- (12) No.

27. EDUCATION

Non-Government High School: Expulsions

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

- (1) If a student is expelled from a non-government high school within weeks of the completion of his

year 10 course, does the school have a right to refuse to grant an achievement certificate to that student?

- (2) In the case of a dispute of this nature between a student and his parents on the one hand and a school on the other, what process of arbitration is provided for?
- (3) Which section of the appropriate statute or which regulation governs the case outlined above?

Mr GRAYDEN replied:

- (1) Certificates of Achievement are issued by the Board of Secondary Education and every child who completes a year in an approved secondary school or institution has the right to receive one.

Assessments are supplied annually by schools for students who remain enrolled in any school until the last Friday in November. Should a child leave his school for whatever reason, that school is obliged to forward his complete record of achievement to the school in which the child subsequently enrolls.

In the case of expulsion from school in November and no subsequent re-enrolment elsewhere, the matter should be referred to the board.

- (2) The parent may appeal in writing to the director in the first instance. Thence to the Board of Secondary Education and finally to the Minister.
- (3) Section 21 (H) of Part VA of the Education Act empowers the Board of Secondary Education to establish and carry into effect procedures for the purpose of issuing certificates of achievement.

28. CANNING VALE INDUSTRIAL AREA

Land Acquisition: Compensation to Q. R. Stow

Mr BATEMAN, to the Minister for Industrial Development:

Further to my question 36 of Wednesday, 3rd November:

- (1) (a) Has Mr Q. R. Stow been paid in accordance with the Industries Advances Act No. 53 of 1947, clauses 3 (b) and (4) which specifies that a certificate in the prescribed form in the hand of the Treasurer stating the person and the bank, has been issued to

compensate Mr Stow for the land transaction he has referred to as reported in *The West Australian* newspaper, page 10, of 4th November, 1976;

- (b) will he table all certificates in the House?
- (2) (a) If the certificates are not available will he advise what method of payment has been used to compensate Mr Stow; and
- (b) with what legislative authority were these payments made?
- (3) Will he table all such documents?

Mr MENSAROS replied:

- (1) (a) No. The Industries Advances Act, 1947-1961, has no bearing on the terms under which Parker and Parker were engaged.
- (b) Not applicable.
- (2) (a) Parker and Parker were paid no more than normal professional fees, plus their out-of-pocket expenses.
- (b) Section 6D (a) of the Industrial Lands Development Authority Act, 1966-1972.
- (3) Not applicable.

29. KALGOORLIE REGIONAL HOSPITAL

Improvements: Cost

Mr T. D. EVANS, to the Minister representing the Minister for Health:

With reference to question 3 of 5th August, 1976, what is the estimated cost of the staged development at Kalgoorlie Regional Hospital referred to in the answer to that question?

Mr RIDGE replied:

At this stage, it is not possible to give an estimated cost of the proposed staged development of Kalgoorlie Regional Hospital. Alternative development schemes are being prepared with the object of achieving a programme which will provide the most needed new sections first and enable the total scheme to be funded at a fairly constant level of demand on financial resources.

Until the alternatives are considered it is impossible to arrive at the likely total costs.

30. TECHNICAL SCHOOL AT KALGOORLIE

Capital Cost

Mr T. D. EVANS, to the Minister representing the Minister for Education:

What is the estimated capital cost of the erection of a new technical school at Kalgoorlie?

Mr GRAYDEN replied:

Not available. The planning of the new technical school at Kalgoorlie has been deferred pending resolution of the needs of post-secondary education in respect of the existing technical school and the School of Mines in terms of the Partridge Report.

31. FOOD PRICES INDEX

Tabling

Mr CARR, to the Minister for Consumer Affairs:

- (1) Is the 1976 index of retail prices of food in certain localities yet available?
- (2) If "Yes" will he please table a copy?

Mr GRAYDEN replied:

- (1) This information was received by my office on Tuesday, 9th November, and in accordance with my answer to question 41 on 21st October, a copy has been forwarded to the member.

- (2) Yes.

The paper was tabled (see paper No. 542).

32. EDUCATION

Boarding Allowance: Hale-Frewer Parents Association Request

Mr CARR, to the Treasurer:

- (1) Has he received a request from the Hale-Frewer Parents Association requesting that the State Government grants for isolated children living away from home be increased?
- (2) Does the Government propose to increase this assistance?
- (3) If "Yes" to (2), will he please provide details?
- (4) If "No" to (2), will he please explain why not?

Sir CHARLES COURT replied:

- (1) to (4) This matter is currently under consideration by the Government.

33.

TRANSPORT***South Western Australian Transport Study***

Mr CARR, to the Minister for Transport:

Will he please table a copy of the terms of reference of the South Western Australian Transport Study?

Mr O'CONNOR replied:

The terms of reference were—

- (1) Updating of policies governing the use of all transport modes in that part of Western Australia south of latitude 26 degrees south, such policies to ensure that the resources allocated to transport are utilised in the most efficient manner.
- (2) Measures for co-ordinating the use and development of the transport modes with the aim of implementing the policies identified in (1).
- (3) The sequence of measures necessary to change from existing policies to those identified in (1) and the schedule for them, is such that the measures are implemented in the most acceptable manner.

is in the process of suggesting administrative and other procedures.

As advised in the Budget, it is proposed that only sporting facilities which are to be available to the public generally would qualify for assistance and, for this reason, it is expected that grants will be provided mainly, if not entirely, to local authorities.

The committee has been asked to set up the administrative procedures under which applications will be called for grants, and priorities determined, following which all local authorities will be advised of the details and conditions of the scheme and how to apply.

It should be noted that the amount of \$1 million provided in the Budget for this purpose is to be paid into a Sporting Facilities Fund and any amount unexpended in 1976-77 will be available next year to meet commitments made for approved projects which may not be completed in the current year.

The Government has set out broad guidelines for the scheme without being too specific, recognising that in all new schemes of this type it is desirable to remain flexible and that we will need to be guided by the experience of proposals submitted.

Nevertheless, it can be stated firmly that the purpose of the scheme is to expand the range of sporting facilities available to the public and to thereby increase community participation in sport at all ages.

34.

PENSIONERS***Transport Concession to Dependants***

Mr CARR, to the Treasurer:

- (1) Is it a fact that the one free trip each year for pensioners on Government transport to anywhere in the State does not apply to dependants (e.g., to children of a widowed pensioner)?
- (2) If "Yes" will the Treasurer please take action to see that in future dependents of pensioners can also enjoy this one free trip per year?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) I will have the matter examined.

35.

STATE FINANCE***Budget: Vote for Sporting Facilities***

Mr CARR, to the Treasurer:

With reference to the \$1 million for sporting facilities announced in the budget:

- (1) How is the money to be distributed?
- (2) What type of facilities qualify for the assistance?

Sir CHARLES COURT replied:

- (1) and (2) The funds are to be distributed as approved by the Treasurer on the recommendation of a committee which

36.

COMMUNITY RECREATION COUNCIL***Equipment Pools***

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

- (1) How many major equipment pools have been established through the Community Recreation Council?
- (2) How many minor equipment pools have similarly been established?
- (3) What was the source of all equipment so provided?

Mr GRAYDEN replied:

- (1) Eighteen.
- (2) Thirty-four.

- (3) Approximately 70% was purchased by local authorities from Community Recreation Council grants and approximately 30% was bulk purchased by the Community Recreation Council.

37. POLICE

Firearms Licence Holders: Letter

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

- (1) Is he aware of a letter that is being sent to persons recorded at the firearms branch as being licensed to possess a concealable firearm?
- (2) Having regard for the provisions of section 5 of the Firearms Act, 1973, has the letter mentioned in (1) been sent out at the direction of, or with the approval of, the Minister for Police?
- (3) Is it a fact that to render the weapon innocuous damages the weapon and renders it never serviceable again as a firearm?

Mr O'CONNOR replied:

- (1) Yes.
- (2) No.
- (3) Renders it unserviceable as a firearm.

38. POLICE

Elliott, Mr and Mrs: Extradition and Prosecution

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

- (1) With reference to question 30 of Wednesday, 3rd November, will he advise whether a hearing date has been set yet and if so when is it to be?
- (2) The reply to part (10) revealed that the Western Australian police were notified of the whereabouts of the two referred to persons on 9th September, 1976, and part (11) reveals that extradition was applied for on 17th September—what was the reason for the delay between 9th and 17th September?
- (3) Are both the abovenamed still in custody or have they been released on bail?
- (4) If they have been released on bail on what amounts?
- (5) The answer to part (14) reveals that statistics are not available but approximately 40 persons have been extradited since June, 1974, for "having escaped legal custody". How many of these 40 persons were extradited for escaping legal custody only and no further charges were subsequently preferred against them on their arrival and after their arrival in Western Australia?

- (6) Robert Clive Elliott, according to the answer to part (2), was extradited for "escaping legal custody" and on arrival in Western Australia was then charged with breaking and entering. Why was he not extradited on the more serious charge rather than the lesser one of escaping legal custody?

Mr O'CONNOR replied:

- (1) to (6) The information requested is not readily available. I will forward it to the member as soon as possible.

39. ENERGY

Coal: Conversion to Hydrocarbons

Mr MAY, to the Minister for Fuel and Energy:

- (1) Was a working committee formed to look at the latest developments in obtaining liquid and gaseous hydrocarbons from coal?
- (2) If so, when was the committee appointed?
- (3) Has the committee submitted its formal recommendations?
- (4) If so, will he table details of the recommendations?
- (5) If not, when is the recommendation anticipated?

Mr MENSAROS replied:

- (1) to (5) No, however the State Energy Commission is actively investigating overseas developments to ensure that the State is well placed to utilise its coal resources to the maximum extent.

40. HEALTH

Dental Therapy Centre: Bridgetown

Mr H. D. EVANS, to the Minister representing the Minister for Health:

- (1) Will the mobile dental therapy centre which is proposed for Bridgetown in the 1976-77 year be mobile in the sense that it serves surrounding schools, or that it will visit Bridgetown on an itinerant basis?
- (2) (a) Will the Bridgetown dental therapy centre have a permanent building in the town;
(b) if so, where will this be located?

Mr RIDGE replied:

- (1) The mobile centre is based in Bridgetown and will serve other schools.
- (2) (a) and (b) No.

41. TRAIL AND MINI BIKES

Controlling Legislation

Mr DAVIES, to the Minister for Transport:

- (1) Is it likely that legislation will be introduced this session to control trail and mini bikes?
- (2) If not, what is the reason?
- (3) What action is being taken to frame suitable legislation which will assist local authorities to control this growing menace?

Mr O'CONNOR replied:

- (1) No.
- (2) and (3) A complete review of the present Public Areas (Use of Vehicles) Bill will be necessary before it is reintroduced to the Parliament.

42. HIGH SCHOOLS

Roleystone Students

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

- (1) How many children living in the Roleystone ward of the Shire of Armadale/Kelmscott attended each of—

- (a) 1st year high school;
- (b) 2nd year high school;
- (c) 3rd year high school;
- (d) 4th year high school;
- (e) 5th year high school,

in the years—

- (i) 1970;
- (ii) 1971;
- (iii) 1972;
- (iv) 1973;
- (v) 1974;
- (vi) 1975; and
- (vii) 1976?

- (2) How many children living in the Roleystone ward of the Shire of Armadale/Kelmscott are anticipated to attend each of the—

- (a) 1st year high school;
- (b) 2nd year high school;
- (c) 3rd year high school;
- (d) 4th year high school;
- (e) 5th year high school,

in the years—

- (i) 1977;
- (ii) 1978;
- (iii) 1979;
- (iv) 1980?

- (3) How many families living in the Roleystone ward of the Shire of Armadale/Kelmscott had children attending high school during the years—

- (a) 1970;
- (b) 1971;
- (c) 1972;
- (d) 1973;
- (e) 1974;
- (f) 1975;
- (g) 1976?

- (4) How many families living in the Roleystone ward of the Shire of Armadale/Kelmscott are anticipated to have children attending high school in each of—

- (a) 1977;
- (b) 1978;
- (c) 1979;
- (d) 1980?

Mr GRAYDEN replied:

- (1) to (4) Information of the nature required is not maintained by the Education Department.

43. TRAFFIC

Roleystone

Mr TAYLOR, to the Minister for Transport:

- (1) How many cars travel out of and/or into the Roleystone ward of the Shire of Armadale/Kelmscott during peak traffic periods—

- (a) 7 a.m.-9 a.m. weekdays;
- (b) 4.30 p.m.-6.30 p.m. weekdays?

- (2) How many cars included in answer to (1) are through traffic?

Mr O'CONNOR replied:

- (1) and (2) This information is not available since records are not kept of this detail.

44. HOUSING

Purchases: Administrative and Transfer Costs

Mr TAYLOR, to the Minister for Housing:

Under the new arrangements recently announced with respect to the method of financing the purchase of new State Housing Commission houses, what administrative, transfer and associated costs would generally have been charged in connection with a maximum loan—

- (a) when previously handled by the Commission;
- (b) as now likely to be charged by terminating building societies?

Mr Old (for Mr P. V. JONES) replied: 46.

- (a) and (b) The information requested will take time to collate, and the member will be advised by letter.

45. **ARMADALE-KELMSCOTT SHIRE**

Roleystone Ward: Population

Mr TAYLOR, to the Minister for Local Government:

- (1) What was the population of Roleystone ward of the Shire of Armadale/Kelmscott in—
 - (a) 1970;
 - (b) 1971;
 - (c) 1972;
 - (d) 1973;
 - (e) 1974;
 - (f) 1975;
 - (g) 1976?
- (2) What is the anticipated population for the Roleystone ward of the Shire of Armadale/Kelmscott in—
 - (a) 1977;
 - (b) 1978;
 - (c) 1979;
 - (d) 1980?
- (3) Is there a ceiling population level for the Roleystone ward?
- (4) If "Yes" to (3), what is the ceiling population?

Mr RUSHTON replied:

- (1) The following figures have been supplied by the Shire Clerk, Shire of Armadale-Kelmscott.
 - (a) 1970—1 894;
 - (b) 1971—2 087;
 - (c) 1972—2 307;
 - (d) 1973—2 551;
 - (e) 1974—2 852;
 - (f) 1975—3 300;
 - (g) 1976—3 810.
- (2) (a) 1977—4 400;
 (b) 1978—5 000;
 (c) 1979—5 600;
 (d) 1980—6 200.
- (3) and (4) The ceiling population level for the Roleystone Ward in the urban area is estimated by the shire at 7 800. In the rural area it will depend on the Town Planning Board and the council's policy on future subdivisions.

VERMIN

Mundaring-Wundowie Area

Mr MOILER, to the Minister for Fisheries and Wildlife:

- (1) Is he aware of the apparent increase in the number of foxes, dogs and wild cats in the rural sections, generally east of Mundaring townsite and west of Wundowie?
- (2) Has his department received complaints over the past months in regard to the increased number of vermin in the area listed in (1)?
- (3) What assistance can residents of the area concerned obtain from his department to assist in eradicating or reducing the number of foxes and wild cats, etc., in the area?

Mr Old (for Mr P. V. JONES) replied:

- (1) No.
- (2) Not to my knowledge.
- (3) The Department of Fisheries and Wildlife has no funds to assist in eradicating or reducing populations of feral cats and other introduced animals. If the State were to give such assistance in the area concerned, it would be given through the Agriculture Protection Board.

47.

AGED PERSONS

Leisure Needs

Mr DAVIES, to the Premier:

- (1) When is it expected the results of the study of the leisure needs of elderly people will be made public?
- (2) Who conducted the study?

Sir CHARLES COURT replied:

- (1) The report in its final form is expected to be available in January, 1977.
- (2) The study was conducted by R. J. Donovan and Associates in conjunction with the Council for the Aging and the Community Recreation Council.

48.

HOUSING

Economic Rent: Determination

Mr DAVIES, to the Minister for Housing:

Would he please advise the formula used by the State Housing Commission to decide whether a reduction in the economic rent applies to a tenant?

Mr Old (for Mr P. V. JONES) replied:

(1) Rebates of rental are allowed on the following basis—

- (i) where the family income of a tenant is equal to the State minimum wage the rebate is equal to the amount by which the rental of the property exceeds one-fifth of the family income;
 - (ii) where the family income of a tenant is less than the State minimum wage the rebate which would have been granted if the family income had been equal to the State minimum wage is increased by one-quarter of the difference between the family income and the State minimum wage;
 - (iii) where the family income of a tenant is more than the State minimum wage the rebate which would have been granted if the family income had been equal to the State minimum wage is reduced by one-third of the difference between the State minimum wage and the family income;
 - (iv) rebates are increased by 25 cents per child beyond the second up to a maximum of \$1.50 per week.
- (2) The composition of the family income is assessed as follows—
- (i) the whole of the income of the tenant; plus
 - (ii) two-thirds of the income if any, of the spouse; plus
 - (iii) 22½ per cent of the State minimum wage, or an amount equivalent to income received, whichever is less, for each income earning resident 18 years of age and over; plus
 - (iv) 10 per cent of the State minimum wage, or an amount equivalent to income received, whichever is less for each income earning resident under 18 years of age; plus
 - (v) where applicable, whole of rent of any unserviced boarder.

Note: Child endowment payments are excluded in assessing family income.

49. COMMUNITY WELFARE *Geraldton Community Centre*

Mr CARR, to the Premier:

- (1) Is he aware of a suggestion that a community based group lease the old Geraldton post office from

Telecom for a minimum of 15 years for use as an information and service centre to house the Citizens Advice Bureau, Good Neighbour Council, a community information notice board, a branch of the tourist bureau, a State Government Information and Inquiry Centre, meeting rooms for local organisations and similar facilities?

- (2) Would he consider locating a branch of the State Government Information and Inquiry Centre in the building if suitable arrangements can be made to implement the above suggestion?
- (3) Is financial assistance likely to be available from any State Government instrumentality to assist in establishing such a project?
- (4) If "Yes" to (3), will he please indicate the direction in which further inquiries should be directed?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) If there is a proven need, consideration will be given. However, with the appointment of the Regional Administrator I am confident all inquiries will be adequately handled.
- (3) and (4) I cannot be expected to make a commitment for financial assistance in response to a question without knowing the facts, but if a submission for assistance is made by the organisation concerned, every consideration will be given to it.

50. POLICE

Walpole and Windy Harbour: Patrols

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

Will he arrange special police patrols to again cover the holiday resorts of Walpole and Windy Harbour in the forthcoming summer holiday period?

Mr O'CONNOR replied:

Walpole and Windy Harbour will receive special patrols during the forthcoming summer holiday period, as supplied in previous years.

51. DENTAL HEALTH

Cleft Palate and Lip Study

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

- (1) Has the Public Health Department completed its in-depth study regarding dental care for cleft palate and lip?

- (2) If so, what are the findings of this study?
- (3) Can a copy be made available to the Cleft Palate and Lip Society?

Mr RIDGE replied:

- (1) Yes.
- (2) The findings formed the basis of the letter from the Minister to the member on 2nd September, 1976.
- (3) Yes.

52. MOTOR VEHICLE LICENCES

Invalid Pensioners

Mr DAVIES, to the Minister for Police:

- (1) With reference to question 17 of 9th November, 1976 regarding concessions for invalid pensioners, when is it expected the review will take place?
- (2) From when is it expected any new income test would apply?

Mr O'CONNOR replied:

- (1) The question of any review is being considered in conjunction with an income security review being carried out by the Federal Government.
- (2) An answer to this question cannot be given until the above discussions are further advanced.

53. MURUMBA OIL, REGENT NICKEL, AND BOUNTY OIL COMPANIES

Action on Reports

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

- (1) Will he state serially each step which the Government has taken, and when, since it was first mooted that an inquiry should be made in respect of the Murumba Oil NL, Regent Nickel Corporation NL, and Bounty Oil Ltd. companies up to the present time relevant to and arising from said inquiry and reports?
- (2) If "No" why?

Mr O'NEIL replied:

- (1) and (2) (1) The New South Wales Government appointed three inspectors under the Companies Act of that State to investigate all the affairs of Murumba Oil NL, Regent Nickel Corporation NL, and Bounty Oil Ltd., between 11th May, 1972 and 1st April, 1974.
- (2) On the 5th July, 1974, the Government of Western Australia declared the inspectors

appointed by the New South Wales Government to each have the power of an inspector in this State.

The inspectors were not actually appointed as inspectors in Western Australia but merely had all the powers of an inspector. They were not required by the Act to report to the Minister in Western Australia and hence the question of tabling their report in this State never arose.

The inspectors delivered their interim report to the New South Wales Government on 30th July, 1975, and their final report on 3rd November, 1975.

- (3) Copies of the interim report were received by the Western Australian Commissioner for Corporate Affairs on 3rd October, 1975.
- (4) Copies of the interim report were distributed to the Crown Law Department, Corporate Affairs Office and CIB Company Fraud Squad.
- (5) A copy of the interim report was received by the Minister for Justice on 3rd November, 1975.
- (6) A copy of the final report was received by the Minister for Justice in January, 1976 and was acknowledged as being received by letter dated 21st January, 1976.
- (7) Copies of the final report were received by the Corporate Affairs Office on 20th January, 1976, and were distributed to the same persons as received copies of the interim report.
- (8) The CIB Company Fraud Squad concluded on 23rd February, 1976, that the only possible criminal charge that could be applied was conspiracy to defraud, based upon a mass of circumstantial evidence.
- (9) The Western Australian Corporate Affairs Office concluded that except for two minor offences which were out of time for prosecution there were no offences under the Companies Act, 1961 of Western Australia. The alleged offences under Section 124 of the Western Australian Act referred to in the reports could not be pursued because the reports had wrongly assumed that the Western Australian

section was the same as the New South Wales section in that it referred to "corporations". This was not so as the relevant Western Australian amendment did not come into operation until after the events complained of had taken place.

- (10) The Crown Law Department in this State concluded that any charges relating to conspiracy to defraud would probably fail because of the evidentiary and factual problems involved.
- (11) By letter dated 29th June, 1976, the Minister for Justice explained to the New South Wales Attorney General the difficulties in the way of launching prosecutions in Western Australia and that further action was not contemplated.

- (12) On the 30th July, 1976, the Acting Commissioner for Corporate Affairs in Western Australia was contacted by the Assistant Commissioner for Corporate Affairs (Legal) in New South Wales indicating that he had legal advice that prosecutions in this State were technically feasible.

The Assistant Commissioner was informed that Western Australia would be pleased to receive his arguments in favour of prosecution.

- (13) Subsequently, it was proposed by the New South Wales Corporate Affairs Office that one of their prosecutors specialising in corporate affairs matters should visit this State to discuss the feasibility of a prosecution with our Crown Prosecutor.

Preliminary arrangements were made accordingly.

This arrangement was to be confirmed. No further advice was received until 5th November, 1976. On 20th October, 1976, in answer to a question in the Legislative Council the Minister tabled a copy of the final report.

- (14) On 2nd November, on behalf of the Minister for Justice, I advised the member that consideration would be given to tabling the interim report after confirmation had been received that that report had been tabled in New South Wales.

- (15) On 3rd November the Minister for Justice received advice by telegram from the New South Wales Attorney-General that both reports were tabled in New South Wales on the 15th September.
- (16) On 4th November, following a further question in the Legislative Council, and consequent upon receipt of the above advice from New South Wales, the interim report was tabled.
- (17) On 5th November a telephone message was received by the Crown Law Department from the New South Wales Corporate Affairs Commission that a prosecutor would visit Western Australia early in December.

54. RECREATIONAL AND PARK LAND

Wanneroo: Acquisition

Mr BERTRAM, to the Minister for Urban Development and Town Planning:

- (1) Is land being acquired for recreational and parkland purposes in or about the area bounded by Wanneroo Road, Hocking Road, Duffy Terrace and Burns Beach?
- (2) If "Yes"—
- will he define the precise boundaries of this development;
 - when was this scheme first contemplated and how far has it progressed;
 - when is it expected that all of the land required will have been acquired?

Mr RUSHTON replied:

- (1) Yes.
- (2) (a) The boundaries are shown on Maps No. 7 and 10 of the Metropolitan Region Scheme.
- (b) Mid 1973. Since then a concept plan has been prepared and publicised and the Metropolitan Region Scheme amended in November, 1975.
- (c) It is not possible to indicate a date. This will depend on a number of factors including owners' willingness to negotiate present use of the land, finance and the priority given to acquisition.

I understand that these maps are readily available in the Parliamentary Library. Should they not be available, I will be pleased to assist the member by providing the necessary material.

55. **FISHERIES***Peel Inlet: Licensed Fishermen*

Mr SHALDERS, to the Minister for Fisheries and Wildlife:

- (1) Would he provide a list of all persons licensed to catch fish as either a professional fisherman or deckhands within the waters of the Peel Inlet?
- (2) Can either the wife or family of a licensed professional fisherman assist him in the work associated with his living if they are not licensed as a deckhand, and if some restrictions are applicable, would he please enumerate these?

Mr Old (for Mr P. V. JONES) replied:

- (1) No public register is kept as these details are confidential.
- (2) No. Paragraphs 1 and 2 of Fisheries Act Regulation 3 read as follows:—

- (1) A person who catches or attempts to catch, or assists in catching, by any method whatever, fish for sale shall hold a current professional fisherman's license.

Penalty—Five hundred dollars.

- (2) A person who catches or assists in catching fish by any method whatever and disposes or attempts to dispose of, or causes to be disposed of, for gain or reward, any fish so caught shall hold a professional fisherman's license.

Penalty—Five hundred dollars.

56. **HIGH SCHOOLS***Woodwork Machines*

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

- (1) Would the Minister advise the department's policy in relation to dust extraction devices on wood-working machines in high schools and where if any such devices have as yet been installed?
- (2) (a) Has the Minister given consideration to my request for the appointment of a Youth Education Officer to the Pinjarra Senior High School in 1977; and
- (b) if so, will such an appointment be possible?

Mr GRAYDEN replied:

- (1) (a) Current policy is to install dust extractors in the Manual Arts Centres of all new secondary schools so that Willetton, Wanneroo, Swan View and all schools built in future years will have such equipment.
- (b) There has been considerable investigation and experimentation with equipment which could be installed in established schools, eg Merredin and Balcatta, but cost of equipment and installation is prohibitive.
- (c) Investigation will continue.
- (2) (a) Yes.
- (b) 7th February, 1977.

57.

TRAFFIC*Motor Vehicles: Mud Flaps*

Mr COWAN, to the Minister for Traffic:

With reference to part (2) of question 21 on Tuesday, 9th November, what source provided the information?

Mr O'CONNOR replied:

Technical staff of the Road Traffic Authority. It is confirmed by information given by a special sub committee of the Advisory Committee on Vehicle Performance. Private viewpoint supports this. A sample of insurance claims indicates that 80% is caused by passing vehicles, 5% by preceding vehicles and the rest other causes.

58.

RAILWAYS*"Prospector" Service: Meals*

Mr COWAN, to the Minister for Transport:

Further to my question 22 on Tuesday, 9th November, as the *Prospector* ticket must be purchased at least 12 hours before the departure time of the train, why cannot the meal be made optional between Perth and Koolyanobbing?

Mr O'CONNOR replied:

The aspect of pre-booking for the *Prospector* is not a factor in considering whether meals should be optional.

The meal charge could be made optional between Perth and Koolyanobbing. Indeed, the charge could be made optional for all passengers travelling from and to any point between Perth and Kalgoorlie.

However, as indicated in my previous reply the *Prospector* was designed and marketed with the meal being part of the service offered. Public acceptance of the train has been excellent and I see no reason to change the concept.

59.

SCHOOLS*Dental Therapy Clinics*

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

Further to the Minister's answer to sections (4) and (5) of question 31 on Tuesday, 9th November, would the Minister please advise:

- (1) What planning is being undertaken?
- (2) By whom? and
- (3) When is it expected to be completed?

Mr RIDGE replied:

- (1) and (2) The planning for the development of the Dental Therapy programme is the responsibility of the Public Health Department.
- (3) Planning is an ongoing function of the department and preliminary planning of schools in which dental clinics will be built for 1978 should be completed by February 1977.

60.

LEGAL AID*Introduction of Legislation*

Mr BARNETT, to the Minister representing the Attorney General:

Further to the answer he gave to me in reply to question 18 on Tuesday, 9th November—

- (1) Does the Government propose to legislate in this session of Parliament to ensure the provision of legal aid services in this State?
- (2) Just what steps are proposed in the legislation?

Mr O'NEIL replied:

- (1) Yes.
- (2) As is usual this will be explained when the Bill is introduced.

61.

**PSYCHOLOGISTS
REGISTRATION BILL***Application and Exemptions*

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

With reference to the Psychologists Registration Bill:

- (1) Is the Bill designed so that it can be used by psychologists in any way against the Church of Scientology either now or in the future?
- (2) (a) Did the recommendation for the change to the Ministers of Religion exemption clause in the original draft come from Dr Ellis, Director of Mental Health;
(b) if not, who recommended this change?
- (3) Does the Minister intend to include a definition of psychology in the Act in the near future as a result of feedback from public complaints received?

Mr RIDGE replied:

- (1) No.
- (2) (a) and (b) No. The change was simply in drafting and did not alter the principle expressed in the original draft.
- (3) No.

**APPROPRIATION BILL
(CONSOLIDATED REVENUE FUND)***Second Reading: Budget Debate*

Debate resumed from the 2nd November.

MR CARR (Geraldton) [5.05 p.m.]: I propose to take up the time of the House in debating the Appropriation Bill by discussing decentralisation, regional development, and growth centres in Western Australia.

Decentralisation is commonly spoken about, and a large number of people are in general agreement that it is a desirable aim in general terms. There is general agreement that decentralisation seriously is needed within Western Australia.

Unfortunately, in practice, there has been very little action in an attempt to make decentralisation work. There has been very little action by any Government, or by any political party, either State or Federal. Perhaps one Government which could claim to be an exception, was the former Federal Labor Government which did attempt to establish a growth centre policy on Albury-Wodonga, and on Bathurst-Orange.

It has been somewhat disappointing to observe that there has been a decrease from \$60.1 million to \$19.4 million for

expenditure on growth centres in the recent Federal budget. It appears to me that what development has taken place with regard to decentralisation has been on an *ad hoc* basis. At various times Governments have encouraged industry to certain country areas, for some reason or other, or a Government has actually placed a branch of a department in a country town. However, there has been no real concerted attempt to make decentralisation work and, as I have said, past action appears to have been on an *ad hoc* basis. What action has been taken has usually been for political purposes; assistance has been given to certain towns in marginal electorates.

I do not make that statement on a party political basis because all political parties have been guilty of that practice. Perhaps the reason for no real concerted effort in this field is that it has been considered to be too hard, and Governments have simply put the problem into the "too hard basket".

While there has been no concerted effort, there have been a number of useful palliatives. For example, a number of Government departments—both State and Federal—have now been established in regional centres. The Commonwealth Social Security Department has established a number of regional offices, and the State Housing Commission has done the same. I believe the present State Government policy of placing regional administration centres in country areas also falls within that category. As I said, it has been a useful palliative.

The policy announced by the present Premier, in the 1974 election campaign, in my opinion was very good. Certainly the policy had a substantial number of meritorious points in it. Unfortunately, however, it appears to have been only windowdressing because there has not been much implementation of those promises. There has not been much action. We were promised a substantial Government centre in Geraldton but, in reality, the centre which is to be established in that town will employ one officer and one typist. That is not a substantial centre in my opinion.

The promise of the Premier suggested that the proposed centres would speed up communications between local government and Government departments, but following discussions I have had it appears that an extra channel is to be created so that the local governing authority will have to go through the administrator. That will complicate matters further.

The Treasurer also promised that the regional administrators would have clearly defined delegated decision-making powers. I have asked a number of questions of the Treasurer, requesting details regarding the decision-making powers, but the replies I have received have not given me any evidence of such powers.

The list of duties of the administrator at the regional centre at Geraldton indicate, essentially, the power to report and liaise. He will maintain a regional office, report on a variety of subjects, research special projects as required, and liaise with Government departments. Nowhere is there any reference to decision making.

Mr O'Neil: Could I interject quietly? The question of decision making is in respect of what is loosely termed, "the regional centre" not the administrator. There has been no reference to the administrator having decision-making powers. It will be the regional centre, which is a group of senior Government officers from the area.

Mr CARR: I am not sure that I understand the Minister.

Mr O'Neil: We have never said that the regional administrator will have decision-making powers.

Mr CARR: If that was the intention of the statement by the Government, I got another impression.

Mr O'Neil: It was a Government statement, and not its intention. Any regional centre will have decision-making powers. We have asked Government departments to appoint more senior officers in those areas, and devolve upon those officers greater powers than they have had in the past.

Mr CARR: That is not my understanding of the situation.

Mr O'Neil: I am only trying to help the honourable member.

Mr CARR: I accept what the Minister has said, but his view conflicts with my interpretation of the 1974 election policy. Another matter is the small difference between the duties already performed by people in the regional centre, and the duties already performed by an officer of the Department of Industrial Development. A fair number of those duties will be identical.

Another point is that the local MLA is already carrying out many of those duties anyway, and he could be working substantially in the same direction as those engaged in the regional centre. I do many of the jobs listed on the list of duties of the administrator, the same as do many other members of Parliament. I report and recommend on various matters in my electorate, and I research certain projects. I also liaise with various departments.

Mr O'Neil: There has been no reference to duties of the regional administrator. They are the duties of the regional centres.

Mr CARR: I appreciate that point, but the work load of the administrator will increase.

Mr O'Neill: We did not follow the example set in New South Wales and in Queensland where the centres have statutory authority. We are waiting until we find the best means of communication between the people in country areas, and the Government.

Mr Taylor: Is the Minister making a second reading speech?

Mr O'Neill: I am only trying to help the member for Geraldton.

Mr CARR: I appreciate the comment from the Minister. I make no secret of the fact that I have been confused by the policy of the Government, and the replies which the Treasurer has supplied to my questions.

Mr O'Neill: We have a booklet in the course of preparation which I trust will be available soon, and this will iron out most of the problems mentioned by the member for Geraldton.

Mr CARR: I appreciate that. The next point I want to make is that the regional centres we promised to be representative of all Government departments. That seems to conflict with the office in Geraldton which will be staffed by one man and a typist. It appears to me that many problems will have to be overcome before the policy can be implemented.

I now want to express my ideas on how I think decentralisation can be made to work.

I recapitulate on the need for decentralisation. I have spoken of this matter previously in a number of debates in this House and recently in the debate on the Joondalup Centre Bill. The main need in 1976 for decentralisation exists in Perth. In the past people in the country areas have called for decentralisation because they wanted their towns to be a little bigger.

The main reason for decentralisation being so urgently needed now lies in Perth. Perth is a city of three-quarters of a million people. It is a concrete jungle, a sprawling suburbia, and has many social problems which are increasing rapidly as the city continues to urbanise. Western Australian people at the moment have the choice of living in a city of three-quarters of a million people or in a town of less than 20 000 people. There is no choice in between. One lives either in a giant urban centre of three-quarters of a million people or in a town of less than 20 000 people. I argue that many people in this State would like to live in an urban centre with a population considerably larger than 20 000 but much smaller than three-quarters of a million.

I suggest most people prefer not to live in a large city because of the problems of isolation, for example. I know it sounds strange when there are three-quarters of a million people in the city but I am sure many city-dwellers experience a feeling of isolation.

People do not like living in the city because of the problems of traffic and transport. I am sure the Minister for Transport is aware of the problems which exist and are increasing daily in the city. The Minister for Police would be well aware of the problems of crime in the city at present, which are increasing as the city urbanises. The problems of pollution are well known to the Minister for Conservation and the Environment, and the problems of waste disposal will also be known to him and to the Minister for Local Government. In addition, the Minister for Works is well aware of the problems of sewerage in a growing city.

In connection with the problems which exist in the city I would refer to the costs of those problems. When people talk about the cost of decentralisation I wonder whether they consider the cost of fighting crime, traffic problems, and problems of pollution, waste disposal, and sewerage in the city. It is not a question of whether we can afford to spend money to decentralise but of whether we can afford not to in view of the costs incurred in the city.

I believe most people want to avoid the problems of urbanisation but they also want the services which are available in a city. They want job opportunities for themselves and a range of alternative job opportunities should they want to change jobs. Most people want to live in a community where jobs are available for women. With the increasing number of women in the work force a problem is developing in major country centres where although the population is expanding, job opportunities for women are not expanding so rapidly. In Geraldton recently the labour position was such that 60 girls applied for a job as a typist, while at the same time tradesmen are not available. People want jobs for their children when they leave school. People want education facilities, and in particular tertiary education facilities which are not available at the moment in the small country towns of this State but which could be available in a larger growth centre.

People also want to be served by health facilities, by which they are inadequately served in many country towns at present. I refer in particular to the lack of specialist facilities in country areas. People want good entertainment, services, shopping, and business facilities.

Because of these factors most people do not want to live in a small country town. I suggest most people would prefer to live in a city of something like 50 000, 100 000, or 200 000 people. The choice at the moment is to live either in a city of three-quarters of a million or a town of 20 000 people. This raises the challenge for us as legislators to promote smaller cities and provide an alternative to Perth; in effect, to give people another option as to where they can live.

I suggest widespread decentralisation is not effective. If we were to embark upon a measure to increase each town in this State by 2 000 people, it would not do anybody much good. We would be much more effectively involved if we were to engage in a concentrated policy to make, I suggest, two centres into centres of 40 000 to 50 000 people. This would provide the extra choice to which I refer, and would provide an attractive option for people.

What I am saying is consistent with the growth centre theory or the "big push" theory. This is the theory that if we concentrate our effort on one sector and make that viable by providing new jobs in that area, that in turn will create more new jobs and a self-sustaining growth will be achieved. The reason is that the private service industries follow the population trends. Private service facilities do not create or lead population trends, they follow. So we must provide a population which the private service industries will then flock to serve.

The problem arises of choosing which centres should be developed as prime growth centres. There are difficulties here because it is hard to make a decision free of political pressure and parochialism. These are massive problems and previous Ministers for Industrial Development have commented that the problem of overcoming parochialism is very substantial. Therefore all Governments are reluctant to make this kind of choice, especially just before elections. Any method which is used will bring forth criticism but ultimately a Government must make this decision. It might help a Government to institute an inquiry to decide which centres should be created growth centres, but ultimately the Government of this State must make the decision as to how many and which towns are to be promoted as growth centres. If we are to have a worth-while policy of alternative cities to Perth we must make that decision very soon.

I propose to outline a number of points which I believe should be considered in deciding on which centres to concentrate.

Firstly, a prime growth centre must be based on an existing centre—a place which already has considerable services and facilities. The task of raising a completely new town to the point of becoming a prime growth centre is too gigantic to be envisaged, so we should concentrate on an existing centre or centres.

Secondly, the centres chosen need to have a sound and expanding economic basis. They need to have a potential for increased economic activity, and that includes of course the tourist industry, which should not be overlooked as an industry which provides considerable impetus to the growth of many areas of this State.

Thirdly, we need to look at physical aspects. The place chosen needs to have an attractive climate, suitable geography, and a suitable environment. It must be a place where people want to live.

The first point to be made here is that it must be a coastal town. No doubt all members recently received the print-out from the last census, showing that the most significant point in those results was that all the shires and towns on the coast had the most rapid growth rates in population and the inland shires the largest decreases in population. There is no question in my mind that, with increasing leisure, people want to live in coastal areas, and any projected growth centre must be on the coast. I am led to understand this experience is also borne out in the United States, where there is increasing population build-up in coastal areas and decreasing population inland.

Fourthly, we have the question of water supply. No prime growth centre could be contemplated without an assured water supply.

Fifthly, we have the question of distance from Perth. It is my opinion that the growth centre must be quite separate and removed from Perth. I do not like the idea of expanding Kwinana through to Mandurah, or something like that. What we really want is a separate alternative at least 100 miles from Perth. I might suggest a larger distance but as Bunbury is one of the places which would obviously come under consideration, 100 miles would be the limit, in my opinion. Such a centre needs to be within relatively easy weekend travelling distance from Perth so that people can travel to and from Perth and return for the weekend.

Some people suggest just one centre should be chosen. I personally do not agree with that. I believe it is tantamount to putting too many eggs into one basket. There could be some problems with one of those five criteria I mentioned, and I suggest we should be looking for at least two growth centres. I certainly would not advocate more than three.

My parochialism obviously comes to the fore about this time. I know the member for Stirling will be upset because I do not mention Albany, but it occurs to me two other centres have emerged which fit the criteria. I refer to Bunbury and Geraldton. I consider both those towns qualify on all or most of the points I have enumerated, and I have no doubt they would be chosen on any independent criteria.

On the basis of existing centres, there is no doubt that Bunbury and Geraldton both qualify.

On economic grounds, Bunbury has its basis in agriculture, minerals, wood chips, and tourism. Geraldton has its industrial basis on crayfishing, the largely unexploited wet fish industry which has

considerable potential, agriculture, and minerals—with an existing mineral sands industry and a number of potential developments, including diatomaceous earth deposits at Dongara, iron ore at Weld Range, and copper deposits in the Yalgoo area. Geraldton is also a service centre for the north and has extensive transport and building industries. It is also very much a retirement centre for the people in the Pilbara. A substantial number of people from the Pilbara have been purchasing home units in Geraldton in the last two years, obviously for the purpose of investment and retirement at a later stage. Tourism is another expanding industry in that region. This afternoon we have been referring to Kalbarri, which is rapidly emerging as one of the prime tourist resorts of the State.

We have an expanding industrial base at Geraldton, which is borne out by the fact that the recent census statistics showed an increase in the population of the town of Geraldton of just over 3 per cent, and in the surrounding Greenough shire of approximately 9 per cent. The overall population expansion in Geraldton and Greenough combined was 4 per cent, which is considerably higher than the average throughout the rest of the State.

In relation to climate, geography, and environment, Bunbury and Geraldton both qualify. On the question of water supply, I am not sure of the position in Bunbury but I understand there are not many problems in this direction. Geraldton not only has Allanooka but also the vast aquifer in the Arrowsmith basin to the south of Geraldton, which has great potential.

Bunbury is certainly not too distant from Perth. Geraldton is fortunate in that with the recent completion of the Brand Highway the distance between Perth and Geraldton has been cut by something like 50 miles and travelling time reduced by considerably more than an hour because of the very good condition of the highway and because it bypasses those few towns along the route.

Mr Stephens: What is the actual distance now?

Mr CARR: It is now 265 miles, which means in effect it is possible to drive from Midland to Geraldton in four hours without exceeding the speed limits. It is a comfortable four-hour drive.

Other people may suggest other possibilities for prime growth centres. For example, Port Hedland could be suggested on the basis of its expanding industrial activity. But, of course, it has the short coming of being too far away and of having a climate which I am sure is not attractive to many people. It also has a question mark concerning its water supply.

Kalgoorlie, of course, is inland and has a question mark against its economic base. Again, it has a climate in which not many

people would like to live and it also has a question mark against its water supply. I am sure the member for Stirling would love me to refer to Albany. That town also has a couple of question marks against it, particularly concerning its economy and the climate. The climate may be attractive to the member for Albany but it is too cold and too wet for me.

Having suggested that the Government should choose, and choose very soon, to have two prime growth centres, and that it should make a very early decision to say, "We will develop Bunbury and Geraldton as alternative growth centres", I believe I should now outline a few of the measures the Government should take to make this policy work.

Firstly, the Government should attempt to channel all possible industries into those two centres. Under no circumstances should it allow further development of Kwinana, or further development to occur in the immediate metropolitan area. It is very important for this policy to work that industrial workers be moved into the new prime growth centres as quickly as possible because, as I said earlier, private service workers and other people automatically follow up a build-up of industrial workers. There are, of course, some restrictions there because Governments cannot force developments to occur in certain places; Governments can only encourage development.

Secondly—and this is perhaps a more practical step and one which the Government can take more positively—it should channel all possible Government activities into these two centres of Bunbury and Geraldton. The reason for this is that just as industrial workers need service workers to provide for them, so Government workers need people in private service industries to provide services for them; and if we can build up a large Government population in Bunbury and Geraldton, similarly private service workers will follow.

I am sure many people underestimate the size of the Government sector and the potential of the Government sector to give an impetus to growth. To illustrate that I would quote the example of Canberra.

It is my understanding on the figures provided to me—and I cannot vouch for them, but I believe they are accurate—that when the Federal Government was established in Canberra 50 years ago, there was a population of between 10 000 and 20 000. Now 50 years later the population is something like 200 000.

I am not for a moment suggesting that the populations of Bunbury or Geraldton would increase overnight by such a great number, but I am sure the indication is there that the provision of Government

offices would cause an expansion in the economics of those two prime growth centres.

Mr Sibson: Are you referring specifically to the towns or to the regions?

Mr CARR: The answer to that is, of course, that if the town is given the industrial base to expand and provide more services to the surrounding region, the benefits will flow both ways: to the region and to the centre.

I want to move now to the specific types of Government action that can be taken to bring about this policy. I refer to Government departments, Government instrumentalities, and Government authorities which could open branches in Bunbury and Geraldton. There may be difficulties associated with some of these because they are independent authorities; but others are directly Government departments. Every effort should be made to bring about the opening of such branches.

Firstly, and most importantly, the Bureau of Consumer Affairs should have an office in Bunbury and Geraldton and, for that matter, it should have an office in many other places.

Mr Watt: And Albany.

Mr CARR: Sure; it should have an office in many places, but I am talking particularly in the context of the prime growth centres policy. The number of people in country areas who experience trouble is considerable. Many people simply do not like to write letters about personal problems, nor do they like to make trunk line phone calls about them to the city. Those people would be very pleased to discuss their problems across the counter with an officer of the bureau if a branch were opened in their town.

Similarly, the Department of Labour and Industry should open a branch in each of these major growth centres. It is a reality that unions are not always very well organised in country areas; it is also a reality that the Chamber of Commerce and other such bodies are not well organised in country areas. We have a situation in which when information is required by workers and businessmen alike they have nowhere to go, because the Commonwealth Employment Service provides information only in respect of Commonwealth awards and not in respect of State awards.

So in practice and in effect my office in Geraldton becomes the place where not only workers but also businessmen come to obtain information in respect of certain awards. I have to telephone the Department of Labour and Industry or the union concerned to ascertain the award conditions prevailing. A branch of the Department of Labour and Industry would provide a great service to the people living in these areas.

The Government should also establish information and inquiry centres in many towns throughout the State. I noticed this afternoon the Premier, in answer to a question, indicated he did not think information and inquiry centres would be necessary once the regional administration centre is established; but I see the two as being separate. I would suggest that Government information and inquiry centres would be of great use in many country towns throughout the State.

I believe the Town Planning Board should establish branches in country areas, and especially in chosen prime growth centres in which rapid industrial expansion is occurring and considerable subdivisional activity is proceeding.

A few other Government departments and commissions which I suggest should establish branches in prime growth centres include the Immigration Branch, the Transport Commission, and the legal aid office—if in fact the Press reports are correct and it is intended to establish a legal aid office, then branch offices should be established at least in the prime growth centres.

There should be branches of the State Government Insurance Office in major centres, and also branches of such facilities as the Small Claims Tribunal and the Ombudsman. Salaried doctors should be provided at a number of regional hospitals and certainly in the hospitals at the prime growth centres. We could also have branches of the Public Trust Office, we should certainly have branches of the WA Museum, and perhaps the Alcohol and Drug Authority could be encouraged to extend its activities to these centres.

I refer now in particular to tertiary education facilities. I understand that there is a move afoot to demolish the Graylands College at some future time and to replace it with a college somewhere in the southern corridor. To me that is horrific. The next tertiary education institution in this State should be built miles away from Perth in one of the prime growth centres. If it were built at Bunbury rather than Geraldton I would be disappointed; but at least I would understand. If it were built in the metropolitan area, I would not have a bar of it.

I am aware there is evidence that tertiary education centres are really viable only in cities with populations of 50 000; but that is the type of recommendation which stops decentralisation from working, and it is the type of recommendation that must be overruled by legislators. We should be prepared to acknowledge that even though the recommendation is against it, decentralisation is more important than the recommendation if we are to provide the people of Western Australia with a third alternative regarding the size of the city in which they may live.

I believe the State Housing Commission should play a greater role in country areas, and it should build houses in the major growth centres to the point where there is next to no waiting demand; in other words, the State Housing Commission should concentrate its efforts in the prime growth centres to make the housing position in those centres much more attractive than it is in the city and, therefore, to encourage people to go to prime growth centres to seek employment.

If this type of policy were pursued there would be three particular benefits. The first is that the expansion would give impetus to service industries to move to the growth centres, and that would lead to further expansion. Secondly, I believe the important range of services which Government departments and instrumentalities would offer would make growth centres more attractive places in which people would want to live. Thirdly—and this is to some extent incidental—the greater involvement of State Government instrumentalities in prime growth centres would reduce the head office mentality which I know concerns many people in country areas.

It is generally believed that decisions cannot be made in country areas, and that someone in head office has to make them. It is believed that if the local officer makes a decision, it will be overruled by head office. This feeling is prominent in country areas, and I am sure anything that leads to breaking it down would be very much appreciated.

I want to conclude by referring back briefly to the question of costs. Much has been said about decentralisation to the effect that it is something we cannot have because it costs too much. I am sure if the Premier were in the Chamber he would be inclined to say, "We cannot put all those Government branches in the prime growth centres because to start up those offices would cost so much." I know it costs a great deal of money; I do not deny that. However, my argument in response is: Consider the costs of not doing it and of not having all industries in the Perth area and allowing the metropolitan area to expand indiscriminately and indefinitely so that it has a population of one million, two million, or even five million in years to come.

If we allow that to happen the costs of solving the problem in respect of transport, traffic, crime, pollution, waste disposal, and sewerage will be monumental. The alternative to spending some millions of dollars now and choosing two prime growth centres—and I suggest Bunbury and Geraldton—is expensive also, but in the long run it will cost much less than trying to solve the other problems of increased urbanisation in years to come.

MR MCPHARLIN (Mt. Marshall) [5.43 p.m.]: I think it is fair to say this Budget is an easy one to live with. It is a responsible Budget, and it reflects good management.

Mr H. D. Evans: Especially in slaughtering fees.

Mr MCPHARLIN: The measures it contains are such that I am sure most of us would agree we can talk about them in our electorates with some degree of satisfaction.

Mr H. D. Evans: Especially the slaughtering fees.

Mr MCPHARLIN: Of course, perhaps we could offer criticism in respect of some areas; but it is never an easy matter to produce a Budget that satisfies everybody. When one looks at the measures that have already been produced in respect of the Budget, and those which are now before us in the matters of pay-roll tax and probate, one derives considerable satisfaction.

Some time ago in my area, as in other areas, a considerable problem arose as a result of the drought. The problem was that unemployment was increasing, and the shire councils in particular wanted assistance to enable them to employ people to keep them in the area and to stop them from drifting away.

The member for Geraldton made a comment about the decreasing population in inland areas because people are shifting to the seaboard. This is a concern of most people and has been considered by shire councils in such areas. I know that once these people move away and settle down in other areas, particularly if they have families, they rarely come back.

The situation was quickly taken in hand and drought relief measures in the form of the allocation of funds were provided. On several occasions I had the satisfaction of making contact with the chairman of the Drought Advisory Committee and having funds allocated quite quickly to the areas concerned. The areas were able to employ the people affected and keep them in employment in their districts.

Perhaps some aspects of this matter can be questioned inasmuch as some of the unemployed people were young people whose salaries or wages paid under this system were quite high. When they seek other employment they receive awards for their age groups which are much higher than they are getting under this system and they probably would not be satisfied to return to a lower wage when they go back to work on the farms. That could create some dissension amongst them. This matter was raised with me quite recently by a president of a council.

Another matter I wish to mention concerns the need for water supplies, particularly as they affect the areas I have referred to in a year such as the present one. The drought has affected quite a number

of people in a number of areas but has particularly affected the north-eastern wheatbelt and the northern wheatbelt and several areas in my electorate. We are concerned at all times with water supplies, especially in a State such as Western Australia, but the problem is emphasised to a greater degree in a season such as the one we have just had.

Recently I attended a land management and water quality seminar which was held in the Cottesloe Civic Centre on Friday, the 24th September. It was organised by the Department of Conservation and the Environment and quite a number of people presented papers. The speakers came from the Commonwealth Scientific and Industrial Research Organisation, the Department of Agriculture and the Forests Department. The papers were most interesting and are incorporated in a booklet which I have here.

One of the matters referred to should be of great interest to us all as we have just dealt with a Bill concerning the control of clearing in the Wellington catchment area. One of the papers was presented by Mr Peck and Mr Hurlé, who are two scientists. They studied the chloride balance on 15 farmed and forested catchments in the south-west of the State. Their results showed that salt flow from forested catchment areas is only slightly greater than the total salt fall from rain and dust. However, the salt flow on catchments with appreciable areas of clearing is much larger than the salt fall by up to 690 kilograms of chloride per hectare per year. I make this point because the salinity of water is of deep concern to us all. Those who are serviced by the comprehensive water scheme throughout the State must be concerned about the increasing salinity which is occurring in these catchment areas.

I shall quote a few of the results of the tests that were carried out. One of these was in a predominantly forested catchment area. The name of the area is Julimar. The salt fall in kilograms per hectare per year was 53 and the salt flow in kilograms per hectare per year was 78. Another test was carried out in the North Dandalup area. The salt fall in kilograms per hectare per year was 133 and the salt flow in kilograms per hectare per year was 175.

I turn to catchments with substantial areas of cleared land. One of these is named Brockman. The salt fall there, using the same measurements, was 80 and the salt flow was 342, a vast increase over the previous catchment area which was forested.

The point I am making is that we must give a great deal more attention to the salt flow that occurs when the water tables rise as a result of vegetation being removed. I think it is necessary for our scientists to study in greater detail the need to establish an all-year-round type

of vegetation which will provide adequate fodder for stock and still keep the water tables down. This is a matter of deep concern to us all.

During the drought of 1969 the Government of the day was requested to assist affected areas to provide an exploratory boring system to enable water supplies to be provided wherever it was possible to find them. I have before me some figures which were provided in reply to a question I asked in the House some time ago. During that time a total of 2 639 exploratory bores were sunk in drought areas. Of that number 263 were considered to be successful. Those bore holes are in the same areas as those now affected by the drought.

I suggest to the Government that it would be worthy of consideration, instead of waiting for a drought to occur and then undertaking a boring programme, to have a continuing search for water by the Mines Department so that when a drought does occur there is not a clamour for assistance to cart water supplies. Carting is going on at the moment. It is very costly to cart water. As happened in 1969, the Government is subsidising this water carting. I think a continuing programme of exploration would be worth consideration so that there could be reliable supplies of water which will also alleviate the draw on the comprehensive water scheme.

Of course, farmers are doing their best to provide their own supplies by having dams put down and having roaded catchments built on to those dams to increase the capacity and speed of the run-off. But we do not always get good rainfall to fill the dams. Many of them this year are not full and one can walk through a great number of them. I think it would be preferable to make a thorough investigation of underground water for these areas to provide a reliable source for drought areas such as we now have.

Another point I wish to make in relation to the problems of adequate water supplies for people affected by drought is that throughout the State there are pockets of landholders who are very near to a water scheme but who have not been able to obtain the acquiescence of the Public Works Department to connect to the scheme. In some cases the landholders concerned are quite prepared to pay the costs. In one case in particular the landholder has purchased the piping and is prepared to do all the work provided he can get permission to connect to the main line. I think it is advisable for such pockets to be thoroughly investigated to alleviate the situation.

The cost of extending the comprehensive water scheme is considered to be prohibitive. An approach would have to be made to the Federal Government for finance to extend the scheme. The high

costs involved in materials and labour are considered in some quarters to be prohibitive; by the time those people who seek it are connected to the scheme the loading would be so high that the situation would not be economical. I think it would be advisable for the Government to examine these pockets to find alternative State sources of assistance for these people who are in a difficult situation, many of whom have spent thousands of dollars endeavouring to get an adequate supply and have not been able to obtain the permanent supply they would like.

Members will recall that earlier this year the member for Geraldton moved that a Royal Commission be appointed to inquire into all matters relating to the cost of living and living conditions in country areas with a view to assessing the problems of such areas and trying to do something about them. The Government decided it would be preferable for an inquiry to be conducted by the Rural Affairs Inquiry. I had the privilege of moving in the House a motion which was eventually agreed to. It was along the lines of the motion previously moved by the member for Geraldton. I moved that we should investigate all matters relating to the provision of goods and services to rural communities in Western Australia.

The Consumer Affairs Bureau followed this up and asked members whether they would be prepared to assist by inviting people in their areas to public meetings to place before those engaged in the inquiry the matters relating to the cost of living and living conditions in their areas.

I took advantage of the opportunity and arranged eight meetings in my own area. I was assisted by an officer from the rural affairs bureau and Mr Athol Barrett, a private consultant engaged by the Government. The average attendance at each of the meetings was more than 40. The total number of formal submissions made concerning aspects of living in country areas was 360. Of that 360, 174 were prepared to name themselves and have their names recorded in the minutes taken at each meeting by the officer of the bureau. In all, 249 recommendations were made at the eight meetings.

Those who attended the meetings expressed appreciation of the fact that the opportunity was given them to make their views known and have their submissions recorded. I have even been asked by several people whether the Government will consider holding more meetings of a similar type.

I understand that, in all, 50 meetings were held at which the total attendance was 967. If the meetings in other areas were as successful as those held in my area the people will be ready to commend the Government and will be looking forward now to the report which will be

compiled by the officers. The bureau officials indicated that all the submissions would be taken into account. They would be collated and a report compiled which, I understand from the Minister, will be tabled in the not-too-distant future.

Mr Blaikie: They were very successful meetings and country people appreciated them far more than they would have appreciated a Royal Commission inquiry.

Mr Grayden: The honourable member on his feet has done more than anyone else on this matter, including the remainder of the 81 members of Parliament.

Mr Davies: Congratulations to all concerned. Who is the next speaker after you?

Mr Bryce: Scratch, scratch, scratch! You scratch my back and I'll scratch yours!

Mr Bertram: I am glad the Minister has found his voice. He lost it last night.

Mr Grayden: How many Labor members took advantage of the opportunity?

The ACTING SPEAKER (Mr Crane): Order!

Mr McPHARLIN: I appreciate the comments made by the Minister and other members on this side.

Many recommendations were made at the meetings and they are of interest. The list of matters raised was similar in each area. So the problems are not isolated to one particular area. Therefore there is need for some rectification of the problems.

I might add that I attended two meetings outside my electorate—10 in all—and the same matters were raised at those meetings. I wish to refer to several of them. One of the principal items is of Federal concern, but still it affects the people living in the country. I am referring to the cost of trunk line phone calls. A comparison of the cost of these trunk calls in two different towns is revealing. At Dowerin, which is 105 miles from Perth, the cost of a trunk call between 8.00 a.m. and 6.00 p.m. is 90c for three minutes or part thereof. Of course members know that on many occasions the three minutes is up before one is able to speak to the person phoned.

A little past Dowerin is Wyalkatchem which is 127 miles from Perth, a difference of 22 miles. A phone call from Wyalkatchem costs \$1.35 for three minutes or part thereof, a difference of 45c.

Mr Davies: That is an operator-connected call, not STD?

Mr McPHARLIN: It is not STD. If STD is used in the country and the caller is not careful he can pay much more.

Mr Davies: The PMG has sent out some guff today and it shows how much you save by using STD.

Mr McPHARLIN: Several postmasters came to the meetings and explained the system of STD. Every time the meter turns over the caller is charged at the local rate. Depending on the distance one is from Perth, so the meter turns over.

Mr Davies: I am sure you will get something in the post explaining this. I got something this morning and I think it is going to every subscriber to explain how STD works.

Mr McPHARLIN: That is how it works.

Mr Davies: We know that, but this information sets out the situation fairly distinctly. There is a table you can use. If you use your brains you can save money. You cannot save money if you ask another farmer how much he is getting for his pigs, cows, hay, and so on, but if you stick strictly to business you can save a lot of money.

Mr Sibson: That is after you have located the person.

Mr Davies: You ring them up and tell them you will ring back in three minutes when they have got the information.

Mr Sibson: You obviously have not lived in the country.

Mr McPHARLIN: It does work that way if one is careful.

Mr Davies: I ring the east like that.

Mr McPHARLIN: When people become experienced with STD they will be able to save money.

Mr Davies: I agree that long distance calls are far too dear, no matter which system you use.

Mr McPHARLIN: If a person in business in a country town wants to ring through to Perth to order something it can take him up to 15 minutes to do so and can cost him several dollars. However, the same person in the metropolitan area can speak all day at a cost of only 9c, and he would not order any more material than the person orders from the country. This was one of the major problems raised when living conditions and costs in the country areas were discussed.

Another item of some concern was the rental on phones. I will not go into the details on that one, but it was a complaint made at all the meetings. Another item was the fuel price equalisation. It will be recalled that we used to have an equalisation scheme whereby no-one in the country paid any more than 4d more for fuel than was paid in the metropolitan area.

Mr Laurance: That was taken away by a Labor Administration.

Mr McPHARLIN: The fuel price equalisation scheme was advocated by every meeting attended and those present requested that consideration be given to the matter. Again it is a Federal item, but it has an impact on living costs.

Another Federal item of great concern was the lack of adequate TV reception. In some areas it is not possible to get a good picture at any time. I have sat in loungerooms in parts of my electorate and have not seen a good picture at any time because of the presence of "snow". The residents have gone as far as to offer financial assistance to Telecom to help with the installation of a better relay service to give an improved reception. This matter is causing a lot of concern in the country and it is one I hope the Government will study in an endeavour to persuade the Federal authorities to do something about the installation of improved relay stations for the benefit of the people in those areas.

The question of TV reception was raised at Wongan Hills, as the member for Moore knows. In that area a fairly high mast has been installed but the reception of Channel 7 is interfered with by what the residents call Channel 6. Somewhere the technicians have gone off the beam and for some reason beyond my comprehension the reception is being interfered with.

There is need for some thorough research in these areas and I am hoping the points raised at the meetings will not be forgotten when the report is eventually presented and a recommendation made on it for action to be taken.

A number of other items was raised such as teacher housing and remedial teachers for specialist teaching programmes. The Road Traffic Authority received some criticism and transport problems were mentioned. I have already referred to water supplies, and sales tax and land values were also debated. I could enumerate all the topics in lengthy detail, but I do not propose to do so.

The exercise was worth while and well accepted by the people. They appreciated the opportunity to come forward to present their complaints and criticism and offer suggestions. They were asked to make recommendations concerning what they thought should be done to rectify the various problems. As many as 40 recommendations were made at the one meeting. After the meetings the people expressed appreciation about the way the meetings were conducted and they were quite reluctant to leave to go home. They wanted to stay to talk and we accommodated them in this regard. General satisfaction was expressed at all the meetings I attended.

With those remarks I give my support to the Budget.

Debate adjourned, on motion by Mr Skidmore.

Sitting suspended from 6.13 to 7.30 p.m.

LOAN BILL*Second Reading*

Debate resumed from the 3rd November.

MR JAMIESON (Welshpool—Leader of the Opposition) [7.30 p.m.]: This is only a formal Bill that goes along with the loan raising functions of the Government. We know that in this year Western Australia has an allocation of \$45.4 million in loan funds from the Loan Council, and this Bill is, of course, the medium through which the amount is allowed to be raised. As I have said this must, of course, go along with the other Bills.

Discussion on loan matters and those associated with finance gives one any amount of scope for debate, particularly when this is linked with the two other Bills—the Appropriation Bill (General Loan Fund) and the Appropriation Bill (Consolidated Revenue Fund).

There is very little else that needs to be said. The necessary authority has to be given to the Government of the day to enable it to raise the loans in this manner. It is in accord with the Financial Agreement of 1927 in which the various Governments of the Commonwealth combined and made an agreement whereby loan raising would be conducted in an orderly fashion; and it has proceeded in this manner ever since.

The amounts stated by the Treasurer are all clearly available to those people who wish to peruse them in *Hansard*, and they need not be repeated at this stage. It is not necessary for me to say much more except that the Opposition supports the Bill.

SIR CHARLES COURT (Nedlands—Treasurer) [7.32 p.m.]: I thank the Leader of the Opposition for his support. I propose that if we pass the Bill through the second reading stage and then the Committee stage it could remain on the notice paper at the third reading stage, and could pass through its final stages after we have dealt with the Loan Estimates in due course. It will thus be under the control of the House.

I appreciate the co-operation of the Leader of the Opposition in this matter. He has made the point that the items authorised for the raising of the loans are clearly set out in the Bill in detail and were clearly stated by me when I introduced 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.

**INDUSTRIAL ARBITRATION ACT
AMENDMENT BILL (No. 2)***In Committee*

Resumed from the 9th November. The Chairman of Committees (Mr Thompson) in the Chair; Mr Grayden (Minister for Labour and Industry) in charge of the Bill.

Progress was reported after clause 2 had been agreed to.

Clause 3: Section 2 amended—

Mr SKIDMORE: I rise to oppose clause 3. The words proposed to be inserted seek to add a further division IIIA which we have said, in the strongest terms, we will not accept. The more we examine the legislation and the more we look at it, the more ludicrous it becomes, and I ask the Minister whether his advisers have considered those unions which have a full-time secretary who is not a member of the union, but who is appointed as a company secretary would be.

The legislation proposes that all office bearers will be subject to secret postal ballot and will be declared by the commission. As I understand the exercise the commission will have power to say that that particular officer who is appointed is an officer of the union. How it will be done I do not know. Certain parts of the Act provide that an officer must be a person who is required to work in an industry which the union covers and so by virtue of this is accepted as an officer of that union. If the union does not accept the officer as a member of the union I do not know how we will then have an election.

Mr Grayden: What are you talking about?

Mr T. H. Jones: The Minister does not know.

Mr SKIDMORE: I suggest if the Minister does not understand what I have said he is at liberty at any time to report progress, read *Hansard*, and when he gets the opportunity he should educate himself as to the requirements of the Industrial Arbitration Act and then come back and tell us all about it. What I am saying in simple terms is that some unions would not be bound to have elections for appointed officers.

Mr Grayden: You are absolutely wrong.

Mr SKIDMORE: I would ask the Minister to quote me the provision in the Industrial Arbitration Act which indicates the contrary is the case. The Minister is putting up a proposition that these people will have the right of a secret postal ballot. I agree with that. But the inconsistency of this particular Bill means that if the commission takes notice of its own Act it cannot declare the man in question an officer; it would be *ultra vires* the Act. If the commission did this it would be subject to appeal by the union and we would finish up with a court of disputed returns if it were a question of an election issue.

Mr Grayden: That is catered for on page 4.

Mr SKIDMORE: I know what the Minister is referring to, but I do not want to go to page 4, because I will be talking about that later.

If the commission is bound by an Act of Parliament it must uphold that Act and act within its confines, and it has no power—unless the Minister can show me it has—to order such an employee to be a member of the union and thus become an officer, because that is a prerequisite of these people to be appointed by unions—they must be members of the union.

The commission cannot alter anything as the Minister suggests it can on page 4. I suggest to the Minister it has been proposed by us that there would appear to be a cost of something like \$300 000 involved for the purpose of running collective elections for unions.

Mr Grayden: That is your estimate.

Mr SKIDMORE: The Minister should use the figures presented by the chief commissioner and I refer to volume 55 of the WAIG which says there are actually 100 unions registered with the Industrial Commission; 14 of them are employers' associations, and the rest are associated with the trade union movement; indeed there are also the electrical contractors of Western Australia, the Builders Association of Western Australia, the Bread Manufacturers Association of Western Australia, the Footwear Association of Western Australia, and so on, which are involved. So we have 100 unions. The Minister for Police said in this Chamber during a previous debate that it was his estimate that \$1 would be needed to process a reminder notice to tell people their licence was due for renewal. Seeing there are 187 075 members in the unions it will take \$187 075 to send out notices to those members informing them there will be an election.

If we allow a sum of 50c per member for the printing of the master roll, the ballot papers, the printing of the counterfoil, and that of the return envelope and so on, and allow another \$30 000 for postage it will take the total to \$300 000 that this Government will pay if every union exercises its right to hold an election. It will cost the Government \$300 000 yearly if unions hold one election each year—and for what purpose? Nothing will be achieved. There is no validity in it.

Yet we have heard the Minister say certain unions are clamouring for this Bill; they are desperate; they want it, and so on. To give some credibility to his argument the Minister should tell us the unions to which he refers.

Name the unions. Tell us who these people are who came along requesting the legislation. The only answer we have had from the Minister is to the effect that he will not tell us, and that in no way will we get the answer from him. The credibility of the Minister is destroyed unless he

is prepared to back his statements with the truth. If the unions or individuals have made an approach to the Minister, I challenge the Minister to tell me who they are.

Mr Grayden: You know perfectly well the unions that have made the approaches.

Mr SKIDMORE: I must say again that we do not agree with this clause. However, I would like the Minister to tell me where it is in the Act that the commission can make an officer out of an appointed servant of the union so that a secret ballot, which the union does not want anyway, can then be held.

Mr Grayden: It is on page 4.

Mr T. H. JONES: I have risen to speak to this clause to say that I still oppose the principle of the legislation. On reading through the second reading speech I made last night, I see that every time a member of the Opposition rose to ask the Minister to name the unions involved, the Minister gave the answer that we were union bashing. At this late stage the Minister has a responsibility to the Committee to tell us who requested the legislation, and which unions are involved.

Mr Grayden: But you are union bashing; you are denying the unions the \$300 000 which the member for Swan says that they are going to get. That is union bashing.

Mr T. H. JONES: Clearly the Minister's interpretation of union bashing and mine are different. It would be a different matter had the unions gone to the Government and said, "We would like financial assistance in the conduct of union ballots". Then the Minister may have been right in advancing this proposition we are discussing here. However, the Minister cannot show any evidence that the trade union movement generally in Western Australia went to him, as Minister for Labour and Industry, with a request that he introduce this legislation to Parliament.

Mr Grayden: I can do that at the drop of a hat.

Mr T. H. JONES: I am glad to see that the member for Maylands, the shadow Minister for Labour and Industry, is here.

Last night the Minister dodged the issue every time it was raised, and he is still dodging it. All he could say by way of interjection last night was that the Opposition was union bashing. Through you, Mr Chairman, I give the Minister the last opportunity to be manly and to stand up and name the unions involved.

Mr Grayden: So you can stand over them? Is that the idea?

Mr T. H. JONES: The Minister for Labour and Industry is hiding behind a cloud. If he can substantiate his reason for bringing this legislation to the Chamber he should be able to name the unions

which asked for it. I challenge him to stand up right now and to name the unions involved.

Mr Grayden: So you can intimidate them if you are not too gutless.

Withdrawal of Remark

Mr T. H. JONES: I ask for a retraction of the statement that I am gutless.

The CHAIRMAN: I heard no such remark, but if the remark was made by the Minister, I ask him to withdraw it.

Mr GRAYDEN: I am happy to withdraw it.

Mr T. H. Jones: Do you know you made it?

Mr Grayden: Do you want me to make it again?

The CHAIRMAN: Order!

Mr T. H. Jones: I have more guts than you have.

Committee Resumed

Clause put and passed.

Clause 4: Section 9B amended—

Mr SKIDMORE: Again I would like to highlight some of the difficulties that will arise with the implementation of this provision. In the first instance it will be the Registrar of the Industrial Commission who will have to analyse this provision and try to arrive at a fair and just interpretation. Proposed new subsection (10) reads as follows—

The provisions of this section shall be read subject to and not in derogation of the provisions of section thirty-six M and Division IIIA of this Act.

So anything in this proposed new section which is in derogation of section 36M would meet with no favour. I have said repeatedly that this Government is whittling away the rights of the trade union movement and here is an obvious attempt to make ineffective some of the provisions in section 9B of the parent Act. If these words are inserted, there is no question that that will take place, because section 9B will be taken as being subject to section 36M of the Act.

I would like to refer to some of the rules contained in section 9B. Subsection (8) (a) says that the court may, on complaint by a member of a union, make an order giving directions for the performance or observance of any of the rules by persons under obligation to perform or observe those rules.

Under this particular paragraph, an individual member of a union has the right to go to the commission. The court may then determine that his action was justified and he may then seek an order giving directions for the performance or observance of any rule. A person who cannot produce a membership receipt may feel that he is entitled to contest a ballot. He could obtain a court order and say, "Here

is the order; I want to look at the books of the union because that will establish that I have paid my union dues and that I am entitled to be a member." That will no longer occur because the provisions of section 9B must be subject to and not in derogation of section 36M.

The Minister has tried to tell us that this Bill does not take away any of the rights of workers. I have never heard such hogwash.

The Minister is trying to give a benefit to the unions, whether they want it or not—and I have told him already what the Government should do with its stinking money—so bargaining is taking place. It requires an 18c stamp to send out a ballot sheet and an 18c stamp to return it. I am quite sure that individual union members who want to avail themselves of a secret postal ballot would willingly pay the 36c involved. The unions do not want this \$3 060, and of course this figure assumes that there would be one election only in each union each year.

Some of the major unions hold elections of officers throughout the year and they could have as many as six elections. So it is possible that another \$36 000 or \$40 000 would be added to that estimate.

What else will be derogated by this proposed new section? I would ask members to look at subsection (5) of section 9 of the parent Act. Paragraph (d) reads as follows—

imposes unreasonable conditions upon the membership of a member or upon an applicant for membership.

We have heard a great deal in this Chamber about compulsory union membership and that the implementation of preference to unionists is compulsory unionism. I would perhaps quarrel with that myself, but I accept it as a statement which has been made in this Chamber on many occasions. A union could well institute a system of escalated entrance fees. It could say to a new member, "If you do not join today it will cost you \$4 tomorrow, \$8 the next day, and so on up to \$164." That would be tyrannical action, and I have never subscribed to it unless there is a cut-off that is reasonable. I know that the commission, looking at the rules of unions, has also used a cut-off point.

What will happen now? The cut-off point could be ignored. Are we going to say that we no longer take any notice of section 9B? The unions are losing nothing on this deal; they are not losing privileges or anything they have had for many years! Not much—they are selling their souls for a lousy buck if they accept this legislation. There should be no doubt in anyone's mind about what is taking place. If I am wrong, I ask the Minister to tell me where I am wrong and I will admit to the Committee that this clause is okay as far as I am concerned. I know I will wait in vain for the Minister to tell me I am wrong. The Minister will not

even declare himself about the number of unions involved. I say that this is just a figment of the Minister's imagination. The member for Collie said that the Minister had his head in a cloud and this is quite right. The only time the Minister puts his head through the cloud he is looking the wrong way—up to the heavens and not down to earth where the mortals are.

We could go through all these subsections of section 9 to point out how they will be abrogated by the insertion of clause 4. Subsection (6) refers to a member of a union who has sufficient interest in the disallowance of the rule and who may apply to the court for its disallowance on the grounds specified in subsection (5) of section 9B.

Again let us look at what we are doing. Let us suppose that a person is asked to join a union and he feels that the law by which he is asked to join the union is tyrannical and oppressive. Not being a member of the union, he would be able to make an application to the commission, and possibly some action could be taken so that he could ask for the disallowance of the rule. What fairer provision could we have? What more could we ask for in a democratic system? We say there is nothing wrong with the parent Act; it has stood the test of time. It is democratic. Certainly unions argue about it; I could not stand here to say that no unions have submitted to the commission that such and such a provision is a lousy inclusion in the Act, or that something else is no good.

The fundamental principle is that democracy reigns supreme, and these things can be challenged because the Act allows them to be. However, as I see it, no more will this be the case. Unless the Minister can satisfy me in this respect, it is patently obvious that I will use all the time available to me to try to hammer home to the Minister the sheer hypocrisy of introducing this legislation without providing adequate justification for it. The Minister claims to have the support of many unions, but I know that most of those unions would say to the Minister, "You know what you can do with your lousy legislation. We do not want to be coerced into doing something by Government money paying for our elections."

Clause put and passed.

Clause 5: Section 36M amended—

Mr SKIDMORE: Clause 5 is the nitty-gritty of this legislation, because it deals with the manner in which unions will apply to the registrar to conduct elections. It is obvious the Minister has lost his voice, or has become mute on this subject, because he refuses to give the Opposition an adequate reply to the queries raised. The Minister is trying to interject once again. I suggest that he sits back and listens to me—

Mr Grayden: When anyone listens to you—

Mr SKIDMORE: A lot of people have listened to me, and I have won some arguments and lost some. However the Minister is so far behind the eight ball he does not even have a cue in his hand.

Mr Bertram: He does not have a clue!

Mr SKIDMORE: The Minister has suggested there should be consistency between Federal and State legislation in regard to the industrial conditions enjoyed by workers; I could not agree more. For many years we have seen problems arise in connection with unions with both Federal and State registrations; the commission would be well aware of this. It would be of advantage to have both pieces of legislation running hand in hand.

The so-called geniuses in the Eastern States have decided to amend the Federal Conciliation and Arbitration Act, and that legislation still is being debated in Canberra. There is no guarantee it will pass in its existing form. If the Minister's advisers had been doing their job, they would have sent a copy of the Bill to the Minister. Certainly, I do not have it.

But what does our Minister propose to do? Clause 5 proposes to amend section 36M of the principal Act by deleting the words, "with a view to ensuring that no irregularity occurs in or in connection with the election". But let us look at section 170 of the Commonwealth Conciliation and Arbitration Act; we find that it contains exactly the same phrase relating to irregularity in connection with elections. The Minister has said time and time again he is seeking consistency in legislation and now proposes to delete a phrase which is common to both Federal and State legislation. So much for the duplicity of the Minister; he is simply trying to hoodwink the people. He has been sitting out on a stump somewhere and has become engendered with the thought—

Mr Grayden: I think you have become affected by the stench of the abattoir at Midland.

Mr SKIDMORE: It is a common ploy for people who have difficulty understanding an argument to resort to denigrating the person speaking. If I have become permeated with the smell of the abattoir, it is because of the Minister's Government refusing to do anything about it! I look forward to the Minister's reply to the points I have raised. I hope he will name the individual unions he and the member for Gascoyne claim have approached them requesting this legislation; if and when he names them, we might better be able to understand the reason for this legislation. However, I doubt whether that information will be forthcoming.

The Minister has asked for consistency, but proposes to remove an important area of consistency. Perhaps I know why the words are to be removed, but I am not going to tell the Minister. Will the Minister stand and tell us the reason for the proposed deletion?

Mr Grayden: You just told me you know the answer.

Mr SKIDMORE: I know as much as the unions which have been to see you; namely, nothing! The Minister cannot blame them, because nobody has been to see him. No wonder we look with suspicion on this legislation. All of a sudden we find the Government concerned with running a secret postal ballot system. We have pointed out many times that such a facility now exists. In the past, when a union has been directed to hold a secret ballot, it has always been conducted by the electoral officer or one of his officers and invariably it has been a full postal ballot.

The only difference between that situation and the one proposed in this Bill is that the cost was borne not by the Government but, I think, by the union or the person involved in the dispute. There are certain provisions in the Federal legislation which allow the Government to pick up the tab for union elections.

Mr Blaikie: In respect of the problems you have, the Minister is likely to come out of this smelling like a bed of roses.

Mr SKIDMORE: If people wish to set themselves up as pillars of wisdom and knowledge in the field of industrial affairs, let them. However, I suggest that rather than smelling like a bed of roses, the Minister will find himself in a bed of roses, thorns and all. It is interesting that again we hear a Government supporter denigrating in a "smartalecky" way a speaker from this side of the Chamber in order to hide his ignorance of the law. We are supposed to be legislators, responsible to our constituents on matters of importance which come before us. What a great man, to hold himself up as a leader in the field of industrial relations!

I believe the unions are pulling their weight in our community and are not responsible for all the burdens of the economic ills of this country. However, our workers have saddle sores due to the Fraser Government's attempts to make them carry the economy on their backs.

The CHAIRMAN: The member has three minutes remaining.

Mr SKIDMORE: I turn now to clause 5 (b) which proposes to delete the following passage—

by a number, ascertained as prescribed, of the members of the industrial union.

The Government proposes to substitute the following passage—

by not less than one-twentieth of the members of, or two hundred and fifty of the members of, the industrial union, whichever is the lesser number. ;

I have already indicated to the Minister I believe this will disadvantage some of the smaller unions, and could even lead to their disfranchisement.

If a number of members of a union feel there is some stinking, dirty, rotten business going on in a union, they have the right to try to change that situation. I do not intend to speak of the irregularities which have occurred before; they are well known to all of us. In fact, I spent five days in the Supreme Court arguing for a union in one such case. We did not win the case because unfortunately the judge died before issuing his decision and we were faced with another court case, and I had no wish to commit another \$5 000 or \$6 000 of the union's money in court costs to prove our point. However, it was proved later that the action we took was justified.

A union with a membership of only 150 would have great difficulty in holding a general meeting. In my small union of 300 members, we are battling to get enough members to fill the executive. I have four retired members on the executive, and I cannot get young people interested. Is the Minister trying to say that these people all will suddenly become interested in the operations of the union? Whom is he trying to kid? The Minister by this action will take away from the smaller unions the right to request that an irregularity be investigated.

Mr Grayden: It will bring it into line with Commonwealth legislation.

The CHAIRMAN: Order! The honourable member's time has expired.

Mr T. H. JONES: It is quite obvious that all we on this side of the Chamber are doing is bashing our heads against the wall. If ever in the nine years that I have been a member of Parliament when the numbers game was played, this is the occasion when it is being played to the full.

The Minister has not been able to answer the queries that have been raised. I suggest he has a responsibility to satisfy the queries of the Opposition.

Mr Grayden: Surely you do not mean I have to answer the sort of rubbish that has been put forward by the member for Swan.

Mr T. H. JONES: The Minister's attitude now is the same as the attitude he displayed in the second reading debate last night.

Mr Grayden: Do you know what clause we are dealing with?

Mr T. H. JONES: I know.

Mr Grayden: Tell me.

Mr T. H. JONES: We are on clause 5.

Mr Grayden: You say that because you were prompted from behind.

Withdrawal of Remark

Mr SKIDMORE: I ask the Minister to withdraw that remark, because I did not prompt the member for Collie.

Mr Grayden: I did not mention you specifically.

The CHAIRMAN: I did not hear any comment from anyone, and frankly I feel that the retraction of the remark as requested by the member for Swan is hardly warranted.

Committee Resumed

Mr T. H. JONES: I assure the Minister that I do not need any prompting on industrial matters. If he likes to take me up I will discuss industrial matters with him anywhere and at any time in Western Australia, because my industrial background is much broader than his. I understand he has no industrial background. How then did he get his portfolio of Labour and Industry?

The CHAIRMAN: I ask the member for Collie to confine his remarks to the clause under discussion.

Mr T. H. JONES: I take your point, Mr Chairman. All I was doing was answering the allegation that had been levelled at me by the Minister.

The CHAIRMAN: We will make more progress if you debate the clause.

Mr T. H. JONES: We are certainly not making much progress now.

Mr Sibson interjected.

Mr T. H. JONES: We will make more progress without the assistance of the member for Bunbury who usually makes his speeches while he is sitting down, and I am sure we will not be here dealing with this clause until the early hours of tomorrow morning if the Minister is able to answer the queries put forward by members on this side. If the Minister for Works or some other Minister were handling the Bill I am sure he would at least answer the queries.

Mr Grayden: What is your query?

Mr T. H. JONES: The Minister has adopted a dog-in-the-manger attitude. He does not know what this legislation is all about. He is out of touch with the industrial scene in Western Australia, and he has displayed his ignorance tonight.

Mr Grayden: In order that I may answer your query, what is it?

Mr T. H. JONES: The first query I raise is this: What is the number of members required before an industrial union can be registered in Western Australia?

Mr Grayden: Fifteen members.

Mr T. H. JONES: That shows how stupid is the provision in clause 5. At least the Minister has answered my question.

Sir Charles Court: What is the prize you get if you win the quiz?

Mr T. H. JONES: I draw attention to the provision in clause 5(b) which states—

by not less than one-twentieth of the members of, or two hundred and fifty of the members of, the industrial union, whichever is the lesser number.

We know that we cannot win on this issue tonight. Members opposite might smile. This reminds me of what took place in the debate on the Fuel, Energy and Power Resources Act Amendment Bill. The Government has the numbers on its side, and it can bring forward this legislation against the wishes of the trade union movement. This Government when in Opposition had what I regard as the numbers to defeat legislation. We know that in the term of office of the Tonkin Government when we introduced legislation to improve the lot of the workers, it was defeated in another place.

The CHAIRMAN: That is hardly dealing with clause 5.

Mr T. H. JONES: I agree. I shall not labour any more on that theme. Reference to the second reading debate last night will clearly indicate that the Minister is incapable of and does not intend answering questions raised by members on this side. It is clearly a numbers game. It seems all I am doing is wasting the time of members, and involving the State in cost by arguing against this legislation. I conclude by saying that I oppose the clause completely.

Mr SKIDMORE: When the Minister decides to set himself up as a peer on industrial law, he should be sure of the grounds on which he makes his assertions. He said that the Federal Act now provides that not less than one-twentieth of the members of, or 250 members of, the industrial union may make a request for an election.

I have before me the Commonwealth Conciliation and Arbitration Act, but perhaps my copy is out of date. Section 170 (2) states—

For the purposes of the last preceding subsection, a request by an organisation or branch may be made—

(a) by or on behalf of the committee of management of the organisation or of the branch, as the case may be; or

That has the same intent as paragraph (a) of clause 5. To continue—

(b) by a number, ascertained as prescribed, of the members of the organisation or of the branch, as the case may be.

Mr Grayden: You are out of date. You could have saved yourself the trouble of reading it.

Mr SKIDMORE: If the Minister says I am wrong and that the Federal Act has been amended without my knowledge I accept his assurance.

Mr Grayden: It has been amended.

Mr SKIDMORE: If that is so it will remove one of the points at issue, which is the inconsistency between the State Act and the Federal Act. At least in this case a measure of credibility is evident from the Government.

I draw attention to the next part of clause 5 which states—

(c) by repealing and re-enacting subsection (5) as follows—

(5) Where the Registrar decides that a request has been duly made under this section, he shall inform the industrial union accordingly, and may conduct the election, direct the Assistant Registrar or other officer employed under the supervision of the Registrar to conduct the election, or may make arrangements with the Chief Electoral Officer appointed under the Electoral Act, 1907 for the conduct of the election . . .

If the intention of the Government under that provision is to say to the registrar, "If a request has been properly made under the regulations, which have yet to be promulgated, you shall conduct a ballot", then I say the Government is wrong. I do not know from where the registrar will get his directions.

The existing provision in the Act is to be found in section 36M (5) which reads as follows—

Where the Registrar decides that a request has been duly made under this section, he shall inform the industrial union accordingly and make arrangements with the Chief Electoral Officer . . . for the conduct of the election.

I would point out that the word used is "shall" and not "may" as appears in clause 5 (c) of the Bill. Of course, the use of the word "may" in clause 5 is indicative of a discretion being given to the registrar. Here we are to have a provision which requires the registrar to do something when it is asked of him, but we find that under the clause the registrar will not be compelled to direct anybody. I repeat, the word used is "may", and he will have a discretion.

Mr Grayden: He himself may direct, or other people may direct.

Mr SKIDMORE: Tell me where in the clause it is stated that the registrar shall direct. If an irregularity is brought to the notice of the registrar and the commission by unionists, I feel sure that the registrar will carry out the desires expressed in the request of the unionists. I

would point out that those who were responsible for drawing up these provisions in the Bill have made a mess of them.

Mr Grayden: The provision in clause 5 (c) states—

. . . and may conduct the election, direct the Assistant Registrar or other officer employed under the supervision of the Registrar to conduct the election . . .

Mr SKIDMORE: The Minister is wrong in his interpretation. The clause provides that where the registrar decides that a request has been duly made he may then conduct an election, or he may direct the assistant registrar or other officer employed under the supervision of the registrar to conduct the election. The important word is "may". I could be wrong in my interpretation, and I suggest the Minister should seek advice on the interpretation of the clause.

It seems the Minister will not accept anything I put to him. I have challenged him on many occasions, and I have challenged him on the ILO Convention and on the question of freedom of democratic choice. I have asked the Minister to give the number of unionists who have approached him asking for this legislation. All he can say in reply is, "If I tell you you will get the Russian communists to lean on them." That is the sort of stupid answer we get from the Minister.

Could I go out and intimidate Bob Cowles, for instance? I shall not try to do that. If the Minister wants me to accompany him I will stand back and let the Minister intimidate him.

Mr Laurance: Does Mr Cowles intimidate people? I am glad you are implying that.

Mr SKIDMORE: If I did not have such a cast-iron constitution I would leave the Chamber due to nausea, but I do have a cast-iron constitution and I will continue speaking for the 20 minutes allowed me. I was elected as a member of Parliament by my constituents, and I represent an industrial electorate with about 4 000 unionists.

The CHAIRMAN: The honourable member has three minutes of his time remaining.

Mr SKIDMORE: And another 10 minutes after that. I have a right to ensure that my electors are not coerced into accepting a provision which does not confer a benefit on them, and which removes some of the rights they enjoy—rights which have stood the test of time. I will use every avenue available to me to oppose this legislation to the full. If in doing so I bore members opposite I apologise. However, my comments will be recorded in *Hansard* and people will be able to see that what I am doing is making some

attempt to give to the workers their democratic freedom and their right of choice, as provided under international law and the convention mentioned by the member for Maylands.

The democratic choice is being removed, and the Minister belies his own credibility by failing to give an explanation for the introduction of the legislation.

Mr HARMAN: It is about time the Minister started to inform the Committee of the reasons for the amendments. We argued for some hours last night, and presented a number of points which the Minister did not answer. The Minister said he would be very brief, but he was most discourteous to the Opposition. I have decided that the Minister is discourteous because he does not know the answer to the arguments raised by the Opposition. That is why he is adopting tonight a stand which I have previously witnessed in this place.

Mr Grayden: Do you know what clause we are dealing with?

Mr HARMAN: It is clause 5. I hope the Minister will get to his feet when I sit down.

Mr Grayden: For what reason?

Mr HARMAN: Proposed new subsection (5) reads as follows—

(5) Where the Registrar decides that a request has been duly made under this section, he shall inform the industrial union accordingly—

That is quite clear, I do not want an explanation on that point. The proposed new subsection continues—

—and may conduct the election—

Mr Grayden: "May" conduct the election! Now go on, sentence by sentence. The member is contradicting everything said by the member for Swan.

Mr HARMAN: To continue—

—and may direct—

Mr Grayden: No. It reads—

...and may conduct the election, direct the Assistant Registrar or other officer ...

Mr HARMAN: All right, there is no word "may" before the word "direct". So the first thing the registrar is able to do is conduct the election himself.

Mr Grayden: Yes, and in addition he "may" direct the assistant registrar or other officer.

Mr HARMAN: The Minister told me that the word "may" was not there, but now he says it is there. Where do we stand? I said last night this was a confusing piece of legislation, and it is made more confusing by the Minister.

Mr Grayden: Go on reading, slowly, and if you understand the English language the position will become obvious and you will be able to enlighten the member for Swan. Then there will be no need for me to reply.

Mr HARMAN: The Minister does most of his speaking sitting in his place. We are trying to get him to stand up and speak.

We have now satisfied the Committee that the registrar "may" conduct the election. Next, the registrar is able to direct the assistant registrar or other officer employed under the supervision of the registrar to conduct the election.

Mr Grayden: Yes. Or he "may" make arrangements with the Chief Electoral Officer.

Mr HARMAN: The word "may" is in the Bill. The registrar "may" make arrangements with the Chief Electoral Officer appointed under the Electoral Act, 1907, for the conduct of the election by an officer holding office under that Act or by some other person authorised in writing by the Chief Electoral Officer.

Mr Grayden: Does the member for Maylands not think that is straightforward, and in plain English?

Mr HARMAN: There are so many "mays". What happens if the industrial registrar does not decide? Where the registrar decides that a request has been duly made under the section of the Act he "shall" instruct the industrial union accordingly.

So the first decision he will make is that he will decide a request has been duly made, and he will inform the industrial union accordingly. He will then have a number of options open to him, but what is the extent of those options? There are so many "mays" but he will be able to decide not to do anything. I would like the Minister to explain the intention of the amendment.

Mr SKIDMORE: I will summarise the pertinent points which have been raised. The Minister has presented a Bill which is completely and utterly irregular. The Bill is irregular in its intent, and irregular in its purpose, and it will not further the interests of conciliation and arbitration between unions and employers. It is intended to delete the words "with a view to ensuring that no irregularity occurs in or in connection with the election". I suggest the Minister should study subsection (6) of section 36M of the Industrial Arbitration Act which reads as follows—

(6) Notwithstanding anything contained in the rules of the industrial union, the person conducting the election may take such action and give such directions as he considers necessary in order to ensure that no irregularities occur in or in connection with the election or to remedy procedural defects which appear to him to exist in those rules.

Mr Grayden: Well, there is no conflict.

Mr SKIDMORE: There is no conflict, but the Minister has been advised to remove that field of endeavour from a union

ballot. With the removal of the reference to irregularities, it could be said that irregularity will not be an issue. There is to be a collegiate system of election, by secret ballot.

Mr Grayden: The words are to be taken out because the subsection does not necessarily provide a full reason for a request for an election.

Mr SKIDMORE: So, the registrar will require all these "mays". He may not do anything, because there may not be any direction.

Mr Grayden: The words presently contained in the Act are not necessarily a full or true reason why the registrar should be approached to conduct an election.

Mr SKIDMORE: At long last I have followed the argument put forward by the Minister. He is saying there is need for the registrar to have room to manoeuvre and look at the question. What a lot of ruddy hogwash! The provision already exists in the Act. I will again enlighten the Minister by quoting section 36P of the Act, which, in part, reads as follows—

36P. Where the Commission thinks that the views of the members, or of a section or class of the members, of an industrial union or where registration of an industrial union has been cancelled, that the views of the persons or a section or class of the persons who were at the time of the cancellation members of the union upon a matter ought to be ascertained, the Commission may order that that matter be submitted to a vote of those members, or of the members of that section or class, taken by secret ballot.

It will not be a secret postal ballot. The provision is already in the Act, but the Minister has said it is not there. I am amazed that the Minister has been so misled in the application of his own administrative powers in regard to this Act.

My knowledge is limited in this area, but I would like to be informed by the Minister that I am irresponsible in raising these issues because they do not exist. However, my assumption of what is wrong with industrial law leads me to the conclusion that the Minister is misleading the Committee. The Minister has refused to name the unions which requested this legislation. He has misled members by saying that unions have approached him for secret ballots. The Industrial Commission already has the power to conduct secret postal ballots.

On all occasions this avenue has been available to members of unions. The thing that is supposed to be of such great help to union members is that they can put away the cost of 36c a head and the Government will foot the Bill.

In summary, whichever way one looks at this piece of legislation it is riddled with inconsistencies. It proposes to bestow upon the registrar the right to take certain

action, but in its operative clause the proposed new subsection (5) of section 36M says the registrar "may" conduct the election, "may" direct the assistant registrar or other officer to conduct the election, and "may" make arrangements with the Chief Electoral Officer. It is stupid.

I oppose the clause and the whole of the Bill. I do not see any need for it to be before the Chamber. I simply say it would be far better for the Government to back off gracefully, take home its act of folly, sleep on it for about three years, and we will fix it up in 1977.

Mr McIVER: I did not take part in the second reading debate on this Bill because I thought anything I might say would be repetitious. However, having heard the discussion this evening on clause 5 I feel I would be remiss if I did not make some comments.

Firstly, I fully agree with what the leading speaker for the Opposition had to say. The member for Maylands said the whole Bill was a facade and that it was just window-dressing by the Government. Of course, that is just what it is, irrespective of what comes forward from the Government benches. If the Government did not have the numbers to pass this Bill and if we had an adjudicator for this debate, there is no question what his decision would be.

So many members on the Government side are out of their depth when it comes to discussion of industrial matters. We have just heard some rubbish from the member for Gascoyne who is so out of touch with the industrial situation, unions, and Western Australian workers that it is frightening. For a legislator in this Chamber to say what he has said is frightening, and I am sure the workers in Western Australia will not be very encouraged by his remarks. I do not think they would help the workers in the Gascoyne. I point out to that honourable member that at the present time the scales may be loaded towards the Government but I assure him that Governments change. It is all very well for him to make snide remarks but I have never known a new member of Parliament to take such a stand on industrial matters and I think he should change his attitude.

The CHAIRMAN: I ask the honourable member to confine his remarks to the Bill.

Mr McIVER: As the Chairman has given me latitude to say that, I will deal with clause 5. This is a real attack by the Government on the trade union movement in Western Australia, which has a very fine record. Admittedly we have stoppages from time to time—stoppages which Government members say may or may not be called for. However, one cannot take notice of the Press because there are always two sides to an argument.

I want to speak tonight on behalf of the railway unions. I have the privilege of being a life member of one of them and it would be very remiss of me to remain silent after the criticism which has been directed at them through criticism of the whole trade union movement. I wholeheartedly agree with the member for Collie that the Minister is out of his depth in the industrial situation in Western Australia. He has not had anywhere near the amount of practical experience of industrial situations that the member for Collie has had.

Mr T. H. Jones: You have made my night.

Mr McIVER: Paragraph (a) of clause 5 reads—

(a) by deleting the words "with a view to ensuring that no irregularity occurs in or in connection with the election" in lines four and five of subsection (1);

It was not so long ago that the registrar conducted a ballot on behalf of the loco union for the appointment of a member of the union to the appeal board. And what a hopeless mess was made of it! I referred to it in this Chamber when speaking to a Bill, which has now been proclaimed, allowing the registrar to conduct such ballots. The ballot papers were not even sent to the right place. It was just a shambles. Ballot papers were distributed in only one place in the State. What is to say that will not occur again under this legislation when it is passed—as it will be, because the Government has the numbers? Why interfere with a system which has been in existence for a long time?

I refer specifically to the railway unions, which are very docile organisations. They represent thousands of employees throughout the length and breadth of Western Australia. I do not think they get their directions from Russia. I do not think there is a fifth column in their ranks, as suggested by the Premier. I do not think they get their directions by some underhand method, as has been suggested by some Government spokesmen. Those unions handle their affairs very democratically, just as the miners in Collie do. So how can we on this side of the Chamber remain silent when such rubbish comes forward?

You know, Mr Chairman, I know, and every other member of this Chamber knows this Bill is just window-dressing by the Government because it wants to go onto the hustings and tell the people of Western Australia, "We have done something to improve the union situation in this State." That is what the Government will say, and many people will swallow it. Many people will say the Government made a sincere endeavour to do something about the union situation in Western Australia. That is how the Government will dress it up. But we all

know that is not so. The Bill will not change anything. It will not change the industrial situation to any degree, whether it be the railway unions, the Collie Miners' Union, the shop assistants' union, or any other union. This Bill is ridiculous and the member for Maylands made a plea to the Government to withdraw it. That is what the Government would do if it were sincere, but we on this side of the Chamber know differently.

Paragraph (a) of clause 5 refers to irregularity. Where is the evidence that irregularities occur? I worked in the railways for 25 years and every time an executive officer was to be appointed to our union we received ballot papers by post, we recorded our votes secretly—nobody knew how we voted—and returned our ballot papers.

I repeat what the member for Maylands said last night—that this legislation will place an impost of thousands of dollars on the people of Western Australia. I wish I could get a quarter of the money to be spent on these ballots to help repair the schools in my electorate, to patch up the walls and give the students a recreation area. I would like just a quarter of the money to extend the water supplies to farmers in my area. Money will be wasted on this Bill.

So it is no wonder I become a little emotional. It is no wonder I am concerned that thousands of dollars will be spent on something we already have. The Bill introduces nothing new—we already have provisions for secret postal ballots—and if the Government knew anything about industrial relations and arbitration it would know what I am saying is absolutely correct.

It is shameful that a Government brings in something like this to try to fool the people of this State. I do not think it will fool them because at the appropriate time we will have our spokesmen and I am sure in the final analysis we will be able to prove how the people's money was wasted on an atrocious Bill such as this. I wholeheartedly oppose clause 5 and all the other clauses in this Bill.

Mr HARMAN: I think we should examine as a Committee what is happening under this clause, which is the essence of the Bill to some extent because this is where the deception comes in. This is where the Government is going to deceive the union movement.

I draw attention to section 36M of the Industrial Arbitration Act, which this clause will amend. Subsection (1) of that section reads—

(1) An industrial union may, in writing, request the Registrar that an election for an office in the industrial union be conducted under this section—

The remaining words in that subsection will be deleted by this clause in the Bill.

The clause also proposes to repeal and re-enact subsection (5) of section 36M. I will read subsection (5) of the Act, and members should listen very carefully. It says—

(5) Where the Registrar decides that a request has been duly made under this section, he shall inform the industrial union accordingly and make arrangements with the Chief Electoral Officer appointed under the Electoral Act, 1907, for the conduct of the election by an officer holding office under that Act or by some other person authorised in writing by the Chief Electoral Officer.

That provision is to be repealed by this Bill. One could not argue with the provision, because it is straightforward and contains no "ifs" or "buts". Under it the registrar must do two things. He must decide that a request has been duly made, and then he shall inform the industrial union accordingly and make arrangements for the conduct of the election. That is a clear indication of his responsibility.

Mr O'Neil: When was that inserted into the Act?

Mr HARMAN: It was added by Act No. 5 of 1952, and amended by Act No. 66 of 1966. However, I cannot see the significance of that.

Mr O'Neil: It was our Government that did it.

Mr HARMAN: Well, the Minister's party has been in Government for a long time.

Mr O'Neil: You think it is so marvellous now. What about looking at what your side said about it when it was inserted in 1966? I happened to be the Minister who put it in.

Mr HARMAN: The Minister for Works can get up and speak if he wishes to do so.

Mr O'Neil: You were praising it.

Mr HARMAN: I am not praising it; I am pointing out what the law says at present.

Mr O'Neil: You say now it is perfectly clear-cut and honest, but you didn't say that in 1966.

Mr HARMAN: I do not care who introduced it; the fact is that it is the law, and it is clear and concise. However, the proposed new subsection states that where the registrar decides that a request has been duly made under this section, he shall inform the industrial union accordingly. That is very similar to the wording of the present provision. But then it continues on to say, "and may conduct the election". In the present provision the wording is, "and make arrangements" for the election. I have been asking the Minister for Labour and Industry to explain this provision but he will not do so.

Mr Grayden: It is self-explanatory.

Mr HARMAN: The wording is indecisive and unclear.

Mr Grayden: Read it again and you might grasp its meaning.

Mr HARMAN: It states that the registrar "may" conduct an election, but it does not say he shall do so. Then it says "direct the Assistant Registrar or other officer . . . to conduct the election". One wonders why the word "may" is not used there when it is used in the first instance.

I ask the Minister if he would be courteous enough to undertake to have this clause examined by the Parliamentary Counsel to ensure that it requires the registrar to see that an election takes place. I am worried because this is where the deception occurs. The Government is saying the unions will be able to have their elections conducted by the registrar or some other person, and that they will be paid for by the Government.

Mr Grayden: It gives the registrar flexibility, doesn't it?

Mr HARMAN: However, when one reads the provision one finds that is not the case at all because the registrar "may" conduct the election.

Mr Grayden: It does away with frivolous requests.

Mr HARMAN: The unions are being sold a pup, because the registrar could say he does not want to conduct the election. The Minister is not game enough to explain this provision and to state that the registrar or some other person "shall" conduct an election.

Mr Grayden: And waste the time of the Chamber further?

Mr HARMAN: I challenge the Minister to say that where the registrar decides a request has been duly made, the election will be conducted.

Mr Grayden: I am telling you it gives the registrar a certain degree of flexibility.

The CHAIRMAN: The member has three minutes.

Mr HARMAN: Flexibility! This is where the deception occurs, because it means the registrar "may" conduct an election but he does not have to do it if he does not want to. There is so much flexibility that he can say to the union, "The request has been duly made, but I do not want to conduct the election. Do it yourself and pay for it." The unions are being sold a pup under this clause.

Mr T. H. JONES: This is my last contribution. I ask the Minister to explain the reasons for the introduction of this measure. If we consider what has occurred in the trade union movement over the last

10 years we find only four court-controlled ballots have been held over that period. That amounts to one ballot every 2½ years.

Mr Grayden: Do you want to know why?

Mr T. H. JONES: I know why.

Mr Grayden: Because they would be held at the expense of the union. This legislation will spare the unions that expense.

Mr T. H. JONES: The Minister does not fool me. I was the Secretary of the Collie Miners' Union for 17 years, and I am aware that within the trade union movement there are some people who are opposed to the movement. I make no secret of that. In the movement there are splinter groups, members of the Liberal Party, and members of the DLP who are trying to bring about the destruction of the movement. I recall that I appeared before the High Court of Australia on a matter of principle. As the secretary of that union I was fined £10 000 on a matter of principle in respect of a union member refusing to pay a 50c levy.

All I am asking is that the Minister justify what the Government is doing in this Bill. I have already pointed out that the trade union movement in this State has a clean record in respect of court-controlled ballots, and no-one can deny that fact. The Minister has a duty to justify this legislation, but so far he has been unable to do so. Perhaps we could understand it if the Minister told us plainly who asked for this measure. I register my protest in respect of this clause, because the Government has not made out a case in favour of it and other members on this side have clearly spelt out that it is unnecessary.

Mr HARMAN: I have waited anxiously for the Minister to be courteous to this Committee and to say he would ask the Parliamentary Counsel to look at this clause in view of the queries we have raised. However, one would think he is glued to his seat.

Mr Grayden: The words were included in the clause deliberately.

Mr HARMAN: Because the Minister is not prepared even to have the draftsman re-examine this clause, I intend to divide on it.

Clause put and a division taken with the following result—

Ayes—22

Mr Blaikie	Mr Nanovich
Sir Charles Court	Mr O'Connor
Mr Cowan	Mr Old
Mr Coyne	Mr O'Neill
Mr Craig	Mr Ridge
Mr Crane	Mr Shalders
Dr Dadour	Mr Stephens
Mr Grayden	Mr Tubby
Mr Grewar	Mr Watt
Mr Laurence	Mr Young
Mr McPharlin	Mr Clarko

(Teller)

Noes—17

Mr Barnett	Mr Jamieson
Mr Bateman	Mr T. H. Jones
Mr Bertram	Mr May
Mr B. T. Burke	Mr McIver
Mr Carr	Mr Skidmore
Mr H. D. Evans	Mr Taylor
Mr T. D. Evans	Mr A. R. Tonkin
Mr Harman	Mr Moller
Mr Hartrey	

(Teller)

Pairs

Ayes	Noes
Mr P. V. Jones	Mr J. T. Tonkin
Mr Sodeman	Mr Fletcher
Mr Rushton	Mr Davies
Mr Mensaros	Mr T. J. Burke
Mr Sibson	Mr Bryce

Clause thus passed.

Clause 6: Heading and section 36NA added—

Mr SKIDMORE: This clause seeks to insert a new division IIIA in respect of special rules and other requirements relating to elections. I wish to challenge all the proposed amendments and to endeavour to convince the Committee that they are not only unnecessary but also oppressive to many unions.

I find myself unable to agree with the provisions of this clause. It seems the Minister is being inconsistent. The new division contains an interpretation of "office" in relation to industrial unions. I am interested to ascertain why the interpretation of "office" in respect of an election is different from the interpretation of "office" at present in the parent Act.

The definitions of "office" in the principal Act and in this Bill are the same in paragraphs (a), (b) and (c). But when we get to paragraph (d) there is a divergence. Section 6(d) of the principal Act says that an office means—

every office within the industrial union for the filling of which an election is conducted within the industrial union;

One might ask why we should depart from that interpretation of an office in order to put in new criteria. If the Government is sincere in its intention surely it should say that the definition of an office is clearly spelt out in section 6 of the principal Act.

However, there appears to be a problem. Because of the introduction of this legislation it has become apparent that there must be a flexibility to which the Minister has referred, and so that there will be no conflict as to what can be done with regard to a court-controlled ballot, certain persons may need to be declared as holding office within a union.

I have already suggested to the Minister that there is a problem associated with an appointee and I do not know how we are going to overcome it at the moment. The problem may sort itself out and the fears of which I have evidence may disappear like snow on a mountain in the middle of summer, but I doubt it very much. Paragraph (d) of proposed new section 36NA

narrows the discretion down to two sections of the principal Act but does not remove the anomaly.

There could be a situation in which an appointed secretary wishes to be appointed again. It could happen that on his appointment he could become a member of the union, and in becoming a member of the union he would then perhaps become a member of the executive. There would not be any need for the commission to declare that that member is in office. However, assuming that the union accepts him as a member but does not bestow upon him the rights of an executive member, the commission will have to declare that his position on the executive committee, to which he was not elected but appointed, will be the subject of a ballot.

Mr Grayden: If he is going to vote on a management committee he would have to be the subject of a ballot. It takes care of all situations.

Mr SKIDMORE: I thank the Minister for his interjection but it has nothing to do with what I am putting forward. I foresee a great many problems with small unions which, because of the size of their membership, appoint an officer. The organisation of which I am the president has a clause in its State-registered rules that permits the appointment of a secretary. Are we going to be directed not to appoint a secretary but to have an election? Is that the intention of the legislation? Is this taking away the democratic choice that we say is being taken away? Maybe it is not, but the Minister should be able to tell us.

It becomes apparent that where the commission has jurisdiction to determine whether an office is held by a person, it must obviously have that choice; but I did not think for one minute that it would take almost 35 words to express that sentiment. I thought we could have done it a little more quickly and more easily and in layman's language. Why do we have to spell it out with so much malarkey?

If we were to leave all those issues aside, the sensible thing would be for the Government to take this Bill away. We do not want it. The unions, apart from the three mythical unions which the Minister refuses to tell us about, do not want it. I continue to reiterate that a duplicity is being forced upon the worker by this amending legislation.

Mr Grayden: If there is any doubt is it not reasonable that the commission shall determine whether he is in office?

Mr SKIDMORE: The answer is "Yes". I have always had the utmost confidence in the commission but it certainly brings down decisions against which I have the greatest desire to appeal, and I have done so. But that has nothing to do with this matter. The Minister is merely wasting my time.

We oppose the insertion of proposed new division IIIA. I do not like it. I see no reason for it. I quarrel with the reasons put forward by the Minister for its inclusion. When we come to the proposed amendments to the Bill it is patently clear that there is duplicity in the taking away of the democratic freedom of members to elect their own executive in their own way, in secret and without intimidation. Certainly this Bill merely intimidates the worker.

Mr GRAYDEN: I move an amendment—

Page 3, line 24—Insert before the interpretation "office" the following interpretations—

"collegiate electoral system", in relation to an election for an office in an industrial union, means a method of election comprising a first stage, at which persons are elected to a number of offices by a direct voting system, and a subsequent stage or subsequent stages at which persons are elected by secret ballot by and from the persons elected at the next preceding stage;

"direct voting system", in relation to an election for an office in an industrial union, means a method of election by secret postal ballot at which all financial members, or all financial members included in such branch, section or other division, or in such class, as is appropriate, having regard to the nature of the office, are, subject to reasonable provisions with respect to enrolment, eligible to vote;

Mr SKIDMORE: I think this is the most obnoxious part of the proposal. It is getting to the stage where our desire to defeat this proposed legislation will be beyond expression. I draw the attention of members to the definition of "collegiate electoral system". I do not know who dreamed it up but he took an awful long time to say what it was and we finish up with a contradiction. The inconsistency is so evident that it amazes me that the interpretation could appear in this Chamber.

Mr Grayden: Do you want a simple illustration?

Mr SKIDMORE: I know a very simple illustration. Why does not the Minister get the people responsible for drafting legislation to put the matter in simple language? There could be a valid reason for the draftsman of this legislation to have come up with such profound wisdom!

Mr Harman: Let the Minister explain it.

Mr SKIDMORE: I am hoping he will. I am trying to advance the reasons I think this is the usual gobbledygook that comes before us in respect of industrial matters. It seems to me that nobody wants to put in simple language whatever they desire to put in a Bill. The language is in such a form that it lends itself to abuse by everybody in the field of industrial relations. Simply because people cannot use the Queen's English in a simple form, an attack upon the veracity of the commission, because it interprets a rule in a particular way, can finish up as an appeal to the Supreme Court and we have one hell of a mess. The definition of "collegiate electoral system" contains a contradiction. If the Minister wishes to include the interpretation, I simply say that we oppose it. We oppose it because it interferes with the democratic freedom of union members to elect their own executive.

There could be a situation of a seven-man executive with a very good secretary who sought to be re-elected. I am not sure how, under this system, that union will approach its campaign. How will it say to its members, "Look, it is not much use electing the individual to fill the secretary's job because at the end of the road we may not get him"? Or are we going to say to the membership, "Oh no, that is not right, let us elect him and make sure that when we get him elected we also elect people of sufficient knowledge who will ensure that we return the same secretary under the collegiate system"?

It is utterly stupid for the Government to put forward such a proposal as being democratic freedom for the membership of unions. It is a violation of an ILO Convention. It certainly violates the freedom of union members because they may elect their secretary only by a direct voting system. But I wonder what will happen when a union membership sees the opportunity to get rid of a good secretary because he does not bow to the wishes of a minority who organise themselves to get elected to the executive committee. Under the collegiate system they immediately get rid of the secretary and make him an acting organiser or some other officer.

It could apply to an industrial officer, well trained in industrial law, who has spent money and effort on a university course. I might say that ever-increasing numbers of people who have been to university are joining the trade union movement in the fight and struggle against the sort of legislation which this Liberal Government is well known for introducing. We desperately need these people.

Assuming we have that type of industrial officer who with his knowledge can submit coherent arguments on behalf of his union, we then find that all the efforts of the union to appoint him are pushed out the door, because the collegiate system

will destroy him. There is no guarantee that anyone elected to fill an office by the membership of the union under the collegiate system will finish up in that office. It is purely a game of chance. If they have the numbers, they are in business, if they do not have the numbers they are out of business. This is precisely what we have been saying all the time; that is, this legislation is a sop to the right-wing unions which use the preference clause in their masses to force workers to join the unions and make dispirited and discouraged those who recruit in the normal way. They want to be able to say that four of the seven will determine what offices they will fill. That is what will happen and in the eyes of the Minister and the Government that is democratic freedom. The choice of the worker. Come on!

The collegiate electoral system has been introduced because the Minister has had some thunderous words of wisdom from the Eastern States. Someone has said that we will have to change the Industrial Arbitration Act in Western Australia because the Federal Act is being altered, and we want consistency. The Federal people do not even have consistency because to the best of my knowledge the legislation has not been passed by the House of Representatives at this time. How does the Minister know the legislation will be consistent? Let us assume that the Senate alters it so that the collegiate system goes out the door where it should go because it does nothing.

The Minister is about as inconsistent as is consistency in its inconsistency, and if the Minister can work that out he is as stupid as I am in saying it, although it is no more stupid an argument than the one the Minister is submitting in regard to consistency. When the Minister reads *Hansard* I hope it will be understood by him in his usual way.

What I am trying to say is that the Minister has adopted a very inconsistent attitude. The Minister's first amendment states that "collegiate electoral system, in relation to an election for an office in an industrial union, means a method of election comprising a first stage . . ." I assume that means that the first stage will be an election of people by members of the union. We then come to the second stage. The amendment continues—

. . . at which persons are elected to a number of offices by a direct voting system.

I am not too sure what it means. I think it is referring to a method of election comprising the first stage at which persons are elected to a number of offices by a direct voting system. This clearly indicates that the seven executive members will face their members on the basis of being elected to office. Firstly, there is a president, then a vice-president, a secretary, an industrial officer, and two

trustees. They are elected to those offices. Those seven people then go on to a subsequent stage. Once they have been elected to office four of them will determine what the other three will do, because that will be the majority in a seven-man committee. That is supposed to be democratic freedom of the membership. The membership elected seven people into individual offices and then they get thrown into the hellpot of iniquity by virtue of the system which states that although they have been elected they will not fill those offices.

THE CHAIRMAN: The member has three minutes.

Mr SKIDMORE: The sheer hypocrisy of the Minister and the Government is coming through again. Surely somewhere along the line the message must be getting through that the unions do not want this legislation. It is just a form of union bashing, if I may use the term. It is a fulfilment of the desire of the Government to discredit the trade union movement so that it will start jumping up and down and making a hell of a lot of noise about bad legislation so that the Government can use that as a ploy at election time.

This is why I rose in protest. Again I say to the Minister that the collegiate electoral system is bad. It does not bring about responsibility in trade unions. It allows manipulation in the extreme and it certainly takes away the democratic freedom of members to elect a president, vice-president, secretary, industrial officer, two trustees, and any other officer involved. Under those circumstances I cannot possibly support the proposal to insert this amendment dealing with the collegiate electoral system.

Mr HARMAN: One would have thought that on this occasion the Minister would explain to the Committee the reasons for the amendments because in the second reading speech absolutely no mention was made of anything called the collegiate electoral system or anything called the direct voting system.

Tonight the Minister merely rose and moved the amendments and that is all. He did not endeavour to explain to the Committee why there had to be these amendments to the Bill. He did not indicate why it was necessary to introduce either a collegiate electoral system or a direct voting system. He did not give any justification for it. He just got up blandly, moved it, and sat down.

On the last clause I argued that the Minister was being discourteous to this Committee in not explaining things to it. On that occasion he could probably justify his stand by saying he explained it all in the second reading speech. However, there was no mention in the second reading speech of a collegiate electoral system or a direct voting system.

How discourteous can a Minister be to Parliament and to the members who represent the people of Western Australia? Should the Minister not make some attempt—even though he does not do it very well—at least to try to tell the Parliament and the people of Western Australia why these amendments are being made to the Bill? He should get up and explain why these amendments are now necessary. That is all I ask. Is that not a fair proposition from the Opposition?

Mr T. H. Jones: It is not unreasonable at all.

Mr HARMAN: Does the Minister's attitude not indicate that he wants to sit there and say, "You can go to hell"?

Mr T. H. Jones: It is a shocking setup.

Mr HARMAN: On many occasions we have said that this place is merely a rubber stamp. No explanation has been given. If an explanation were given the Committee could make a decision, but when there is not even an explanation given the Minister is doing a disservice to the Parliament, to the members, and to the people.

I invite the Minister for Labour and Industry to rise to his feet now and explain why these amendments are before the Committee.

Mr GRAYDEN: I will be happy to do that.

Mr Harman: Got him on his feet at last.

Mr GRAYDEN: For the benefit of the member for Maylands, may I say that when moving that the Bill be read a second time I stated that the Commonwealth and the States were in close conformity in respect of the legislation covering secret ballots for elections. When the Commonwealth passed its amending legislation recently, one matter of concern was the controversial question of collegiate electoral voting. Since the legislation was introduced to the Parliament of Western Australia some unions have also raised the same issues.

Mr T. H. Jones: Which unions?

Mr GRAYDEN: The Government accepts in principle a form of collegiate voting but the system adopted must be consistent with its policy of fullest participation by members, which is the foundation of democratic control in unions.

The Commonwealth Government has now deemed it appropriate to introduce into the Commonwealth Parliament a further Bill to amend the Commonwealth Conciliation and Arbitration Act to provide for collegiate voting under certain conditions and the amendment in Committee moved by me in this Chamber will have the effect of doing likewise to the Industrial Arbitration Act Amendment Bill.

The proposals will now give unions a choice in the manner by which they elect their officers, whether full time or part time.

Officers, who are full time, are to be elected by a secret postal ballot by the appropriate section of the rank and file. Alternatively, the union may choose a one-tier collegiate system; that is, a system whereby a committee of management is elected by a direct vote of the appropriate section of the rank and file membership and that committee elects from those members the full-time officers.

Holders of full-time offices on the committee of management play a key role in the formulation of policy and the responsibility of implementing that policy as well as the day-to-day management of the affairs of the union. It is considered that persons exercising such functions should not be permitted to become organisationally remote from the membership. The system of direct voting by all members or the one-tier collegiate electoral system will reduce the chances of this occurring. There is a nexus between the exercise of the individual member's vote and the election of full-time officers which will realise effective participation by individual members. It is essential also that the composition of the college be truly representative of the membership.

In relation to offices, the duties of which are part time, the situation is that the union may adopt a direct election by all members, a one-tier or multiple-tier system of collegiate election; for example, a system whereby the committee of management, which is elected by direct vote, may elect from its members another body which then elects from its members the part-time officers.

Where the rules of an existing union are not already in accord with the new requirements for secret postal ballots and collegiate voting, such union will be permitted a period of two years from the date of operation of the amendments to bring the rules into line. If at the end of that period the necessary alterations are not made, the Industrial Registrar, after inviting the union to consult with him on the matter, may determine such alterations of the rules to bring them into conformity.

That is the official explanation of collegiate voting. I will explain to members in very simple terms which they can understand the type of voting which takes place with some local authorities in Australia. The ratepayers elect their councillors. It is then left to the councillors to elect the mayor or the chairman as the case may be. That is a very simple illustration of collegiate voting and one which I think members of the Opposition should be able to understand.

Mr SKIDMORE: I take the Minister to task on a lot of absolute rot. If that is the system the trade union movement

is being asked to swallow as being in its interests and consistent with freedom of choice, I have never heard such denigration of the expression "freedom of choice".

Mr Laurance: Are you frightened of the new system?

Mr SKIDMORE: I am not frightened of the system because my union will look after its own affairs. I doubt very much whether we will have elections, and to hell with the legislation. We will go out to the membership to ascertain what they want. We will not be directed by a Government. We will act within the Industrial Arbitration Act, as we have always done, without fear or favour.

I do not accept the Minister's explanation and I have never seen such erosion of membership rights in my life. A system which elects seven people obviously to fill an office as determined by the membership can then be overturned by a collegiate system—by four persons on a seven-man executive, by five on a nine-man executive, or eight on a 15-man executive, determining that seven of them will fill certain positions.

I do not quarrel about the rights of unions to elect part-time officers. I do not believe there has been any quarrel about that in the trade union movement. In his second reading speech the Minister said—

A judgment of the Commonwealth Industrial Court in 1969 in the case of *Moore v Doyle* highlighted problems associated with dual registration and incorporation of unions of workers and employers under Federal and State arbitration systems.

I have read that decision and tried to understand its implications. Since 1969 no industrial jurisdiction has been able to come up with a satisfactory answer to the legal problems associated with that decision. I now find this specious remark of a Minister of a responsible Government—

Where a Federal union exists—registered under the Commonwealth Conciliation and Arbitration Act—the need to take part in State industrial machinery had led to the formation of State associated bodies.

In most cases these unions, which by reason of their registration under State Acts become separate legal entities, function as if they were also the State branch of a federally registered body.

Of course they do. That is the very problem. It is remarkable that the Minister seems to think the only place one can go for redress on behalf of a union member is to the industrial court. That is nonsense. As a member of a union I can take a case to the High Court, if I so wish, under common law or whatever other laws are available to me.

I will not be bound by this system, and no-one here tonight can say with certainty that the Federal decision which is to be made will accept in totality the collegiate system which we are discussing at the present time. If there is a Federal collegiate system, I hope at least it will be the same as this one because otherwise I can see a lot of trouble. One interpretation, one destruction of one principle which is enunciated here, and there will be such a donnybrook that the Government will wish it had never introduced the system.

We have enough trouble now deciding whether a person is a State secretary, a Federal secretary, or both. When we come to the challenging of elections the Government may have a lot of problems trying to prove under Federal jurisdiction and a collegiate system that an officer is a member of a State union or a Federal union. We have not done anything at all. We are hoping it will occur. But I cannot see how this provision will make it any more legal.

There are questions relating to the property of the union. Who owns the type-writer in my union? The Federal organisation. Under this proposed system all my union will do is hold an election under the Industrial Arbitration Act. Power is vested in the union to hand over all its collections and contributions to the Federal branch for the purpose of administering the union in totality, and on each occasion officers of the State union send to the industrial arbitration commission applications for variation of awards. When I am approached on occasions to submit a document which is known as an audited financial return, I have to ask myself the difficult question, "What will I send in?" We have no finances; we have no statement. We do not need an auditor to audit nothing. Therefore I am not legally able to comply with that requirement.

There is a problem with ownership of property when there is disputation in unions between State and Federal organisations. This provision will not solve it; it will not make any difference.

The CHAIRMAN: The honourable member has two minutes more.

Mr SKIDMORE: So it is quite specious of the Minister to put forward a proposition that the collegiate system and this priceless system of secret postal ballots will give some blessed legality to the question of industrial unions registered under State and Federal jurisdiction. That is a lot of hypocrisy. Better brains than mine throughout the Commonwealth have wrestled with the problem of dual registration and have not come up with the answer.

Mr Grayden: I agree.

Mr SKIDMORE: The Minister tells us that in one document we have solved the problem; the unions will be able to go ahead. If they elect their Federal executive

under the collegiate system that will become the executive of the State union. I have news for the Minister: in no way can it happen legally. This is the reason for the Bill. I have never seen such nonsense in my life.

I bitterly oppose the Bill because of its stupidity and its oppressive provisions for the trade union movement, taking away the democratic right of union members to fill the offices in their unions.

Mr HARMAN: I would like to thank the Minister for rising in response to my plea to explain the reason for these amendments. He read the reasons excellently, but when he was asked to explain them he was unable to do so.

Mr Grayden: I gave you the most simple illustration but obviously you are not capable of understanding it.

Mr HARMAN: I want to ask you a question, Mr Chairman. When you put this question, does that mean all of clause 6 will be agreed to?

The CHAIRMAN: The question before the Committee is "That the words to be inserted be inserted". If that is agreed to the question before the Chair will be "That clause 6 stand as amended".

Mr HARMAN: When the Government introduced this legislation initially the idea was that the union member would have an opportunity to elect the officers of his union. That has now been changed. What we are now considering is a proposal for a variation—that when it suits a particular union it can avail itself of a system whereby the members vote for a committee of management, and having done that the committee of management will then appoint certain officers of the union. That is contradictory to what the Government intended originally.

The reason advanced originally was that the individual member should have the right to elect the officers of a union. In other words, if the members wanted to elect the secretary, president, assistant secretary, or organisers of the union, they would have that right under a democratic system. The Government is now changing its attitude. It is now saying, "We don't want you to have that opportunity. We want you to elect a committee of management which will elect a secretary, president, assistant secretary, and organisers."

That is the variation we have seen in a matter of two or three weeks. Why? The Minister did not say why. I listened to him intently and he did not say it was because Canberra had told him to do it. That is the only reason for the change—that the Australian Government has changed the Federal system of election of union representatives to the extent that it has adopted a collegiate system, so the

Government in Western Australia immediately jumped to the demands of Canberra and has brought in the amendments now before us. That is the real reason for their being here; that is, that a certain union—which I understand to be the Federated Clerks Union—approached the Federal Minister to have this system incorporated.

That destroys the whole argument of the Government, which said two or three weeks ago it wanted the individual member to have the right to elect his union secretary in the privacy of his home.

Mr Grayden: For your information, I have had no directions at all from Canberra.

Mr HARMAN: Because the Australian Parliament amended the Federal legislation, the Government of this State immediately sought to amend the legislation here. We are just acting in concert with the Australian Government.

It has been demonstrated before: when the Fraser Administration jumps, the Administration here jumps also, and that is exactly what is happening here tonight.

Mr T. H. JONES: I also oppose this new system which is something new to the trade union movement of Western Australia. If the Minister can prove me wrong, I would like to hear him. The system operating here has met the needs of the trade union movement of Western Australia; this cannot be denied. Once again the Minister has not shown us where the present system does not meet the needs of the movement. He has not been able to prove it, and most unions elect their officers on an individual basis. I know that the union I represented adopted this system. The proposal before us will take away the democratic rights of the trade union movement of Western Australia.

The Minister still has not told us who requested this amendment to the Act. As the member for Maylands said, it seems to me that it was prompted either by Canberra or it was an afterthought; a move initiated by the Government at the eleventh hour. If the Government were genuine in its attempt to introduce what it says it is introducing, why was not the amendment included in the original Bill? If the Minister were truthful when introducing the legislation, why did he not foreshadow this amendment? Nowhere in his speech to the Bill did he forecast that later amendments would be introduced. Surely he had a responsibility to Parliament to inform members that other amendments would follow.

I ask him or any Government member to show me a reference in the Minister's second reading speech to the effect that this type of ballot system would be introduced. Such a system will disrupt the trade union movement.

A union needs only 15 members for that union to be recorded with the registrar, and a small number of unionists who are not happy with the result of a ballot could waste the time of the Industrial Registrar—and we have seen this happen on several occasions. The Minister has not been able to justify the necessity for or the desirability of this amendment. He has a duty to tell the Parliament of Western Australia the anomalies in the existing system which gave rise to the amendment.

The Minister could have adopted an honest approach and said to the unions, "We want to do away with strikes and union bashing." The Minister has the duty to check not only with the trade union movement but also with the Opposition and the people of Western Australia to see whether this legislation is necessary to overcome a critical problem which is being experienced within the movement generally in this State. Surely it is the responsibility of any member of the Government to come to Parliament and say, "We are introducing this amending legislation for this reason", and then to prove beyond doubt that the legislation is necessary to overcome a set of circumstances existing in the State.

I challenge the Minister to get to his feet and tell us the unions which requested these amendments. You know, Mr Chairman, as well as I do, that the Minister is not able to do that.

I am confident that the trade union movement will not accept this amendment, and I do not blame it for not accepting a piece of legislation very similar to the fuel and energy legislation which was introduced a few years ago. This is a parallel set of circumstances; the Minister introducing the fuel and energy legislation could not tell the trade union movement or the Parliament why the legislation was necessary. We have a parallel case tonight where the Minister cannot justify the actions of his Government in bringing the legislation to Parliament.

This legislation will allow sections of the trade union movement to put the State to unnecessary expense. It will waste the time of the staff of the Industrial Commission and it could waste the time of the Industrial Registrar on frivolous cases. With those words, and on behalf of the trade union movement, I strongly oppose the inclusion of this amendment in the Bill.

Mr SKIDMORE: I rise again to endeavour to persuade the Minister that the legislation is bad legislation in its present form. If he had simply looked at the parent Act and said, "We want to include in the Act the right of unions to have secret ballots," all that was needed was the insertion of the word "postal" wherever the words "secret ballots" appeared in the legislation.

The sheer simplicity of that idea seems to have escaped the Minister so he comes here with a bundle of words and he has created an area of disputation with the unions. However, that is not what I wish to talk about at this moment. I must again quote from the second reading speech of the Minister because it is germane to this question. The Minister had this to say—

It is an inherent right and one to which this Government subscribes, in accord with international principles, that members of unions shall elect their representatives in full freedom.

I could not agree more with that sentiment but I must say that a contradiction of that sentiment has been illustrated by the members on this side of the Chamber tonight. Surely we have shown that these provisions erode the freedom of a democratic vote in the trade union movement. I suggest to the Minister that when he discussed the draft legislation with union representatives no mention was made of a collegiate system. I have here the minutes of the meeting which were given to me by the Trades and Labor Council representative at that meeting. Four propositions were put forward, one of which reads as follows—

Where a State Union conducts a secret postal ballot at its own expense.

For a Union, at its own expense, to run a secret postal ballot for all executive offices and committee of management specified in the Act but only to be valid if it complies with the additional requirements of—

The minutes then go on to enumerate various requirements which are already virtually covered by section 9B of the existing Act, almost in totality. However, as I understand it, we then come to a remarkable change, although again I could be wrong. Paragraph (c) says that one counterfoil will be used and it may be numbered.

We have heard the Minister quarrelling violently that this question of the numbering of counterfoils is a dastardly trick and that it will cause invalidity in the ballots. The point is not whether or not this provision was included, but simply the fact that it was considered at that meeting. The minutes continue—

Where a State Union requests exemption to conduct a secret ballot other than a secret postal ballot at its own expense.

If a Union rules provide for a secret ballot other than postal ballot the Union can apply to the Industrial Registrar for exemption—

I suppose this takes into account the situation of unions where a ballot is considered to be satisfactory. I suggest that every union which elects its executive at an annual general meeting so called for the

purpose, could apply under that clause to the Industrial Commission for remission from a full postal ballot. I would find it rather strange if the registrar were not subjected to a certain number of appeals if his decision were that such a course would allow intimidation of people at a general meeting.

I have been returning officer at more union election meetings than I can remember. Each person at an annual general meeting so called for the purpose is issued with a ballot paper. He fills in his paper and then places it in the locked ballot box, and there it remains for the period of time so determined by the union rules. It may be that the box remains closed for a period to allow for postal voting. Such a situation exists already, and I do not see why we should have it fouled up with a collegiate system which takes away democratic freedom. The next paragraph states—

Request to the Industrial Registrar to conduct a secret postal ballot at Government expense can be granted if made by—

- (a) or on behalf of the Committee of Management of a Union; or
- (b) 250 members or 5% of members, whichever is less;

A further proviso is added, but I do not think it appears in the Bill. It reads—

a candidate within seven days of the closing of the calling of nominations where the office is one in which the whole of the membership—

The fourth paragraph is headed—

Offices of a State Union which is also a branch of a Federal Union.

I am against the sheer stupidity of attempting to impose a legal interpretation on an impossible position. To continue—

The Industrial Registrar may exempt the branch union from compliance for the conduct of an election under State requirements where the Registrar is satisfied that the election of Branch offices has been or will be conducted in a similar manner to an election that the State union is required to do under this Act.

That is the only situation where we have any true consistency at all. Apparently the Minister indicated he would look at that matter. He has looked at it, and he has come up with this hotch-potch. Nowhere was there any indication to the trade union movement that it was to be hit with a collegiate system. In no way was the trade union movement consulted as the Premier said it would be in his policy speech given to the workers of this State.

The Premier put this policy forward as a great panacea for all problems. He said to the trade union movement, "We will talk to you about legislation before we introduce it. We will not submit you to the

question of a collegiate system of election without giving you the opportunity to talk with us." What a lie; what a deception. On this occasion, as on many other occasions, the Government has refused to recognise that the trade union movement is entitled to be consulted on these matters.

The CHAIRMAN: The member has two minutes.

Mr SKIDMORE: The Government went ahead and ignored the trade union movement on this issue. I have no doubt, as the member for Collie and the member for Maylands said, that the collegiate system is the most destructive system for the trade union movement to use. It breeds contempt, weakness, bad leadership, and inevitably it will lead to disruption. It is of no use the Minister referring to local government as a guide.

Mr Grayden: Why not?

Mr SKIDMORE: Local government does not represent specialist officers at all. All they need is a president who has some knowledge of local government affairs and of chairing meetings; no other special knowledge is required. Local council elections cannot be compared to trade union elections. When the Minister satisfies me that the democratic right of unionists to elect their own executives will be given back to them without fear or favour, I may accept this provision.

Mr Grayden: It is completely optional.

Mr SKIDMORE: Why do they need an option? Why do we not allow the unions simply to write this into their rules? We do not need an Act of Parliament to do this.

The CHAIRMAN: Order! The honourable member's time has expired.

Mr HARMAN: I wish to make only three points in regard to the amendment. While still in his seat, by way of reply the Minister said that he did not act in accordance with instructions from Canberra to introduce the collegiate electoral system. Will he indicate to the Committee which union in Western Australia approached him to have this amendment placed in the legislation?

Mr Grayden: Do you realise this is optional?

Mr HARMAN: Of course I do. All I asked was: Which union in Western Australia approached the Minister and asked for this provision to be placed in the Act?

Mr Grayden: That has nothing to do with it. It is in conformity with Commonwealth legislation.

Mr HARMAN: The Government and the Minister have said on many occasions that they like to discuss these matters with the unions and that no action would be taken without consultation.

Mr Grayden: This was put into the Federal Act at the request of Federal unions. We are giving the State unions the same opportunity.

Mr HARMAN: Now it is coming out. The Minister did not act because of some instruction from Canberra; he has moved this amendment because this is what Canberra did. He did not consult the unions, and was never asked by a union in Western Australia to take this action.

Mr H. D. Evans: Was this not the Government which was going to consult with the unions?

Mr HARMAN: Yes, that is so. In fact, it set up an advisory committee in the field of industrial relations to do just that.

Mr Grayden: We have heard the same statement about eight times already.

Mr HARMAN: If the Minister wants to help this Committee along, why does he not tell the Committee what it wants to know? I had to force the Minister to explain why he has introduced these amendments. I waited and waited for the Minister to reply, but he refused to move and finally I had to embarrass him to stand in his place and explain the amendments. That is how bad this Committee is. The debate could have been over hours ago if the Minister wished to co-operate.

The second question is: If no approach was made by a West Australian union to have this provision inserted in the legislation, why was it necessary in the first place? The only answer is because they did it in Canberra.

My third question is: Were there any discussions with the TLC to have these amendments brought forward? Again, there is silence from the Minister. Obviously, there has been no discussion with the TLC.

The Liberal Party policy speech in relation to this area states as follows—

We will uphold industrial law. We will encourage regular meaningful consultation between unions, employers and Government in an effort to ensure that Government economic, financial, social and development objectives are better understood.

Mr Laurance: Good stuff; read it again!

Mr HARMAN: The Government has introduced significant amendments to industrial legislation without any meaningful consultations with the unions. On those three points rests the Opposition's case. The Minister has given no justification for the Bill, no request has been made by a union in Western Australia to have these amendments brought forward, and no discussion has taken place with the TLC in respect of the amendments.

Mr Laurance: Why do you oppose the collegiate system?

Mr HARMAN: I ask the Committee to consider the matter in those terms, and vote accordingly.

Mr HARTREY: I feel it is my duty as a representative of a very strong Labor constituency, where there is a very powerful, very moderate and dedicated union of men—the Australian Workers' Union, especially the mining division on whose behalf I particularly wish to speak—to say something about the proposed amendment to the legislation.

The proposition is that without any request from the unions the Government is going to give them an option. Who wants the option? At best, it is only "a chip in porridge"; it is neither useful, nor edible, nor anything else; there is no point to it. Its only effect will be to inflict something by way of an admonition or an interference. What is the merit of it? Why cause friction with the industrial unions over a matter which is not going to be compulsory, anyhow? There is no point in it, and I am against it for that reason.

I hope good industrial relations will always be maintained between the Government of the day, of whichever political complexion it may be, and the industrial unions.

This seems to be a provocative measure which is not conducive to good industrial relations. I go on record quite sincerely as opposing it, and for quite genuine reasons. I am not putting forward my case for partisan or antagonistic reasons but on the grounds of plain common sense. If the people for whose alleged benefit it is intended do not want it, who else wants it? Of what benefit is it going to be, even to the opponents of unionism? It will be of no benefit that I can see. It has no real merit, except the merit of irritating some of the unions, including the one for which I particularly speak, so why persist with it? Why not drop the matter? I suggest to the Minister he might be well advised to do just that.

Without any further oratory—if I can call it such—on my part, I leave the subject right where it is. I can see no merit in it and I repeat it would be wiser if we just dropped it.

As I say, it will not be conducive to better industrial relations. In fact, it can be productive only of worse industrial relations, so why should the Government persist with the matter? I credit the Government with the good sense of hoping to achieve better industrial relations, but why should the Minister bring forward a piece of legislation which so far has not had that effect but which is actually calculated to have the exact opposite effect? For that reason, I certainly intend to vote against the amendment.

Mr GRAYDEN: I am absolutely astonished at the criticism of the collegiate system. If anything, it is a more equitable method of electing office bearers than direct voting. Councils throughout Australia are elected by the ratepayers and it is then left to the councils to elect the mayor or the Chairman.

Mr Jamieson: Not always.

Mr GRAYDEN: No, but in some instances. That is an example of collegiate voting, and the same can be applied to trade unions. In some cases, the ratepayers elect the mayor or the chairman directly.

This amendment has been introduced by the Commonwealth Government for a very good reason; namely, that it is a more equitable method as far as some Commonwealth unions are concerned of electing their senior office bearers, because it means the representatives from the less populous States will be on the same footing as those from the more populous States.

Mr Hartrey: That does not apply to Western Australia.

Mr GRAYDEN: It does apply to the Federal unions. It means members in the smaller States have the opportunity to move to higher office. Under direct voting, naturally the candidates from the more populous States would be elected, and this is why the amendment was introduced at the Federal level.

With a State the size of Western Australia, a union may have its representatives elected on a regional basis, some, for instance, from Perth, some from the Pilbara and some from the eastern goldfields. Union members would simply vote for a committee of management and it would be up to that committee to choose the senior office bearers. In some circumstances, this can be the most equitable method of electing those people.

Mr T. H. Jones: What circumstances?

Mr GRAYDEN: In those circumstances, I cannot understand the opposition which has been expressed to this proposal, particularly in the light of the fact that the Commonwealth introduced it at the direct request of the trade unions. This State is introducing legislation complementary to Commonwealth legislation in regard to postal ballots. Since the legislation to implement postal ballots was introduced at Commonwealth level, an amendment to provide for collegiate voting has been moved, and we in this State have found it opportune to introduce legislation providing for postal ballots and collegiate voting at the same time. That is all we are doing.

The point I wish to emphasise is that this system will be optional for the unions. They can adopt the collegiate system, or elect their officers directly under the old

system. Nothing could be fairer than that. In those circumstances, I ask the Committee to support this amendment.

Mr T. H. JONES: I still have not received an answer from the Minister. Apparently he is getting sick of the debate but, as the member for Maylands said, he could shorten the discussion by answering our questions. It is not possible to compare shire council elections with trade union elections; anyone with any knowledge of the trade union movement would know that the leading officer of the union must be an advocate, capable of appearing before the courts, arguing the various cases and making statements. If the Minister had any experience in the industrial scene, he would know that is not an easy job, especially when we consider these advocates are coming up against men who have been trained by the employers' federation.

We on this side want to know the reason for introducing this amendment, when the trade union movement has not been consulted about it.

Mr Laurance: Why are you opposed to the collegiate electoral system?

Mr T. H. JONES: When the honourable member has learnt something about the trade union movement of Western Australia I will tell him. I know more about the history of the trade union movement than do members opposite. They cannot even point out to me what is wrong with the existing system.

Mr Laurance: The public can.

Mr T. H. JONES: The honourable member should tell me the reason for the alteration to the electoral system when there were only four court-controlled ballots in 10 years. Does that indicate the public are unhappy with the existing system? It is about time the member for Gascoyne learnt something about this matter. He has been in the Pilbara far too long to acquire much knowledge. It is unfortunate that he is ignorant of the trade union movement of Western Australia. When he has done his homework we will be prepared to talk to him.

I am still not happy with the amendment and the provision in the clause. The Minister has admitted that this legislation is complementary to the Federal legislation. It is not being introduced because the unions of this State want it; in fact, it has been introduced without consultation with the trade union movement. I suppose if the trade union movement took industrial action over this the Government would claim that the unionists are strikers. I say that the trade union movement of Western Australia will be quite within its rights to take on the Government over this issue.

The member for Maylands has told us that the unions have had an undertaking from the Government that it will confer with the unions on all industrial legislation, but the Government has not honoured its promise.

Amendment put and a division taken with the following result—

Ayes—22

Mr Blaikie	Mr Nanovich
Sir Charles Court	Mr O'Connor
Mr Cowan	Mr Old
Mr Coyne	Mr O'Neill
Mrs Craig	Mr Ridge
Mr Crane	Mr Shalders
Dr Dadour	Mr Stephens
Mr Grayden	Mr Tubby
Mr Grewar	Mr Watt
Mr Laurance	Mr Young
Mr McPharlin	Mr Clarko

(Teller)

Noes—16

Mr Barnett	Mr Hartrey
Mr Bateman	Mr Jamieson
Mr Bertram	Mr T. H. Jones
Mr B. T. Burke	Mr McIver
Mr Carr	Mr Skidmore
Mr H. D. Evans	Mr Taylor
Mr T. D. Evans	Mr A. R. Tonkin
Mr Harman	Mr Moiler

(Teller)

Pairs

Ayes	Noes
Mr P. V. Jones	Mr J. T. Tonkin
Mr Sodeman	Mr Fletcher
Mr Rushton	Mr Davies
Mr Menaseros	Mr T. J. Burke
Mr Sibson	Mr Bryce

Amendment thus passed.

Mr GRAYDEN: I move an amendment—

Page 4, line 17—Insert before the interpretation "postal ballot" the following interpretation—

"one-tier collegiate electoral system" means a collegiate electoral system comprising only one stage after the first stage;

Mr HARMAN: Before I deal with the amendment I would like the Minister to give us some explanation of the meaning of paragraph (d) of proposed new section 36NA (1). It appears it means that an industrial union may in writing make a request to the registrar that an election for an office in the union be conducted under this section.

The CHAIRMAN: I would point out to the member for Maylands that it is not appropriate for him to speak on that matter at this stage. The opportunity will present itself when the question that the clause stands as amended is put to the Committee.

Mr SKIDMORE: It is amazing to see that although we have just passed an amendment to include a collegiate electoral system, which indicates how officers of unions will be elected and refers to a direct voting system, at a subsequent stage, and subsequent stages, for some strange and inexplicable reason a repeat dose of the medicine is to be administered.

Under the amendment just moved by the Minister it is proposed that another collegiate voting system be imposed and it is referred to as a "one-tier collegiate electoral system".

Mr Hartrey: The Minister shed only one tear.

Mr SKIDMORE: But I shed 1 000 tears over this legislation. As I mentioned, under the collegiate system we could have a direct voting system, a subsequent stage, and subsequent stages. Yet, superimposed on this is the amendment for a one-tier, or perhaps even a two, three, four-tier collegiate electoral system.

I consider this amendment to be rather unnecessary, because we have already agreed to the inclusion of a collegiate electoral system. My main quarrel is on the right of unionists to engage in political strikes. I use this term deliberately, because both the member for Gascoyne and the Minister have used it. In his second reading speech the Minister said that some unions were causing a degree of harm to the economy by engaging in political strikes, upsetting the running of the trade union movement, and causing great distress among the community. He suggested this was not a function of the trade union movement.

After nearly 3½ hours of debate on this legislation which affects the workers, the Minister is saying to them, "You have no right to engage in a political strike, because your voice has already been heard and rejected". This is the only avenue available to the trade union movement. I contend that if a union wants to engage in a political strike over this legislation it has an absolute right to do so. This is a rod which has been rammed down the throat of the unions, and a system which they do not want has been imposed on them. I say that the question of the right of unions to enter the political arena has been well and truly established over many years.

In referring to the collegiate electoral system the Minister said he had been asked by the Federal unions to introduce the system in Western Australia. By interjection several members opposite wanted us to tell them what was wrong with the collegiate system. As this amendment deals with another form of the collegiate electoral system, I am given the opportunity to say why I do not favour it.

Inherent in the ability of a Liberal-National Country Party coalition Government to maintain the Government in any State, is the upsetting of the trade unions and the breeding of industrial unrest, particularly at election time. In this way they find themselves in the position of being able to go about the task of using the unions as the whipping horse for the failure of the economy to be in a better position than it is.

I say that the collegiate electoral system will weaken the trade union movement. How much more soul destroying to union members would it be to elect the secretary under a direct voting system, and then find that it is not the method by which the secretary is elected under the one-tier collegiate electoral system. That is what will take place.

We can understand that a union which adopts that policy will breed nothing but discontent within the trade union movement, because the election would be determined not by the total membership but by a small number comprising the majority of the executive. In fact, it would be less than one-twentieth of the members of small unions who could manipulate an election to destroy the career of a good secretary.

It is suggested we should not have any objection to this sort of measure. I am a little disappointed that those members who requested an explanation of the reason we do not want the provision are not present, but I know they read in *Hansard* the speeches of the member for Swan, so they will eventually understand our opposition.

Why is it necessary to give unions an option? It is a political stunt, and it will aid and abet the ability of the present Government to manipulate the trade union movement politically, which it cannot do industrially. I believe I have more right than do members on the Government side to tell the trade union movement what it should do.

People of Liberal thinking will be able to run a campaign and be elected to the executive of a union, and tip out a militant secretary. I saw a union using this collegiate system destroy an organiser in seven months. The organiser was tipped out, but he was not the type of person the Government hopes to destroy. He happened to be a right-wing person who made no contribution to the union movement. At least, he held office in his own right.

Mr Grayden: The member for Swan is simply having a shot at right-wing unions.

Mr SKIDMORE: If I were, it would not be the first time during my life, but on this occasion I am not.

The collegiate system will allow a minority group, of a different political colour, to gain control of a union. I understood the Minister to say that the system existed already in the Federal field of industrial relations. Of course, that is not true.

Mr Grayden: The amendment to allow for postal ballots is currently before the Federal Parliament.

Mr SKIDMORE: And that includes the provision for a collegiate system?

Mr Grayden: Yes.

Mr SKIDMORE: Because the Federal unions are to be forced to accept the collegiate system—for the purpose of destroying the strength of the unions—the same system is to be forced on the trade union movement in this State.

Unions are able to alter their rules now, as long as they conform with the necessary standards.

The DEPUTY CHAIRMAN (Mr Crane): The member has one minute.

Mr SKIDMORE: We do not want this legislation, and the union movement does not want it. It is an infringement of the basic right of unions to elect their own officers and members free of any political or industrial manipulation.

The DEPUTY CHAIRMAN: Order! The member's time has expired.

Amendment put and passed.

Mr HARMAN: Paragraph (d) of proposed new section 36NA states—

any other office, by whichever name called, which is for the time being declared by the Commission to be an office to which the provisions of this Division and section thirty-six M of this Act shall apply,

I again point out to the Committee that subsection (1) of section 26M of the principal Act states that an industrial union may, in writing, request the registrar to conduct an election for an office in the industrial union. I emphasise the word "office".

Clause 6 of the Bill contains a definition of "office" as follows—

"office", in relation to an industrial union means—

- (a) the office of a member of the committee of management of the industrial union;
- (b) the office of president, vice president, secretary, assistant secretary or other executive officer by whichever name called of the industrial union;
- (c) the office of a person holding, whether as trustee or otherwise, property of the industrial union, or property in which the industrial union has any beneficial interest; and

Paragraph (d) begins—

any other office . . .

I would like the Minister to explain the word "Commission" in this context because the definition of "Commission" is—

"Commission" means The Western Australian Industrial Commission established under this Act;

Who is to determine "any other office"?

Mr Grayden: It can be any one commissioner.

Mr HARMAN: I want to know who will make the determination. I want the Minister to explain the clause so that I can decide what action to take.

Mr GRAYDEN: Paragraph (d) of clause 6 reads—

any other office, by whichever name called, which is for the time being declared by the Commission to be an office to which the provisions of this Division and section thirty-six M of this Act shall apply,

"Office" in relation to an industrial union, means the office of a member of the committee of management of the industrial union, the office of president, vice-president, secretary, assistant secretary or other executive officer, the office of a person holding, whether as a trustee or otherwise, property of the industrial union, or property in which the industrial union has any beneficial interest.

The draftsman has gone out of his way to list those we want to come under the provisions of this postal ballot legislation. However, there are situations of which we are not aware at the present time and we want to provide for them now. We will have flexibility by setting out that if there is some other office in a particular union, prescribed by the rules of the union, the commission will then be able to nominate that particular office.

Mr Harman: Who is the commission?

Mr GRAYDEN: In practise, the Industrial Registrar probably will simply take the matter to the Chief Industrial Commissioner, and he shall determine whether the office should come within the provisions of this Act. It will not be the Commission in Court Session, it can simply be any one commissioner.

Mr SKIDMORE: I thank the Minister for his elucidation of the provision, and I take it that what he said is entirely correct. However, I quarrel with the intent of paragraph (d). A union is able to elect, by means of a democratic process, a number of officers to hold office. It then draws up a set of rules, and determines the method of electing those officers. That method can withstand the test of time, and the rules can be amended at any general meeting. The freedom of choice is inherent in the democratic process of electing officers.

What more democratic way could we have? But this Bill provides a back door way for some malcontent in the trade union. The provision allows a malcontent to get the commission to declare the job to be a union office. The commission could be led to believe by the evidence placed before it by Joe Blow that it has the right to determine whether an organiser shall be elected to replace a paid organiser.

Yet the Minister says there is no interference with the democratic right of unions! He says this legislation does not remove the rights of unions, but that it gives them more rights! There is no shadow of doubt that this Bill removes rights.

I do not know whether the commission will be glad to have such a piece of legislation available to it. All the commissioners I know base their deliberation upon the facts presented to them, and I do not think they would cherish the thought of interfering with the right of a union which over many years has said there shall be seven officers on the executive, but in respect of which a malcontent feels he should have a job on the executive; and because the rank and file would not elect him, he goes to the commission and appeals to it to declare the job a union office and to hold an election. If that is not interference with the rights of unions, I do not know what is.

Although the Minister has said that some unions have asked for this option, he has not named them. He admitted that one Federal union asked for it, but one union out of the hundred registered with the Industrial Commission does not constitute a majority of union thinking.

This provision fails in its intent, and does nothing whatsoever in respect of industrial relations. It infringes the ILO Convention adopted and endorsed by the Australian Government and this State Government. That Convention makes it clear that the freedom of workers to elect democratically their own officers shall not be taken from them. This Bill constitutes nothing less than political interference to ensure that unions will not attempt to be a thorn in the side of any right-wing Government that is opposed to the working class. For that reason, I cannot accept the clause.

I have no quarrel with the Minister's explanation of the clause, because at least we can understand it. It says that section 36M of the Act shall apply, but then it leaves the option open for it not to apply. I believe this is wrong and I must oppose it because it is interference with unions.

I shall continue throughout the course of this debate to adopt the same attitude, and I will not be worried about the weariness of some members in this Chamber. I have the right to fight for as long as I am able to do so for the 99 unions out of 100 who do not want the Bill. The Minister has been able to name only one union which approached him; I could quote 99 unions which do not want it.

Clause, as amended, put and passed.

Clause 7: Section 36NB added—

Mr SKIDMORE: I wish to speak in a general sense to this clause before the Minister moves his amendments. I have

approached this Bill in what I believe is a fair-minded manner, but I find myself again having to quarrel with a clause. The Minister has stated again and again that he is looking after the rights of trade unions, yet here we have a clause which will remove the present rights of trade unions. I refer members to the wording of proposed section 36NB (1) (a). When they read that they can see it is an infringement of the basic rights of trade unions. For a long time it has quite frequently occurred that a trade union secretary is not opposed at an election. In fact, rarely are secretaries opposed at elections.

Mr Sibson: Perhaps they should be.

Mr SKIDMORE: It is the right of union members to do so if they wish. Assuming that right is not exercised, it seems to me that the Government is saying, "The executive officer of the union is a person who can be manipulated; he is a person who will allow irregularities in the election; he will let in his mates; and he is incapable of conducting an honest ballot." Surely that must be the reason for this provision.

The remarkable thing about this is that when I was at a conference in Adelaide at which we were electing our executive, we had to look around the hall for a person to act as the returning officer. We went out into the passage and grabbed the first likely-looking guy who came along and said, "You are the returning officer." He was the secretary of another union, so he knew something about industrial matters; and we explained patiently to him who would be acceptable nominees, and what was contained in the rules. We then proceeded to have the election. What a laugh that is!

What a system it is when we must get a person who has not the faintest idea of how our union ballots are conducted to be the returning officer and to accept or reject nominations! It does not necessarily mean that we will get the Jim Colemans or Peter Cooks, who are aware of the rules of unions, to be returning officers. We could finish up with a returning officer who is not capable of understanding the rules of the union. We could finish up with ballots which may be challenged again and again under the Act by union members.

I ask the Minister not to be so comically silly in respect of this Bill. I do not know who asked him to amend this Act so that it conforms with the Federal Act, which contains the same laughable provision. I have seen the situation occur in Federal union elections in Melbourne time and time again in which somebody walking past is grabbed and told he is the returning officer.

I say the system that exists in the present legislation is sufficient. It is good; it says in essence that if all the officers

are seeking re-election and are opposed, we can go outside and select a returning officer and get him to do the job. We could find one who is aware of the rules. But under this clause any person at all could be appointed the returning officer.

Perhaps my feelings would be different if the Minister were prepared to indicate which unions asked for this clause.

Let us consider what happens in some unions at the moment. Some stagger their elections so that the secretary is elected a month before the management executive. So the management executive can supervise the election of the secretary, and then the secretary can supervise the management executive election. Obviously the old or the new secretary would have knowledge of the union and could conduct the election properly.

There is a remarkable feature about this. It must surely apply to the rules of the organisation. The clause gives unions the option of postal ballots, so probably it will not do anything unless we have the situation of unions being able to provide evidence of a better system of voting which is accepted by the commission. One could refer to the waterfront unions which adopt a system of voting at their pick-up. Each person gets his ballot paper and puts it in the ballot box. I have suggested that that system would be available in many circumstances. I reject the proposition. I see no purpose in it. I believe the present Act suffices. It is a good Act. Obviously the new section would debar the secretary or any other officer from being a returning officer, and it is quite wrong that that should be so. I believe that the existing provision has stood the test of time and that we should not agree to this new section.

Mr GRAYDEN: I move an amendment—

Page 5—Delete paragraph (c).

Paragraph (c) of subsection (1) of new section 36NB is to be deleted. This will mean that a new union registered after the coming into operation of this amendment will be required to provide immediately for elections to office by the direct secret postal ballot system or the collegiate system.

Amendment put and a division taken with the following result—

Ayes—22

Mr Blaikie	Mr Mensaros
Sir Charles Court	Mr Nanovich
Mr Cowan	Mr Old
Mr Coyne	Mr O'Neill
Mrs Craig	Mr Ridge
Mr Crane	Mr Shalders
Dr Dadour	Mr Stephens
Mr Grayden	Mr Tubby
Mr Grewar	Mr Watt
Mr Laurance	Mr Young
Mr McPharlin	Mr Clarko

(Teller)

Noes—16

Mr Barnett	Mr Harman
Mr Bateman	Mr Hartrey
Mr Bertram	Mr Jamieson
Mr Bryce	Mr T. H. Jones
Mr B. T. Burke	Mr Skidmore
Mr Carr	Mr Taylor
Mr H. D. Evans	Mr A. R. Tonkin
Mr T. D. Evans	Mr McIver

(Teller)

Pairs

Ayes	Noes
Mr P. V. Jones	Mr J. T. Tonkin
Mr Sedeman	Mr Fletcher
Mr Rushton	Mr Davies
Mr O'Connor	Mr T. J. Burke
Mr Sibson	Mr Moiler

Amendment thus passed.

Mr GRAYDEN: I move an amendment—

Page 5—Substitute the following for the paragraph deleted—

(c) shall provide for the election of the holder of each office within the industrial union, such election to be either by—

- (i) a direct voting system; or
- (ii) a collegiate electoral system being, in the case of an office the duties of which are of a full-time nature, a one-tier collegiate electoral system; and

Amendment put and passed.

Mr GRAYDEN: I move an amendment—

Page 6, line 3—Add after the word "section" the passage "other than paragraph (c) thereof".

This is a machinery amendment.

Amendment put and passed.

Mr GRAYDEN: I move an amendment—

Page 6, line 14—Insert after subsection (3) subsections to stand as subsections (4) and (5) as follows—

(4) An industrial union which was registered on or before the date on which this section comes into operation shall be allowed a period of two years after that date, or such longer period as the Registrar determines, within which to bring its rules into conformity with the requirements of paragraph (c) of subsection (1) of this section.

(5) If the rules of an industrial union to which subsection (4) of this section applies do not, at the expiration of the period allowed by that subsection, in the opinion of the Registrar, conform with the requirements of paragraph (c) of subsection (1) of this section, the Registrar may, after inviting the industrial union to consult with him on the matter, determine such alterations of the rules as will,

in his opinion, bring them into conformity with those requirements.

Amendment put and passed.

Mr GRAYDEN: I move an amendment—

Page 6, line 16—Insert after the passage "subsection (3)" the passage "or subsection (5)".

Amendment put and passed.

Mr HARMAN: I want to raise the strongest possible objection to paragraph (d) of proposed new section 36NB.

The CHAIRMAN: Order! I am afraid it is not within the competence of the member to speak to that particular proposed new paragraph. The Committee has considered amendments to this clause which appear later in the clause than that paragraph.

Mr HARMAN: I had this out with you before, Sir.

The CHAIRMAN: I beg your pardon. The member may speak to it but may not amend it.

Mr HARMAN: I am not attempting to amend it; I want to object to it. I draw the attention of members to the wording of paragraph (d) of subsection (1) of proposed new section 36NB. Last night I went to a great deal of trouble to point out ILO Convention No. 87 to the Committee. For the edification of the Committee I shall read it again. Article 1 states—

Each member of the International Labour Organisation for which this Convention is in force undertakes to give effect to the following provisions.

This country has ratified and accepted ILO Convention No. 87. Article 2 reads—

Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.

The important one is article 3 which states—

Workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes. The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof.

That is very clear. Now the public authority is saying that if a union is registered with the Industrial Commission—and they must all be registered with the Industrial Commission—one of the rules it shall adopt from here on in is that no person shall hold office for a period longer than four years unless he is re-elected. Is that not a very clear case of

interference by a public authority in the affairs of unions? Is it not a classic case of the contravention of an ILO Convention which has been adopted by Australia and is now proven international law?

If the Committee agrees to this legislation we will be breaking international law which we have accepted. That is why I intend to ask the Committee to divide on this clause because I want to preserve law and order. I want the Western Australian Parliament to observe international agreements to which it is a party. Even a child in kindergarten can see that paragraph (d) is a contravention of a convention which we have all adopted.

Four or five years ago the previous Liberal Government, headed by Premier Brand, wrote to the Australian Government and said, "We will accept ILO Convention No. 87." Included in that convention is article 3 which I have just read. What I object to is that this clause restricts the ability of workers' and employers' organisations to draw up their constitutions and rules. I ask the Committee to vote against this clause because by so doing we will uphold law and order. If the Committee votes for this clause it will mean that this body is not prepared to honour undertakings given by the Government of Western Australia on the occasion I have referred to.

Mr HARTREY: I feel I ought to support the last speaker. I do not regard it as so highly deplorable that we should break an "international law". I am not at all certain that there is such a thing. However, if an international convention is adopted by the Federal Parliament it may well become a law of the Commonwealth and that is a different thing altogether. We are bound constitutionally to obey laws of the Commonwealth and if there is any inconsistency between a law of the Commonwealth and a law of the State, the law of the Commonwealth, to the extent of the inconsistency, shall apply. That is in the Constitution.

I am not firmly convinced that the adoption by the Federal Parliament of an international convention does make it a law of the Commonwealth, but the High Court has virtually expressed that opinion. So at least we are running a grave risk of breaking a law of the Commonwealth, and although I am not fond of the Commonwealth I do not advocate that we should break its laws.

Therefore the Committee ought to be careful that it does not break a law of the Commonwealth. Consequently I strongly support the argument submitted by the shadow Minister for Labour and Industry and carry it further by saying that although I do not think it is unlawful for us—it might be improper or ill-advised of us—to break an international convention that our country has adopted, it may be unconstitutional for us to do

so when that convention has been adopted by the Federal Authority, so that our action might be null and void.

Therefore we ought to accept the situation so ably explained by the member for Maylands. The legislation definitely is a contravention of the ILO resolution he quoted. That resolution has been ratified by the Commonwealth and assented to as a principle by a previous Premier of this State.

Mr SKIDMORE: I rise to add my protest against the adoption of clause 7. Again I find myself in agreement with the member for Maylands who has pointed out that paragraph (d) of proposed new section 36NB (1) contravenes the ILO Convention. I suggest that likewise paragraph (b) of the same proposed new subsection contravenes that Convention.

Mr Grayden: It certainly does not contravene the ILO Convention.

Mr SKIDMORE: Relying on my memory, I recollect that the member for Maylands stated that there seems to be an unfettered right of unions or workers to organise their unions in a manner they desire and that they should not be directed in the way in which their rules should be drawn up. It is an unfettered right that they be permitted to democratically try to achieve an objective, rule, or set of rules amenable to their members. I understand that is what Convention No. 87 means.

Mr Harman: That is right.

Mr SKIDMORE: I have seen some crazy mixed-up things in legislation, but proposed section 36NB(1)(d) is the absolute gem. It states that in the rules of the organisation a person may nominate as secretary of the union. But when the nomination is put in, it is defective if it is not in accordance with the rules. At present such a defective nomination can be rejected by the returning officer, and quite rightly so. That is his function.

But what will happen now? What great wizardry takes place? What ludicrous situation do we find ourselves in? It is sheer stupidity because the provision then goes on to suggest that the returning officer may remedy the defect by giving the nominee the opportunity, under the rules of the organisation, to remove the defection within seven days. For heaven's sake!

Let us assume that a member thinks he is a financial member of the union, which is a requirement of nomination, and so he nominates. However, on checking the records the returning officer finds that inadvertently—as occurred in the hotel and club caterers' union—the nominee had allowed his financial membership to lapse for a period of time, thus breaching the rules of the union. Although he subsequently paid his fees and continued his membership, for a period he was unfinancial in accordance with the rules. Then the returning officer has no alternative but to

reject the nomination in accordance with the rules.

I do not know how or why, but the Government is saying, "To hell with the rules. To hell with the Industrial Arbitration Act." The returning officer will now give the fellow an opportunity to make good the defect.

I suggest that many people in this time-less world of ours have endeavoured to turn back the clock, but can anyone tell me how a union member can go back, say, three months in time, take everyone back with him, and pay his blasted union fees? How is it possible? Yet such an obvious defect in the form of a breach of the rules of the union supposedly can be made good in seven days under this new provision.

That is a practical example of a situation which developed in a union. I could go on and enumerate many other cases to indicate that this is an absolute laugh. I will not mind if the Government adopts the provision. I will play merry hell with it when on the hustings because of the interference with the democratic right of unions to run their own affairs. The Government has said, "To hell with the law. We do not want it. We will give the returning officer the right to say he is better than that very supreme being because he can tell Parliament itself that its laws are no darned good." The Government is also telling the commission that it can go to hell. This is great stuff.

I become more amazed each day about the people who advised the Minister on this Bill which is obviously a contravention of ILO Convention No. 87.

I hope the Minister will give away his newspapers and other books he has in front of him and at least pay us the courtesy of listening and endeavour to convince me that I should accept this proposal.

Mr Grayden: I have given you six hours now.

Mr SKIDMORE: The Minister would be here till 3.00 a.m., 4.00 a.m., or 5.00 a.m. if there were more clauses. As a legislator I have a right, duty, and obligation to ensure that legislation is not flouted or ignored by Governments or returning officers.

If a person is elected despite a defect in the nomination, and an appeal is made, is any member on the other side going to tell me that the commission will rule that the person was rightfully elected? Because of the commissioners' sense of justice and obvious reasoning, they would not accept such a proposition. I would be amazed if any commissioner in Western Australia accepted it.

The proposal actually advocates deceit. That is what it does. I can assure members that when the situation reaches the appeal stage the commission will state that the decision was illegal, improper, and contrary to the law. Obviously I must oppose the clause.

Mr HARMAN: I was hoping the Minister would rise to his feet, but he does not intend to do so.

Mr Skidmore: He is more interested in his newspaper.

Mr HARMAN: I am quite alarmed that the Committee obviously intends to pass the clause, thinking that it might be breaking the law of Australia and be ratting on an undertaking given by the previous Government. I hope the Minister will seek some legal opinion from the Crown Law Department as to where we stand on this clause and in particular on proposed paragraph (d) in relation to ILO Convention No. 87. It would be a simple matter for the Minister or the Government to seek a Crown Law Department opinion or a legal opinion from any other source and submit it to this Committee so that members could then make an informed decision when they vote.

I am sure the matter must be exercising the minds of the Government backbenchers because they would not like to make a decision which would indicate they are not upholding the law. They would not like to rat on a decision of a previous Liberal-National Country Party Government.

Mr Grayden: There is not a shred of truth in what you are saying.

Mr HARMAN: The obvious solution is for the Minister to seek an opinion from the Crown Law Department. In order to give the Minister the opportunity to do this, I intend to move that the Chairman do now report progress and seek leave to sit again.

The CHAIRMAN: It is not within your competence to move that motion because you have spoken.

Progress

Mr H. D. EVANS: I move—

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

Motion put and a division taken with the following result—

Ayes—16

Mr Barnett	Mr Harman
Mr Bateman	Mr Hartrey
Mr Bertram	Mr Jamieson
Mr Bryce	Mr T. H. Jones
Mr B. T. Burke	Mr Skidmore
Mr Carr	Mr Taylor
Mr H. D. Evans	Mr A. R. Tonkin
Mr T. D. Evans	Mr McIver

(Teller)

Noes—22

Mr Blaikie	Mr Mensaros
Sir Charles Court	Mr O'Connor
Mr Cowan	Mr Old
Mr Coyne	Mr O'Neill
Mrs Craig	Mr Ridge
Mr Crane	Mr Shalders
Dr Dadour	Mr Stephens
Mr Grayden	Mr Tubby
Mr Grewar	Mr Watt
Mr Laurance	Mr Young
Mr McPharlin	Mr Clarko

(Teller)

Pairs

Ayes	Noes
Mr J. T. Tonkin	Mr P. V. Jones
Mr Fletcher	Mr Sodeman
Mr Davies	Mr Rushton
Mr T. J. Burke	Mr Sibson
Mr Moller	Mr Nanovich

Motion thus negatived.

Committee Resumed

Clause, as amended, put and a division taken with the following result—

Ayes—22

Mr Blaikie	Mr Mensaros
Sir Charles Court	Mr O'Connor
Mr Cowan	Mr Old
Mr Coyne	Mr O'Neill
Mrs Craig	Mr Ridge
Mr Crane	Mr Shalders
Dr Dadour	Mr Stephens
Mr Grayden	Mr Tubby
Mr Grewar	Mr Watt
Mr Laurance	Mr Young
Mr McPharlin	Mr Clarko

(Teller)

Noes—16

Mr Barnett	Mr Harman
Mr Bateman	Mr Hartrey
Mr Bertram	Mr Jamieson
Mr Bryce	Mr T. H. Jones
Mr B. T. Burke	Mr Skidmore
Mr Carr	Mr Taylor
Mr H. D. Evans	Mr A. R. Tonkin
Mr T. D. Evans	Mr McIver

(Teller)

Pairs

Ayes	Noes
Mr P. V. Jones	Mr J. T. Tonkin
Mr Sodeman	Mr Fletcher
Mr Rushton	Mr Davies
Mr Sibson	Mr Moller
Mr Nanovich	Mr T. J. Burke

Clause thus passed.

Clause 8: Section 36NC added—

Mr GRAYDEN: I move an amendment—

Page 6, line 21—Insert after the word "election" the words "by a direct voting system".

Mr SKIDMORE: I hear moans of dismay as I rise to my feet.

Mr Laurance: They all came from your side.

Mr SKIDMORE: I am not sure what all the laughter is about. Apparently members on the other side have some weak joke. It surprises me that supposedly responsible members of the Government—particularly the Premier, the Deputy Premier, and other Cabinet Ministers—find it necessary to break into mirth when I rise to my feet.

Sir Charles Court: You have to report to the TLC that you fought it clause by clause.

Mr SKIDMORE: If we stay here for three weeks that is exactly what I will do because neither the Premier nor anybody else will take away my right to express my opinions. So the Premier can stick in his seat as long as he likes but he will not shift me.

The CHAIRMAN: I suggest the member for Swan will make progress if he confines his remarks to the question before the Chair.

Mr SKIDMORE: I cannot understand why the Minister wants to insert the words "by a direct voting system". I do not know what is meant by those words. I do not think they were mentioned in any of the definitions. We have had a collegiate system and we had a direct voting system mentioned in one of the earlier amendments.

What connection does that have with an election? Here we have a direct voting system election. I understand that any election which is conducted for a union under the legislation must be by secret postal ballot and the procedures to be adopted are set out. The insertion of the words "by a direct voting system" add nothing at all to the proposition and give it no more credence. I see no purpose in it. I hope the Minister can explain why these words are necessary, so that I will not have to rise again on this particular clause.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 9 and 10 put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

BILLS (4): RETURNED

1. Censorship of Films Act Amendment Bill.

2. Road Maintenance (Contribution) Act Amendment Bill (No. 3).

Bills returned from the Council without amendment.

3. Legislative Review and Advisory Committee Bill.

4. Waterways Conservation Bill.

Bills returned from the Council with amendments.

RESERVES BILL

In Committee

Resumed from an earlier stage of the sitting. The Chairman of Committees (Mr Thompson) in the Chair; Mr Ridge (Minister for Lands) in charge of the Bill.

Progress was reported after clause 9 had been agreed to.

Clause 10: Reserve No. 27575 at Neera-bup—

Mr A. R. TONKIN: We have here an excision from an "A"-class reserve of an area for water supplies, because apparently this is an elevated area and it is central to the new area to be served.

I would like to make a very brief comment in relation to this excision. Here we are seeing a development to the north. Before we are through we will see the destruction of large numbers of our wetlands throughout this area as the Gnar-gara Mound is pumped. We will see the destruction of much of the flora of the area, and we will see more and more excisions from "A"-class reserves. I believe this would illustrate to the people that although the safeguards of these reserves appear to be very substantial because any alterations must be brought to Parliament, the provisions for protection are, in fact, quite flimsy.

Recently the Minister for Local Government stated that it was silly to talk about the ultimate size of the Perth metropolitan area or our ultimate population. Quite clearly the Minister did not understand what was being said. He started to talk about Moscow and this indicates his lack of ability to conceptualise what is being talked about. We should not be too surprised about this from a Minister who does not know that water runs downhill.

In this city we will have to consider the many disadvantages that can and will occur if there is unlimited growth. To give an example of the way in which the city growth can be affected without putting up barbed wire entanglements to stop people coming in—which seems to be the idea of the Minister for Local Government—we should consider the effect upon population of a jumbo steel mill at Moore River. According to the Department of Industrial Development the steel mill will generate a population of 100 000, so quite clearly the decision to establish the steel mill there will increase our population by about 100 000. So without being silly as the Minister was when he spoke of stopping the growth of Perth at an ultimate size, it is quite possible we can look at an optimum size and at some of the disadvantages of uncontrolled growth. Water supply is one of these disadvantages.

Excisions are made from national parks to provide these water supplies and the water is increasingly being taken from the Gnar-gara Mound. As a consequence many of the lakes in the area will be destroyed—they are very shallow as it is. The people who bought their homes so that they would overlook the lakes will find they have been sold a pup. They will be squealing when they find they are alongside muddy flats. We will have very serious problems in this area as a result of uncontrolled growth. I believe this is a portent of what we can expect unless we look at this problem very seriously.

Clause 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 Mr Ridge (Minister for Lands), and transmitted to the Council.

House adjourned at 12.07 a.m. (Thursday).

Legislative Council

Thursday, the 11th November, 1976

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 2.30 p.m., and read prayers.

QUESTIONS (4): ON NOTICE

1. OFFSHORE TERRITORIAL RIGHTS

Effect of Petroleum (Submerged Lands) Act

The Hon. J. C. TOZER, to the Minister for Education, representing the Minister for Fuel and Energy:

- (1) Does the Seas and Submerged Lands Act—enacted by the Commonwealth Parliament in 1973 and effectively vesting legal sovereignty over the area between low water level and the delineated boundary of the continental shelf in the Commonwealth—impinge upon the provisions of the legislation passed by the Commonwealth and all State Parliaments in 1967 and known, in each case, as the Petroleum (Submerged Lands) Act?
- (2) Is it a fact that the Petroleum (Submerged Lands) Act of 1967 provides for, *inter alia*—
 - (i) the joint control of exploration and exploitation of any off-shore petroleum products; and
 - (ii) any royalties earned from the production of petroleum products in off-shore areas to be split in the proportion of 40 per cent to the Commonwealth and 60 per cent to the State; and
 - (iii) the machinery for joint management of any petroleum development, regardless of who had sovereignty over the continental shelf?
- (3) Are the complementary Commonwealth and State Statutes of 1967 still in force?
- (4) Is it a fact that—
 - (i) the Seas and Submerged Lands Act of 1973 refers to all natural resources in and

under the sea in the delineated areas, whereas the Petroleum (Submerged Lands) Acts of 1967 refer only to petroleum resources; and

- (ii) following the decision handed down in the High Court in December, 1975, the Commonwealth Minister for Minerals and Energy issued a statement offering full co-operation with the States in respect to all off-shore matters—in the manner already achieved by the 1967 legislation relating to petroleum products?

- (5) What effect does the telex message (sent confidentially from the Prime Minister to the Premier, and clandestinely obtained and released by the Leader of the Opposition) have on the overall question of the off-shore development of natural resources around the Western Australian coastline?

The Hon. G. C. MacKINNON replied:

- (1) No. I am advised the Seas and Submerged Lands Act does not directly affect the Petroleum (Submerged Lands) legislation.
- (2) Yes.
- (3) Yes.
- (4) (i) Yes. Save that the long title to the Seas and Submerged Lands Act is misleading in that it purports to exclude petroleum.
- (ii) In a statement on 17th December, 1975, the Minister for Minerals and Energy, Mr Doug. Anthony said:

"The decision of the High Court handed down today in favour of the Commonwealth in relation to the Seas and Submerged Lands Act is undoubtedly one of the most significant constitutional verdicts ever handed down by the Court. Clearly a decision of such significance involving a judgment of over 200 pages in length does not lend itself to an immediate detailed reaction on the many aspects covered in this case. What is clear is that the offshore sovereignty of the Commonwealth is now established.

It now remains for sensible arrangements to be quickly settled with the States to enable further development of our offshore petroleum resources to proceed.