

Legislative Council

Wednesday, the 17th October, 1979

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS

Questions were taken at this stage.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.45 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 23th October.

Question put and passed.

MOTOR VEHICLE DEALERS ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Leader of the House), read a first time.

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.47 p.m.]: I move—

That the Bill be now read a second time.

The Motor Vehicle Dealers Act was enacted in 1973 and, in the course of its operation, a number of deficiencies have become apparent. The amendments proposed in this Bill are designed to enable the Act to operate more effectively.

Section 8 of the Act at present provides for the appointment of one person to the Motor Vehicle Dealers Licensing Board on the nomination of the Western Australian Automobile Chamber of Commerce (Inc.) and one person on the nomination of the Chamber of Automotive Industries of WA (Inc.). This situation prevailed at the time the legislation was first enacted and both chambers were separately representing motor dealers.

Subsequently an amalgamation of the dealer memberships was achieved, with the Australian Automobile Dealers Association (WA Division) taking the place of the Chamber of Automotive Industries WA (Inc.).

The Bill seeks to make the appropriate amendment to section 8(1)(c) to reflect this change.

As the Act now stands, the precise relationship between the board and the Commissioner for Consumer Affairs is not clearly defined.

The Act does not set out clearly the rights of the commissioner to make inquiries with a view to referring matters to the board, nor to the board's right to hold an inquiry of its own motion or to conduct inquiries into matters referred to it by the commissioner, nor to the commissioner's right to be present at any inquiry of the board. The Bill seeks to correct this situation.

Inflationary factors since the introduction of the Act require a variation in the warranty provisions. Future adjustments will be accomplished by regulation, as provided for in the principal Act.

In 1976 the Act was amended to provide clarification in regard to "demonstration vehicles". Problems have since been encountered as to when the warranty period commences.

Settling of warranty disputes generally has caused concern. A minority of those responsible for carrying out warranty work frequently cause obstruction and delay which, in turn, causes duplication of effort by the Bureau of Consumer Affairs staff in resolving disputes.

The powers of the Commissioner for Consumer Affairs are to be more clearly defined, to enable him to make a determination that a warranty exists in relation to a particular vehicle. These powers will enable the commissioner in certain circumstances to authorise another person to effect repairs. To avoid any possible collusion, at least two independent quotations must be obtained.

Orders and determinations by the commissioner will have the same effect as a Small Claims Tribunal order and be subject to the same rights of appeal, subject to the provision that an appeal on legal grounds is available where the amount exceeds \$1 000.

Doubt exists that financiers who are also dealers and sell direct to the public need to maintain a dealers' register. Amending provisions will clarify the situation by requiring financiers in this situation to maintain such a register.

Section 20 of the Act sets out the grounds on which the board may disqualify a person from holding or obtaining a licence. This section is to be extended to include provision to disqualify a person where a secondhand vehicle is sold without the consent of the owner. Complaints have been

received by the Bureau of Consumer Affairs from intending purchasers of vehicles that they have left their present car with a dealer while "trying out" another car and, on returning to the dealer's premises—generally later the same day or the next day—to return the vehicle and claim their own vehicle back, the purchaser is told that his vehicle has been "sold". This is a particularly undesirable practice which the Bill seeks to overcome. As well, the section will provide for revocation where dealers have sold a vehicle without having proper title to it in cases where the dealer does not have the finance company owner's prior consent.

A further provision under this section is for disqualification to apply if the board is satisfied that a person has ceased to carry on the business of a dealer.

The scope of the Act is to be extended in respect of the rescission of sale where there has been misrepresentation. This will remove an anomaly in that the present provisions of the Act refer to secondhand vehicles. The proposed amendment will apply to all vehicles.

It is proposed to increase penalties to ensure that they act as a proper deterrent to offending persons, particularly in the case of unlicensed dealing. A standard penalty of \$500 is to be provided, except in the case of unlicensed dealing and misrepresentation, when the penalties will be \$3 000 and \$2 000 respectively.

Other amendments in the Bill are mainly of an administrative nature and have been included to ensure more effective application of the Act.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. W. Cooley.

NEW BUSINESS: TIME LIMIT

Suspension of Standing Order No. 117

THE HON. G. C. MACKINNON (South-West—Leader of the House) [4.53 p.m.]: I move—

That during the remainder of this second period of the current session Standing Order 117 (limit of time for commencing new business) be suspended.

The Hon. G. E. MASTERS: I second the motion.

Question put and passed.

PERTH AND TATTERSALL'S BOWLING AND RECREATION CLUB (INC.) BILL

Introduction and First Reading

Bill introduced, on motion by the Hon. R. J. L. Williams, and read a first time.

LEGAL AID COMMISSION ACT AMENDMENT BILL

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [4.56 p.m.]: I move—

That the Bill be now read a second time.

The Legal Aid Commission of Western Australia has raised two matters with the Government resulting in the amendments contained in the Bill now before the House.

The first amendment relates to section 64 of the Legal Aid Commission Act which contains the secrecy provisions and prevents the commission or any member of its staff or committees from making public any information which comes to it or them in the course of its or their duties. These provisions are, of course, necessary and there is no intention to remove them from the Act. At the same time, however, the commission considers that as presently framed they are unnecessarily restrictive and go beyond what would normally be regarded as the confidentiality aspect of the solicitor/client relationship. Since the commission was established there have been several cases reported and publicised by the media which give only one side of the story of a particular legal aid application. The commission was often aware that the information publicised gave an unbalanced picture, but it was not in a position to answer any allegations at all because of the provisions of section 64.

In the Bill which is now before the House, it is proposed that the Director of Legal Aid may disclose any "administrative information" to any person. A definition of "administrative information" has been included, which covers points such as the date on which an application for legal aid was made, whether or not the application has been granted, whether an approved application has been granted subject to any conditions, and the name of the practitioner who has provided or will provide the legal aid concerned. The Bill does not provide that this sort of information will necessarily be given; it merely enables the Director of Legal Aid to give it if he considers that appropriate.

Other information outside the definition of "administrative information" can be disclosed only by the Director of Legal Aid with the approval of the chairman or the commission itself; and even then, such disclosure could be made only if the person to whom that information relates has consented to waive legal professional privilege or if the disclosure of the information is necessary to correct or refute a statement made by that person.

As the law stands at present, the commission and its staff cannot divulge any information concerning an application for legal aid to another party. This is regardless of the fact that an applicant may authorise another person to be given the information requested. In other words, the prohibition on the commission's releasing information concerning applications is absolute.

Members of this Parliament who have corresponded with me from time to time about particular legal aid applications would be aware that I, as Attorney General, am not in a position to obtain information from the commission because of the present provisions. If an applicant for legal aid wishes to make representations concerning his application through his local member of Parliament, and authorises him to obtain information, then it is considered that the commission should be in a position to supply it.

I would emphasise that the amendment proposed does not give me any power to overrule a decision given by the commission. That is a function which is with the commission at present and will remain so.

In essence, the amendment will permit the Legal Aid Commission in appropriate cases to provide information on which the decision to give or deny legal aid was based.

The second amendment relates to the problem of obtaining a quorum at meetings of legal aid committees and review committees. At present, there are four legal aid committees and three review committees. The Act indicates that members must be appointed to a particular legal aid or review committee.

This means that a person appointed to one legal aid committee or review committee can function and deal only with matters that arise at meetings of the particular committee of which he is a member, and not another committee, which may have the same name and function.

Legal aid committees decide *inter alia* whether to grant or refuse applications for legal aid that are referred to them.

One of the main functions of review committees is to review applications for legal aid which have been either refused or approved subject to a

condition, for example, that the client must pay a certain amount towards the cost of any action which is taken.

It is often necessary for a legal aid committee to meet at relatively short notice to consider an application for aid. It is proposed that the director will be able to appoint a member or members of one legal aid committee to attend a meeting of another such committee for the purpose of constituting a quorum.

The appointment would be only for the cases where there is difficulty in obtaining a quorum for a particular meeting and the appointment would be in writing under the hand of the director.

▼ In the case of review committee meetings, the same procedure would be followed except that the proportion of legal practitioners to lay persons on the committee would be retained. In the case of legal aid committees this problem does not arise as all members of the committees are legal practitioners.

The proposals in this Bill will overcome problems which have recently arisen, and I commend the Bill to the House.

Debate ajourned, on motion by the Hon. Grace Vaughan.

COMPANIES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 4th October.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [5.02 p.m.]: The Opposition supports this Bill. It is what is called, in some circles, making a good thing a certainty.

This Bill expands on section 382 of the Companies Act in order to ensure that certain provisions contained in the Companies (Co-operatives) Act, 1943 which was repealed, still prevail. I am referring to section 172(6) of that Act which sets out clearly the situation in regard to co-operative societies and companies already registered under the Companies Act, 1893 and "a company registered under this part of this Act", referring to the Act which was repealed.

This Bill seeks to make a good thing of a certainty. It relates to the Credit Unions Bill which we will debate later today.

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 the Hon. I. G. Medcalf (Attorney General), and transmitted to the Assembly.

SECURITY AGENTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th October.

THE HON. D. W. COOLEY (North-East Metropolitan) [5.05 p.m.]: This Bill is an important one so far as the ALP is concerned. I am sure I am on safe ground when I say the ALP supports the proposition of placing controls on civilians who assume positions as security guards as a result of which they have access to firearms, guard dogs, and, according to the Minister's second reading speech, electronic surveillance equipment. This Bill will ensure security agents are controlled more strictly by the licensing authority.

Another important aspect in the Bill is that it provides that ex-security guards, or people who leave the employment of the security service, must advise the licensing authority accordingly. They must hand in their licences when they leave the security service. This is a very desirable provision.

The Opposition has no hesitation in supporting the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Leader of the House), and passed.

GOVERNMENT SCHOOL TEACHERS ARBITRATION AND APPEAL BILL

Second Reading

Debate resumed from the 16th October.

THE HON. R. HETHERINGTON (East Metropolitan) [5.08 p.m.]: The Opposition welcomes this Bill in principle. I cannot yet say I agree to all the details of the Bill, because I

understand the Government intends to move some amendments in the Committee stage. However, the Opposition is pleased the Government is putting into operation a matter which we advocated last year and, I believe, long before that.

This Bill will make the School Teachers' Tribunal an arbitration tribunal and the Teachers' Union will be able to appeal to it on its own initiative. We regard this as being highly desirable.

I should like to mention a matter about which I have complained previously in relation to other Bills. I shall be complaining about it again later when another Bill is dealt with. I am referring to the nature of Ministers' second reading speeches. The second reading speech made on this particular Bill is a model and can be taken as an example of what second reading speeches ought to be. It sets out the details of the provisions and gives reasons for everything that is intended to be done. It sets out the history of the whole matter. For once, the Minister who presented the speech should be commended.

However, I should like to point out that on this occasion the Government has nothing to hide, which is rather unusual. Therefore, it is prepared to set out all the details, because it is sure there will be general agreement with what it intends to do.

It is a pity the matter has taken so long to reach this stage. It shows that sometimes industrial action achieves its purpose, because this measure is one of the positive results of the strike by school teachers in relation to conditions earlier this year.

With those few words, I commend the principle of the Bill and look forward to seeing the amendments the Government intends to move in the Committee stage.

Debate adjourned, on motion by the Hon. G. E. Masters.

CREDIT UNIONS BILL

Second Reading

Debate resumed from the 16th October.

THE HON. F. E. MCKENZIE (East Metropolitan) [5.11 p.m.]: The Opposition supports this Bill. There are a couple of areas on which I would like the Leader of the House to comment when he speaks at the end of the second reading debate.

These matters relate to clause 57(1) where the following statement is made—

The Minister may, by order published in the *Gazette* upon the recommendation of the Advisory Committee, fix a maximum rate of interest in respect of loans and a credit union shall not, in respect of any loan made by it, charge a rate of interest in excess of the rate so fixed by the Minister under an order for the time being in force.

That contradicts completely the policy adopted by the Government previously. Members will recall the stance taken by the Government when the control of interest rates was discussed previously in relation to building societies.

On that occasion, the Government expressed the opinion that it would not control interest rates charged by building societies. It is unfair that interest rates can be controlled in one area of a competitive money market yet in another area no such controls are contemplated. That is what is proposed by the Government in this Bill.

For a period of time I was the Vice Chairman of the Railway Institute Credit Union. During that time we experienced difficulties when building societies increased the rate of interest payable to lenders, because the availability of funds dried up suddenly. In addition, we found it difficult to maintain funds in the credit union, because some people moved their money out of it and into a building society where a higher rate of interest was payable.

Subsequently it was necessary for the Railway Institute Credit Union to increase its interest payments to lenders and also to borrowers, because members will realise that they go hand in hand.

If in the future the building societies decided to increase their interest rates to lenders and the ability to do so is not extended to credit unions, the credit unions could be at a severe disadvantage and could run into liquidity problems.

Fortunately, the problems at that time were overcome because the board of directors was given the authority to increase interest rates to lenders and borrowers. So, we are concerned that in one area control of interest is being introduced by the Government and in another area interest rates remain free. We are not saying we think the control of interest rates is in itself a bad thing; we are saying it is unfair to apply it in one area and not in another in a money market which is competing for funds.

Another area about which some concern is expressed by the Opposition is the penalties which are spread right throughout the Bill, particularly from clause 122 onwards, in "Division

2—Offences". A number of offences are created in that part of the Bill and all the penalties are fixed amounts. They are not expressed as "not exceeding" a certain amount. I cannot find anywhere in the Bill a penalty which is expressed as not exceeding a certain amount. There is no flexibility—

The Hon. G. C. MacKinnon: I think you are wrong. Give me an example.

The Hon. F. E. McKENZIE: Clause 122 is the first one.

The Hon. G. C. MacKinnon: That is a maximum. If you check on the Interpretation Act you will find it is the maximum penalty. A penalty of 1c could be awarded.

The Hon. F. E. McKENZIE: I thank the Leader of the House for that information. I was not aware of that. If they are maximum penalties, they are acceptable to us.

The Labor Party supports the measure because credit unions are now big business. They are co-operatives and controls are necessary when they are handling such large sums of money. We welcome the introduction of controls in this area, particularly as most of the people who belong to credit unions do not have large savings and they need to have their money protected. To some extent that has been done with registration under the Friendly Societies Act, but not as comprehensively as in the legislation now before us. The introduction of the Bill is to be commended.

The Minister did not spell out clearly which other States had introduced similar legislation, although I am aware both New South Wales and South Australia have done so. I note from the Minister's second reading speech that the Bill represents the outcome of negotiations over several years between the Commonwealth and the States. He also said there was agreement that the legislation should be as uniform as possible, which is also desirable.

The Hon. G. C. MacKinnon: When you read Acts and other information relating to Parliament, pay attention to section 29 of the Interpretation Act which deals with penalties and punishments.

The Hon. F. E. McKENZIE: I thank the Leader of the House for that information and indicate the Opposition's support of the measure.

THE HON. N. E. BAXTER (Central) [5.20 p.m.]: This Bill takes me back to 1976 when, as a Minister, I was presented with a proposal to establish legislation in relation to credit unions. It was presented to me by the Registrar of the Co-

operative and Provident Societies (Mr Tom Duke) and it resulted from deliberations between the relevant officers of the various States who had met in Sydney to consider the matter. A great deal of work went into the proposal which has resulted in the Bill now before us.

Subsequent to the presentation of the proposal to me, a meeting of the Ministers of all the States was held in Sydney. I recall it well because I still have a photograph of the Ministers who were at the meeting—which was an unusual procedure—and also a photograph of the Ministers with their officers standing behind them. I recall that when the meeting was opened by the New South Wales Minister that morning, an argument arose between the Attorneys General from Queensland and Victoria as to which Ministers in the States should be responsible for credit union registration. They seemed to think it should be the province of the Attorneys General. I stood it for a while and then blew my top, saying, "I have not come 2 000 miles to listen to you arguing about who should be responsible for the legislation. That is the province of the Premier of each State and not our province at a meeting like this. I suggest we get on with details of the proposals before us." I think that quietened them down because those gentlemen stayed only an hour longer and then went back to their States. The other Ministers remained at the meeting.

The proposals contained in this Bill are very little different from the proposals considered at that meeting, which resulted in a resolution that the officer from Queensland draw up a Bill and present it to the other States so that uniform legislation could be introduced, perhaps with small variations according to the Companies Act or anything else that might be involved.

I proceeded with the matter, but somebody thought perhaps it could be dealt with in a smaller Bill. Several meetings took place, and that was the situation when I left Cabinet. After all those years, the Bill has now come forward.

I am very pleased the legislation is going on the Statute book. Back in 1976 it was deemed to be necessary because some credit unions in Queensland had been in financial trouble. They had been rescued by some of the other credit unions and banks, in order to save the money of investors.

The Hon. G. W. Berry: Some building societies, too.

The Hon. N. E. BAXTER: Yes. That was the reason for the legislation. It is a comprehensive Bill, with 178 clauses and two schedules, but it is

very necessary not only to control the credit unions, but also to make them a safe avenue of investment for the public. Deposits to date amount to \$108 million, and the credit unions have assets of \$115 million. That is not peanuts in terms of the money of the public.

We in Western Australia have been very fortunate that in the main our credit unions are very well run. The Bill provides guidelines and control. One particular issue is the liquidity of credit union funds, in order that if at any time there happens to be a demand by investors for some of the money they have invested, credit unions will have sufficient liquid funds to meet the demand. Liquid funds could not possibly be held to meet all requirements if there were a run on credit unions such as occurred with banks many years ago. However, it does not usually happen that there is a big run on any investment society, whether it be a bank, a credit union, or a building society. This provision is essential because some credit unions were operating with practically no liquid funds at all and they were in a dangerous situation.

I do not think I need say any more about the Bill, except that it is very comprehensive and necessary; and having been involved in it some three years ago, I commend it to the House.

THE HON. D. W. COOLEY (North-East Metropolitan) [5.26 p.m.]: Mr McKenzie indicated that the Labor Party supports the establishment of legislation in relation to credit unions because it will bring about the control of those bodies. As one who has been associated with credit unions for some time now, and who in fact established a credit union in 1965, I would like to say something about the Bill and the general philosophy relating to credit unions.

I think the credit union movement started in America and Canada. Eventually it spread to Australia, and when it came to Western Australia the credit unions were established on the basis of people being able to run their own finance. The credit unions demonstrated what people can do with money if they act collectively and with a mutual understanding that they will help one another. To some extent it is not relevant how many people belong to a credit union. I believe the smaller the number in a credit union the better, with the reservation that additional members could be introduced provided they had a common objective and accepted common control.

When I first became interested in credit unions the leader in the field was the South Fremantle Power House Credit Union, which I do not think is listed in the schedule; perhaps it has now

gone out of existence. It had less than 200 members.

The Hon. G. W. Berry: Were they shareholders?

The Hon. D. W. COOLEY: Yes, everyone had a share and everyone had one vote at general meetings. Following the lead of the South Fremantle Power House Credit Union, the Civil Service Association established a credit union.

We know what a powerful organisation is the CSA Credit Union at the present time, as is the Teachers' Union Credit Union. Those are two examples of how a credit union can operate because everyone in these respective organisations is employed by the same authority and so the funds can be collected and disbursed in a regular and orderly manner. It is virtually impossible for the two credit unions I have mentioned to fail financially provided the gap between the amount paid on funds deposited and the amount charged on loans remain at a reasonable level. This demonstrates how workers can control their own affairs and money.

Many millions of dollars belonging to little people are contained in those big buildings we see flourishing in St. George's Terrace and much of the funds of little people is there, but those funds could be well and truly controlled by themselves in the orderly manner I have described.

My own experience in the credit union work was absorbing and satisfying. In recent months I resigned from the board of the credit union I established and it was a great wrench to me when I did so. That credit union commenced with less than \$90 000 and grew to an organisation which has over \$1 million in its funds. That growth occurred in only eight or nine years and during that period there was never any more than 700 members at any particular time. At present there are something like 500 members and the union is still maintaining its funds at a figure of around \$1 million. It is a very well run and viable organisation.

The Hon. G. W. Berry interjected.

The Hon. D. W. COOLEY: The idea of the credit union movement is to keep interest rates to borrowers at an absolute minimum.

The Hon. N. E. Baxter interjected.

The Hon. D. W. COOLEY: Rules of most of the credit unions provide for dividends to be declared, and that is the situation under the Bill before us. An organisation can declare a dividend in respect of its members or it can give a rebate to a person who has taken out a loan with the credit union. Unfortunately in some instances the

original concept of the credit union—an organisation which has control over its members and the collection and disbursement of funds—has disappeared and we have witnessed the establishment of credit unions, some within suburbs, and some on a broad field, which have met with disastrous results because they departed from the original concept of mutual assistance of people with a common interest. We have examples of credit unions going to the wall.

I recall that when I was in the TLC great pressure was put on me and other people to persuade the TLC to establish a credit union; but it was felt we would not be able to run such a credit union effectively because we would have to embrace everyone who was a unionist in the State of Western Australia and we felt it would not work. Some people have been ambitious enough to start such an organisation, but unfortunately it has failed.

As the Minister said in his second reading speech, the Bill is very timely and will enable credit unions to be controlled. It is not necessary to have a very comprehensive Bill in order to control those credit unions to which I have referred; that is, the small credit unions the members of which have a common interest. They are controlled under another Act. However, now we have some credit unions which are really big business and which embrace all sorts of people and so the Bill is necessary.

Although the Bill is necessary, and although it is a good Bill, the Government has been inconsistent in its approach. It has referred to uniform legislation throughout Australia. We have a copy of the South Australian Act and, in some respects, the Bill before us is similar, but it represents nothing like uniformity.

The South Australian Act is much simpler in its application. It does not refer to foreign credit unions, but almost half our Bill deals with foreign credit unions which are those established outside the State but which set up operations within Western Australia. I am not saying that is a bad thing, but nothing in the South Australian Act refers to that type of credit union.

The other disturbing feature so far as I am concerned is that which Mr McKenzie raised involving the control of interest rates. My party believes in the control of interest rates of banks, finance companies, building societies, and credit unions. We believe that the interest rates of all should be strictly controlled. However, I cannot understand the justification for a situation under which a building society, for example, can charge whatever interest it likes in respect of its deposits

and loans, whereas a credit union is restricted in this respect.

Today on behalf of the Minister for Housing, in reply to a question I asked in regard to interest rates of building societies, the Attorney General said that the Government realises that the permanent building societies, which are responsibly managed, operate in a complex and sensitive open market situation, and that because of this they themselves are the best judges of keeping the balance between interest rates required by depositors and those payable by borrowers.

If building societies are responsible in that respect, why are not board members of credit unions responsible enough to control their own interest rates? It is not right that the Government will not step in and control interest rates of building societies. The interest rates of finance companies are controlled to some extent under the Money Lenders Act. The amount which finance companies can charge in respect of hire-purchase arrangements can vary from nil to 15 per cent, which is the last amount which was prescribed by regulation. There is no equality when one organisation which deals with money—and that is all it is; that is, the buying and selling of money—is allowed to charge whatever interest rates it likes, while others cannot.

As I have said, my party believes in the control of interest rates but we believe it should be a blanket control and not a control over one group of organisations.

The Hon. G. W. Berry: You borrow money only from your own members and lend it to other members?

The Hon. D. W. COOLEY: That is exactly what happens. The situation is completely controlled within the membership of the credit union.

The other aspect to which I wish to refer is liquidity. Mr Baxter said it is desirable to have liquidity, and I am not disagreeing. We should have some percentage of liquidity available and the amount stipulated does not seem to be excessive. However, a great deal of the success of credit unions depends on the turnover of the money and if a credit union is lending the maximum possible, it is operating as was intended when it was established. However, if a credit union must set aside large sums of money and hold them in investments, as provided for under the legislation, it will be in a position where it is not receiving as much interest for that money as it is paying out to members. The money must be on call and in some instances it must be put in banks

and in building societies where the interest is less than the amount they must pay to their members.

The Hon. G. W. Berry: There is the short-term money market.

The Hon. D. W. COOLEY: Yes, but in those instances authorised trustees are necessary.

So, while it is desirable to have liquid funds, peaks and valleys in respect of credit union organisations must be faced. During some months many thousands of dollars are available for lending, and in other months long lists of applicants are waiting for loans. They must wait until such time as the money is available.

While I can understand the reason that liquid funds must be available, in addition to the 7 per cent which the Bill requires as liquid funds, another 2½ per cent must be set aside in a reserve account. Therefore, 9.5 per cent of the credit union's money must be tied up in funds which are not available for the benefit of members. In other words, in a \$1 million organisation, \$95 000 must remain idle. Whether that is good or whether it will help the organisation I do not know.

The Minister and some people in my party have indicated that approaches have been made to the credit unions which feel reasonably happy with the Bill before us. However, I would have liked the Bill to contain a provision similar to the one in the South Australian Act, under which a credit union stabilisation fund is established. We will be establishing an advisory board which will comprise a few members who have an interest in credit unions. One member will be appointed by the Minister or the Governor and another will be the registrar of the department which will be responsible for the Act. The advisory board will merely advise the registrar who will, in turn, advise the Minister.

However, if we are aiming for uniformity we should consider the South Australian legislation because that makes provision for the establishment of a stabilisation fund. Each credit union must set aside 2 per cent of its funds to be placed into the stabilisation fund which is run by a board such as the one we are proposing. That board advises the credit unions on all aspects of their operations. It keeps its money on hand and it can let it out on loan. The important aspect is that the money is set aside to provide relief for members of any credit union organisation which runs into financial difficulty. In addition, the Government guarantees the operation of the stabilisation fund.

If our legislation were to provide for such a fund, I would have no objection to it in respect of some control over interest rates, etc. However, our

legislation does not include such a provision. Nevertheless, that is not a reason for our opposing the Bill, but it ought to be food for thought to the Government which should be playing its part by guaranteeing the funds paid into the credit unions. Under the Bill, any group of 25 people, interested in establishing a credit union, can do so. The people do not have to belong to a club or a union. They can form a credit union and spread their wings wherever they like. There could be too many of them, and they will not be properly controlled so that all sorts of problems could be faced with regard to mismanagement, and so on. Such unions should have some financial backing so that those who might be otherwise disadvantaged will be assisted.

We will raise several other matters in Committee. I can say now only that I hope that when the interest rates are stipulated by the Minister he will consider them fairly. Credit unions should at least be allowed to pay and charge the same interest rates as those of building societies, so that they can compete, otherwise they will run out of money because people will not put their money into an organisation which pays 8 per cent if they can go around the corner and obtain 10 per cent from another organisation. If a credit union cannot obtain depositors' funds, it will not be able to lend to borrowers and give them the advantage of those funds.

I believe this is a good Bill; we should accept it on a trial-and-error basis. I have no doubt many matters which need rectification will come to light and, equally, I have no doubt the Government of the day will see fit in its wisdom to bring forward amendments to make it equitable to everybody.

The Opposition supports the Bill. I give it my personal blessing because I believe it will benefit the large number of people who today take part in the credit union movement.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [5.36 p.m.]: I thank members for their comments on this Bill; it obviously has the good wishes of all members. Most comments have been of a general nature, recalling the history of various aspects of this matter. Mr Baxter and Mr Cooley gave us the benefit of their experience.

The only query raised related to building societies, and not to this measure. All I can say is that, in general, interest rates applied by all lending institutions now are fixed. I take it that both Mr Cooley and Mr McKenzie are highly delighted such a provision is in this Bill. However, we are talking about this Bill, so I will restrict my comments to that matter.

The query raised related to uniformity in interest rates. It has been my experience that although we may achieve uniformity in general terms, it is extremely rare that we establish it on a word-for-word basis. I do not think that matters, provided there is some degree of reciprocity of information so that people have a rough idea of the situation when they move from State to State.

As members would be aware, there are some amendments on the notice paper, notice of which was given by the Chief Secretary in another place. He has asked that they be made here in order that we can avoid the total reprinting of the Bill on two occasions.

Mr Cooley gave this Bill his blessing, but forecast that the passage of time will reveal deficiencies in the legislation. Without a shadow of doubt, he is correct; credit unions have grown into big business, as he pointed out, and it is a certainty that amendments will be necessary.

Recently I opened a new credit union office in Bunbury, where a number of different credit unions had banded together to form a common front to provide different services to their members. They have established an office, and they do business with the member of whichever credit union happens to walk in. I think that is a good idea for an outstation like Bunbury; it provides for some decentralisation, which is to be recommended in this business.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. G. C. MacKinnon (Leader of the House) in charge of the Bill.

Clauses 1 to 9 put and passed.

Clause 10: Raising of money—

The Hon. D. W. COOLEY: I appreciate the Minister could not tell us straight out that he will do something about the matter I raised during the second reading debate. However, it must be put on the record that the Opposition does not believe the restrictions provided by clause 10(8) should apply. Why should the registrar be able to dictate to the credit unions the maximum amount which may be held by way of deposit from any member? That seems too restrictive. If I go to a building society, it should be up to the directors of that organisation to stipulate how much money they will accept from me.

The Hon. R. Thompson: Or a bank.

The Hon. D. W. COOLEY: That is right. However, subclause (8) will give the registrar

power to make whatever decision he sees fit, and the maximum he imposes will become the law. A credit union may be crying out for money to enable it to fulfil its obligations to issue loans, yet be denied money due to the provisions of this subclause.

Subclause (11) states as follows—

The Minister may, by order published in the *Gazette* upon the recommendation of the Advisory Committee, fix a maximum rate which may be paid by way of interest on deposits with credit unions or any class of credit unions and a credit union to which the order relates shall not, in respect of deposits to which the order relates, pay a rate of interest in excess of the applicable rate so fixed by the Minister so long as the order remains in force.

If the rate is set at 8 per cent, and building societies are offering 10 per cent, the credit unions will be starved of funds. The subclause does not provide for an appeal to the registrar to have that rate lifted. The two restrictions to which I have referred seem quite unwarranted, and I should like a reply from the Minister.

The Hon. R. J. L. WILLIAMS: I do not wish to pre-empt what the Minister may say, but I spoke to Mr Duke about this problem of limiting the investment by any one depositor in a credit union. Apparently it is done for the reason Mr Cooley gave earlier by way of interjection; namely, that every person has shares equal to the number of financial "units" he has invested and that credit unions fear people who invest large amounts of money and accordingly receive a number of shares per unit invested may be in a position to take over the particular credit union.

The Hon. D. W. COOLEY: That is not the case. It does not matter whether a person has \$1 000 or \$1 million invested. Upon joining the credit union, he buys a share—it may cost \$2, as is the case with my organisation, \$10, or \$20—and each share ranks equally. Therefore, when the annual general meeting is held all members have an equal say in the affairs of the credit union, irrespective of how much they have invested. The shares are not exchangeable on the Stock Exchange.

The Hon. T. Knight: What about multiple shares?

The Hon. D. W. COOLEY: There is no such thing. The Bill provides for a situation of one-member-one-share.

The Hon. A. A. Lewis: Do you think this provision has been included in the legislation to guard against someone investing, say, \$1 million

and then threatening to withdraw it to the detriment of the financial balance of the credit union?

The Hon. D. W. COOLEY: It could upset the balance of a credit union. However, that situation should be controlled by the board of management, not by the Minister or the Government. I do not know of any other private organisation which has such controls placed over it.

The Hon. G. C. MacKINNON: Because of his experience with credit unions, I would have expected Mr Cooley to explain the need for this clause rather than have him ask me for an explanation. The credit union movement has expressed complete satisfaction with the legislation. Quite frankly, this seemed to me to be a reasonable clause. Very real problems could arise if one person had a disproportionate amount of funds lodged with a credit union; by threats of withdrawal, and so on, possibly he could be in a position to manipulate the affairs of that organisation. It seemed to me to be an eminently sensible provision and, in view of the fact the credit union movement expressed no objection to the Bill, I did not pursue the matter further.

With regard to the second query raised by Mr Cooley, building societies take money from one group of people and lend it to another group for one specific purpose; namely, the purchase or building of houses. On the other hand, a credit union accepts money on deposit from one group of people in order that it may be borrowed by the same group of people. In that sense, it is a money-lending operation.

The Hon. G. W. Berry: Can the same person take it out?

The Hon. G. C. MacKINNON: Presumably that would be possible; generally, however, the money is lent to different people within the same group. I do not know of any lending organisation which lends money for various purposes which is not subject to the control of the interest which may be charged. That is probably a more accurate way to put it.

The Hon. D. W. COOLEY: I do not see that what the Leader of the House has said is correct.

We in the Opposition have examined the Bill and we feel that there are some injustices associated with it. I rose previously simply to draw the attention of the Committee to our opposition at least to this part of the Bill.

Sitting suspended from 6.01 to 7.30 p.m.

The Hon. N. E. BAXTER: I find it a little hard to remember details of this Bill after a period of

years, but after looking at it I have a faint thought in my mind that this clause was inserted so that the advisory committee which would comprise the registrar and five members of the credit union will advise the Minister to set a minimum rate of interest to be charged by credit unions. This was to prevent competition for interest rates between credit unions. The advisory committee is required to make a recommendation to the Minister as to the interest rate to be charged.

As far as clause (8) is concerned, I cannot remember why it was inserted. It is a pity that when new legislation of this nature is introduced the Minister responsible does not provide a booklet which explains it.

The Hon. G. C. MacKINNON: I have just checked an answer which I gave previously and I was correct. If someone holds 70 per cent of the credit union's funds he can cause the credit union to collapse if he withdraws all his funds. Because of that fact the specified minimum of members in a credit union is 25.

Again, Mr Baxter is quite correct in what he says because clause 10(11) states in part—

The Minister may, by order published in the *Gazette* upon the recommendation of the Advisory Committee. . . .

There is no other way he can do it. Clause 57 has exactly the same wording. In other words, the advisory committee fixes a maximum rate of interest. Under the heading "Division 5—Advisory Committee", clause 170(1) states—

There shall be a Credit Union Advisory Committee (in this section referred to as "the Committee") consisting of five members.

Clause 170(2) states—

The person who for the time being holds the office of Registrar shall be, by virtue of his office, a member of the Committee and shall in addition by virtue of such office be the chairman and executive member of the Committee.

So the people who set the interest rates will be the registrar and members of the credit union. They will recommend to the Minister the interest rate to be changed to ensure that there is no unfair competition between the credit unions. The Minister will approve the recommendation, and then it has the force of law.

The Hon. D. W. COOLEY: I am appalled if the situation as stated by Mr Baxter and the Leader of the House is that there will be a set rate of interest determined by the registrar and the advisory committee. The committee consists

of the registrar and three members of the credit unions. I would have thought that if there was to be a ceiling on interest rates it would be determined in such a manner that the credit unions would not charge more than a certain rate. I would be hopeful that the Minister will say that the credit unions cannot charge more than 10 to 12 per cent, or something like that. I understood the Minister to say that there would be no competition in respect of credit unions. What is wrong with competition? If building societies and other organisations compete with interest rates, then what is wrong with competition amongst credit unions?

The Hon. G. C. MacKINNON: I refer the honourable member to page 12 of the Bill and to clause 10(8). The registrar cannot advise a rate to be charged.

The Hon. D. W. COOLEY: Has the Minister obtained an explanation from the Chief Secretary as to why a maximum amount has been set for a deposit a member may make?

The Hon. G. C. MacKINNON: The reason was, as I have given before, that if one member held a significant part of the funds—such as 70 per cent—he could cause the association to collapse by withdrawing all his funds. However, if the member turns to page 151 of the Bill where there is a schedule of registered societies he would probably find that some societies are quite small. This provision is for the protection of these societies and one for which they asked.

The Hon. D. W. COOLEY: That is satisfactory, as far as I am concerned.

Clause put and passed.

Clauses 11 to 31 put and passed.

Clause 32: Publication of name of credit union—

The Hon. G. C. MacKINNON: I move an amendment—

Page 29, line 8—Delete the word "Officer" and substitute the word "Office".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 33 to 53 put and passed.

Clause 54: Loans to Members—

The Hon. G. C. MacKINNON: I move an amendment—

Page 46—Delete subclause (14) and substitute the following new subclauses to stand as subclauses (14) and (15)—

(14) Where a loan to a member is approved pursuant to this section, the credit union shall give to the member an

express statement as to the total amount of interest payable on the loan as computed at the time of the taking out of the loan.

(15) In a case to which subsection (13) applies the statement required by subsection (14) shall be incorporated in the notification given to the member in pursuance of subsection (13).

The Hon. D. W. COOLEY: The Opposition has no objection to the amendment. It is a good thing that everyone should know where he stands with regard to a loan. I think this provision is in the Hire-Purchase Act. It provides that if a person takes out a loan he is told the interest payable over that period. I think if this information were provided to borrowers from the building societies they would be shocked. I understand with the present procedure a person is only told the amount to be paid each month and the interest charged per annum as well as the other fine print. However we do not have any objection to this amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 55: Loan limits—

The Hon. D. W. COOLEY: This clause provides that the registrar may give directions to credit unions regarding the maximum amounts which may be lent to their members by way of unsecured or secured loans, the maximum term of such loans, and the maximum aggregate amount that may be lent during a specified period. At present such matters are left to the discretion of the board of management of the credit union. I am surprised the credit unions raised no objection to this; and I suppose we must be content with the provision.

However, I point out that many occasions arise on which a credit union might have a large amount of liquid funds, and it might be approached by a person who wishes to purchase a block of land for, say, \$15 000 to be repaid over a term of, say, seven years. The loan could be fully secured with the title of the land. A credit union would see that as good business. Under this provision the credit union will be restricted by the determination of the registrar in respect of how much money may be lent to such an applicant. This is a matter which should be within the control of the board of management, having regard for the financial circumstances of the society at the time.

I do not think it is fair that the societies should be restricted in this way.

The Hon. G. C. MacKINNON: Strangely enough, the remarks made by Mr Cooley are really the fundamental basis of this clause. He is quite right in saying that credit unions may find themselves with a surplus of funds; however, on the other side of the coin there are always some which have no funds. The financial structure of credit unions varies substantially, and the ability to make loans of varying amounts requiring different types of security and terms of repayment cannot be fairly legislated for. The structure of this clause gives the registrar the flexibility to provide adequate protection to individual credit unions.

The very matter of which Mr Cooley spoke is the reason for the clause. It allows large and wealthy societies to lend larger amounts than small societies which are not so wealthy. Do not forget a credit union must look after all its members, and not just the borrowers. If Mr Cooley considers the provision in those terms I am sure he will realise it is sensible, and that is the reason the managers of the credit unions have accepted it. The registrar must ensure that each credit union operates well and efficiently.

The Hon. D. W. COOLEY: It seems the Minister is saying the Government has no confidence in the boards of management of credit unions in respect of directing their own affairs. Despite this clause I hope means will be available whereby credit unions can approach the registrar and ask for a relaxation of a particular restriction at short notice.

The Hon. G. C. MacKINNON: I am sure that will be so. I am sure also that Mr Cooley is aware that white collar crime is very much on the increase. Legislation such as this is necessary to ensure that money entrusted to bodies such as credit unions is managed in the best possible manner. Business operates on trust, but nevertheless the people who contribute funds must be safeguarded.

Clause put and passed.

Clauses 56 to 65 put and passed.

Clause 66: Vacation of office—

The Hon. D. W. COOLEY: I refer to subclause (1)(e), under which the office of a director of a credit union shall become vacant if within two months after any money becomes due from him to the credit union, he does not pay the same. I think that is a little tough. A board member may be sick or unemployed and, therefore, may not be able to meet his obligation. Under this provision he will be expelled from the board. Perhaps another board member who has a spite against the first member could act to have him removed

from the board in such circumstances. The member might be unable to meet his debt through no fault of his own.

The Hon. G. C. MacKINNON: This is a necessary provision. If a board member runs upon difficult times, some provision may be made for him. Nevertheless, it is necessary and reasonable to have this provision. It will not preclude other board members from helping out the person in difficulty. The member might know of occasions when local authority members chip in to help out a fellow member who through bad luck or bad management cannot pay his rates; and they help him in order that he may retain his membership.

The Hon. G. W. BERRY: On page 61 one of the circumstances in which a member shall vacate his office is if he dies. I thought that would be automatic.

Clause put and passed.

Clauses 67 to 82 put and passed.

Clause 83: Financial year—

The Hon. G. C. MacKINNON: I move an amendment—

Page 71, lines 28 to 30—Delete subclause (1) and substitute the following—

(1) Subject to subsection (2) the financial year of a credit union shall end on such day in each year as is provided for by the rules of the credit union being a day not earlier than the 31st day of May or later than the 31st day of July.

A few credit unions end the financial year on a date other than the 30th June, and the amendment is proposed to accommodate them.

Apropos the comment made a moment ago by Mr Berry, we will sure miss him!

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 84 to 96 put and passed.

Clause 97: Appointment of an administrator—

The Hon. D. W. COOLEY: I have no opposition to the clause. On page 87 subclauses (10) to (12) refer to the payment of expenses of a credit union if an administrator is appointed and its affairs are being wound up. South Australia has a Credit Union Stabilisation Board. Credit unions are required to pay to the board 2 per cent of their assets.

The fund so created tides over credit unions if they fall on bad times; and the expenses associated with the winding up of a union and the payment of an administrator are borne by the board. Perhaps in the future consideration may be

given to the establishment of such a board in this State.

The Hon. G. C. MacKINNON: The point raised by Mr Cooley is of interest, and I will draw it to the attention of the Chief Secretary.

Clause put and passed.

Clauses 98 to 175 put and passed.

Clause 176: Application of Division 3 of Part VI—

The Hon. G. C. MacKINNON: I move an amendment—

Page 150, line 30—Delete the passage "Division 3 of Part VI does" and substitute the passage "The provisions of Division 3 of Part VI, other than section 83, do".

This amendment is complementary to the amendment we carried to clause 83.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 177 and 178 put and passed.

First schedule—

The Hon. G. C. MacKINNON: Since the Bill was first drafted, two credit unions have changed their names—the A.B.C. Staff Association (W.A.) Co-operative Credit Union Society Limited and the S.E.C. Employees Co-operative Credit Union Society Limited. The amendments I propose reflect the changes I have indicated, and also adjust the punctuation in the name of the C. of P., M and E Credit Union Society Limited.

I move an amendment—

Page 151, line 32—Delete the passage "A.B.C. Staff Association (W.A.) Co-operative" and substitute the letters "A B C".

Amendment put and passed.

The schedule was further amended, on motion by the Hon. G. C. MacKinnon, as follows—

Page 152, line 2—Delete the passage "M and E" and substitute the passage "M. and E".

Page 152, line 13—Delete the words "Employees Co-operative".

First schedule, as amended, put and passed.

Second schedule put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

CREDIT UNIONS (CONSEQUENTIAL PROVISIONS) BILL

Second Reading

Debate resumed from the 16th October.

THE HON. F. E. MCKENZIE (East Metropolitan) [8.03 p.m.]: As stated by the Leader of the House in his second reading speech, this Bill is consequential on the Credit Unions Bill. It involves minor amendments to the Stamp Act, the Money Lenders Act, and the Companies (Co-operative) Act.

We support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

WESTERN AUSTRALIAN POST-SECONDARY EDUCATION COMMISSION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th October.

THE HON. R. HETHERINGTON (East Metropolitan) [8.05 p.m.]: The Opposition opposes the Bill.

Before I deal with the Bill proper, I want to mention some matters that are not contained in the Bill at present. I hope you will bear with me, Mr President, because they do relate to the Bill and they were in it when it was first presented in another place. They were contained in the Bill when it was first considered; and I want to mention them because they illustrate a point about a Bill. They also illustrate a point about an injustice to Murdoch University which will be a by-product of this Bill, if it is passed.

When this Bill was first mooted, there was a suggestion—and in the original Bill there was a clause—about amending section 13 of the University of Western Australia Act which read as follows—

(2) The exercise of the powers, and the performance of the functions, vested in the Senate by this Act shall be subject to the provisions of the Western Australian Post-Secondary Education Commission Act, 1970.

There was a similar provision about the Western Australian Institute of Technology. This provision was to bring both those institutions into line with Murdoch. The Murdoch University Act has a certain provision in it, and it is the only Act which

contains such a provision. Section 17 of the Murdoch University Act is as follows—

17. (1) The governing body of the University shall be the Senate.

(2) Subject to the provisions of this Act and the Western Australian Tertiary Education Commission Act, 1970, the Senate—

(a) shall have . . .

Then it sets out the powers of the Senate.

I want to make two points here. The first is that the Government should be concerned about Murdoch. The Minister has stated that he is concerned about Murdoch. If the Government is concerned, it should bring in an amending Bill to bring Murdoch into line with the University of Western Australia and WAIT. Otherwise Murdoch will look as if it has less independence than the other two institutions, and this might lower its prestige in the community.

There is another point I wish to make. In one sense it might be argued that this is not necessary. The University of WA was the main institution to protest against the provisions of the proposed Bill. The university said the Bill would remove the autonomy of the university. After that protest, the Minister agreed to delete this provision, and he wrote a letter to the vice chancellor. I will quote part of that letter, because I have a copy of only part of it. This is a letter written by the Minister on the 5th September, 1979, in which he says—

I have taken further advice from Parliamentary Counsel on various aspects of the proposed amendments and have decided to make some changes to the proposed legislation.

As we discussed, the main area of concern felt by the Senate of the University relates to that amendment which would emphasize that the Senate, in the discharging of its responsibilities, would be "subject to" the powers of the Post Secondary Education Commission.

As you will recall from our discussions, and as I have already advised you in writing, the proposed amendment does not impose the restriction upon the Senate in the terms expressed to me in your telex communication, and, in fact, the Senate is already, where applicable, subject to the powers of the W.A. Post Secondary Education Commission and the legislation under which it is established.

The proposed amendment, therefore,—

That is the proposed amendment the Government did not proceed with. The letter continues—

—reinforces an existing situation rather than imposing an additional constraint. Mindful, however, of the various aspects which we discussed, and recognizing the situation which already prevails in this matter, it is not my intention to proceed with this amendment.

I believe that the point originally raised by Professor Reid relating to the possibility that the Post Secondary Education Commission may exercise a "power of veto" by default, I am proposing to include within the amendment an obligation upon the Commission to respond within a period of time. It is also my intention to delete the word "representation", and substitute it with the word "submission".

The Minister also said—

During the forthcoming debate when the proposed amendments are being discussed in the Parliament, it is my intention to fully indicate to Members the reason for the amendments to the original proposals, and to outline in some detail the powers and operations of the Post Secondary Education Commission in relation to the various tertiary institutions.

As far as I know, such a detailed outline has not been given. The letter continues—

Where membership of the Commission is concerned, I have, after considerable thought and discussion, decided to remain with the existing proposal so far as the Statute is concerned, but I will be having appropriate discussions with you in due course regarding the actual representation.

One of the problems with this Bill is that people in the tertiary institutions are afraid that the powers of the Western Australian Post-Secondary Education Commission are being increased, and are likely to be increased to such an extent that the universities in particular, and WAIT, will lose their autonomy. They are afraid the institutions will become pseudo-universities, as one member of the academic staff (Dr Henry Schapper) has suggested they could become.

It is felt by some people—and "felt" is the operative word; there is a feeling of worry—that in fact there is being set up something like a department of tertiary education, with the Chairman of WAPSEC becoming, for all practical purposes, the head of the department responsible to the Minister; and that the Minister is likely to exercise undue and undesirable

controls over universities, and to reduce their independence and autonomy.

The provisions of this Bill which extend WAPSEC's power are vague. It is difficult to see how much power the requirement for consultation will involve. I know that there is considerable dissatisfaction with WAPSEC. Some people are of the opinion that the aphorism credited to Oscar Wilde is suitable: "Power is wonderful, and absolute power is absolutely wonderful".

There is a feeling abroad that the commission and particularly its chairman are finding that power is wonderful and they would like some absolute power because that would be absolutely wonderful. In other words, we are having a Parkinson's law syndrome of power appearing in various institutions in this State. This is not unusual.

Unfortunately, one of the things that happens if one sets up institutions is that people indulge in empire building. Many people to whom I have spoken have suggested this is what is happening with WAPSEC at present.

These people do not want WAPSEC to have any more power and they think it would be a good idea if it had less power.

The other problem which comes up in relation to this Bill is the change in the nature of the commission. This is a matter to which members of universities and colleges object strongly. There have been no dissentient voices on this matter. The opinion has been unanimous on the question no matter to whom I have spoken.

The proposed commission will have a chairman, plus 11 members not more than four of whom shall be members of academic teaching staff. Not more than four of the members shall be the people who really know how tertiary institutions are run and who are involved in day-to-day teaching in tertiary institutions. Of course, if the Bill says "not more than four" there could be three, two, or one. There does not have to be any under this provision.

The Hon. G. E. Masters: You have to accept it would almost certainly be four.

The Hon. R. HETHERINGTON: I have to accept that probably there will be some, and probably, to begin with, there will be four; but in fact it could be less. Many people argue that four is not enough. The argument is that somehow the community has to be represented better and, for some reason, the teaching staff cannot be trusted.

The Hon. G. E. Masters: It does not mean that at all.

The Hon. R. HETHERINGTON: Many people argue that it does, and that is how they feel about it.

The Hon. G. E. Masters: You are arguing that it does and I think you are wrong.

The Hon. R. HETHERINGTON: I am telling the member the arguments which have been presented to me. A total of four people who are members of academic teaching staff is not enough and I want to point out that at least one-third of the members of the councils and senates of all our tertiary institutions are members of the general public.

In other words, the views of the general public are well established already. What will happen with this new commission? There is a great deal of worry and ill-defined complaint about the present commission. Unfortunately, I am not in a position to back up these statements and, therefore, I am not making them as specific charges. I am just saying what I have heard from the people with whom I have spoken.

People have pointed out that since the commission has been established courses have been instituted in various places and WAIT seems to have done better than Murdoch University in the establishment of new courses. There is a feeling that for some reason WAIT has the ear of the commission better than does Murdoch University and had WAPSEC been doing its job properly the parlous position in which Murdoch University finds itself at the present time might not have been as serious.

Another worry has been expressed to me. There is a feeling amongst the academics in the university that the colleges of advanced education have been allowed too easily to proliferate courses and they have set up many courses which otherwise would have been run quite satisfactorily by the university. Therefore, people have been drained away from the university. However, when I tried to obtain hard evidence, I was not able to do so.

Of course, I am not a member of a Royal Commission or committee of inquiry. I have limited resources only. Therefore, I merely set out this matter to show the kinds of fears which have been put before me by a range of people with whom I have spoken.

One person said to me, "It is not so much what has happened so far, but what we fear for the future. We think the evidence shows WAPSEC will become tighter and tighter in its controls." This may be described as paranoia on the part of tertiary institutions, but at present the universities, the institutes of technology, and the

colleges of advanced education to a lesser extent are beginning to feel the pinch. They are facing the fact that in many ways they are under attack.

At the present time tertiary education institutions have nowhere to go to protect their conditions. This has resulted from a judgment made by the Industrial Commission which said it had no jurisdiction over these institutions. I will deal with that later. It appears to be the intention of the Government to introduce legislation, if it has not done so already, which will reinstate a number of people over whom there was no jurisdiction, but at the same time it is failing to provide tertiary institutions with some form of jurisdiction. This is happening at a time when the Western Australian Post-Secondary Education Commission Act Amendment Bill is before us. This Bill increases the powers of the commission. Clause 7 of the Bill reads, in part, as follows—

Subsection (2) of section 12 of the principal Act is amended by deleting paragraph (e) and substituting paragraphs as follows—

(e) to advise the Minister and the governing authorities of the respective post-secondary education institutions on—

- (i) the terms and conditions of appointment and employment, including salary payable, of the staff, whether academic or otherwise, of those institutions; and
- (ii) all claims relating to the terms and conditions referred to in subparagraph (i) of this paragraph;

When the Brand Government introduced the Bill setting up the Tertiary Education Commission originally, I was on the management committee of the University of Western Australia Staff Association, so I remember the situation very well. The original wording of the Bill gave the Tertiary Education Commission power over the whole range of salaries and conditions of the university. At that time it was thought this had not in fact been the intention of the Government and representations were made to it as always happens after the event. The Government amended its legislation and these powers were removed and advisory powers inserted.

The universities are being squeezed and have no arbitral authority whatever as far as conditions are concerned at a time when conditions are being eroded. Therefore, people are wondering whether there will be an attempt to turn WAPSEC into a

kind of overlord which will have some control over conditions, instead of being an advisory body. The Act would not need to be amended to any great extent to achieve that.

If this happened, the universities would come under the control of an outside body and they would become tertiary high schools. The outside body would consist of 11 people, including a chairman who originally came from WAIT where he is head of the Department of Teacher Education. There will be not more than four academics who actively teach on the commission. These are the only people who will be aware of the problems experienced by tertiary institutions. Seven other people will be members of the commission. This situation might not be desirable.

Many people believe, and I am one, that WAPSEC should be reorganised in order that it might become a consultative body. In that case the interests of the various tertiary institutions could be discussed and represented so that consultation might take place and some kind of agreement be reached.

There is a tendency for this Government to set up institutions that have overriding control instead of seeking co-operation from the people involved. In fact many people claim there has been a tendency for these institutions to issue orders rather than to seek co-operation.

There are criticisms of the way WAPSEC is organised and I presume this criticism applies to the staff and to the chairman. It is said that members who are not academics and lack that kind of expertise are presented with detailed submissions which they are not given in adequate time to consider. I am given to understand many people feel WAPSEC is becoming little better than a rubber stamp. There are people who are afraid that if the nature of WAPSEC is changed it will become even more like a rubber stamp. I hope this does not happen and if it has occurred, I hope the reasons for it are attributable to teething troubles.

I hope if the Government proceeds with this Bill, as no doubt it will, that the renewed and revamped WAPSEC will avoid the kinds of criticisms which have been levelled at it, if in fact those criticisms are true. I am not saying they are true, but Parliament is the place where grievances and worries can be aired. If criticisms are not true they can be denied and if they are true they will probably still be denied, but something may be done about them. I am not on a witch-hunt, a heresy-hunt, or any other sort of hunt. I am trying to do my part to ensure better conditions are obtained for tertiary education in this State. As

far as I am concerned, WAPSEC does not seem to have worked very well up to date.

I know the Minister might say—and I will say it for him—that WAPSEC has done a great deal of valuable work. I admit that. I am not trying to denigrate WAPSEC. It has made certain suggestions in relation to tertiary institutions in the Pilbara which, on the face of it, appear to be commendable. Whether these suggestions will work in the final analysis, I do not know. The Government has my good wishes in its endeavours to solve some of the problems in the north of this State. Community colleges are to be situated at Hedland and Karratha and I feel that was a useful initiative. When they are first established I hope they will not be completely autonomous. They should be semi-autonomous, but the provision of facilities will have to come from Perth for some time. However, that is only a matter of detail. The concept is a useful one.

The main worries in relation to WAPSEC are that it has not managed to achieve the kind of co-ordination and co-operation in the metropolitan area which had been anticipated. When I ask people, "What is your complaint about WAPSEC?" some people say, "I have not got any complaints." A person at the University of Western Australia said, "It does not seem to impinge at present, but we feel that perhaps it has got its balances wrong." Other people say, "It seems all right at present, but we are fearful for the future."

These matters should be aired in the House, because if there is no need for people to be fearful in regard to the future, that is good. However, if the fears which have been expressed are not groundless, it is right that I have pointed them out, because we can watch the situation and Parliament can act as a watchdog of the rights of the people and the rights of the tertiary institutions which are very important in the cultural and working life of this State.

I am strongly critical still of the proposed nature of the body. I think it will be too narrow, and I do not think that it needs more academic staff. I do not know really why the Government is so afraid of academic staff. I have never found them to be anything but conservative and intelligent people. While I was at the University of WA I was regarded as a radical.

The Hon. G. C. MacKinnon: Do you not think we were admirably silent on that?

The Hon. R. HETHERINGTON: I thank the Minister; I was not referring to myself. I was talking generally.

The Hon. G. C. MacKinnon: I appreciate that, but I still say we were admirably silent.

The Hon. R. HETHERINGTON: I have no doubt about that. The Leader of the House might have taken my point. I have never heard him say that he does not basically agree with me. I am referring to the Leader of the House who has interjected; I am not talking about the Minister for Education. I know the Minister finds some academics to be peculiar, but generally they are not a radical body of people. In general, he finds them to be a moderately responsible body of people, but they have a tendency to empire build like everybody else. That is something we have to try to stop. In fact, some members on the other hand criticised WAPSEC in that it failed to be strong enough and it failed to stop one particular institution from building up its own empire. That criticism was directed towards WAIT.

The Hon. G. C. MacKinnon: I think they are a little late in that field.

The Hon. R. HETHERINGTON: No, I am telling the Leader of the House there was criticism from the other side.

The Hon. H. W. Gayfer: Do you believe the Minister for Education should be an academic?

The Hon. R. HETHERINGTON: No. I am the last person in the world to think that. Also I do not think the Minister necessarily need be a school teacher because school teachers do not always make good Ministers for Education. Some academics make excellent Ministers for Education, and I refer to a former colleague of mine, Hugh Hudson, who made a very good Minister for Education. The Minister before him was formerly a secretary of a trade union, and he made a good Minister for Education. I have no doubt that intelligent farmers could make good Ministers for Education.

The Hon. H. W. Gayfer: That is a change.

The Hon. D. K. Dans: What about unintelligent farmers?

The Hon. G. C. MacKinnon: I think the farmers would rather be on the ground.

The Hon. R. HETHERINGTON: I was not suggesting that I knew a great number of farmers who would make good Ministers for Education, but I still believe it is possible that some could. Also, I know of some farmers who have been good farmers as a result of studying and obtaining degrees and then applying that knowledge to their farming. In other words, all sorts of things can happen in this very mixed society.

The Hon. H. W. Gayfer: You ask the bankers whether they would rather deal with an academic or a farmer.

The Hon. R. HETHERINGTON: I think Mr Gayfer missed my point, but I will not worry about that. He has his own prejudices, of course, about academics which I do not share about farmers.

The PRESIDENT: This has nothing to do with the Bill.

The Hon. R. HETHERINGTON: I appreciate that, Mr President, and I am sorry I was led astray by the noise on my left.

This is a fairly short Bill, but it does not adequately reconstruct WAPSEC. I would like a far more representative and a far wider body. I would like it to contain more people who come from tertiary institutions, as teachers, so that the peculiar problems can be discussed. I do not want the proposed new body dominated particularly by academics. The councils and senates of the tertiary bodies take a third of their members from the general public and they do get this range of opinion. Most governing bodies of tertiary institutions are highly responsible. They are usually on the conservative side, but I suppose that is what we would expect and we will not cavil at that.

We need a new consultative body which will try to get the tertiary institutions to work together. It is quite important that we get our tertiary institutions rationalised voluntarily. It is quite important we do not allow empire building to develop which will allow the duplication of courses and services. That is not to say I am arguing there should never be duplication because sometimes courses in one institution are run differently from those in another institution. That provides a freedom of choice for the students and healthy competition, with which the Minister would agree because he believes in competition.

For those reasons I am not terribly happy with WAPSEC as it stands or as it is proposed it will be reconstituted. It would be a good idea if the Minister would carry out more consultation. As I mentioned earlier, when debating the teachers' arbitration Bill, there was consultation all the way through for the first time. That consultation was regarded as satisfactory, and I wish there was better consultation with regard to all the other Bills which come under the aegis of the present Minister. We might then have better legislation on the Statute book, and happier people in the community.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [8.37 p.m.]: The Western

Australian Post-Secondary Education Commission—or WAPSEC as it is referred to—was a body set up some three years ago to advise the Minister for Education, and to undertake research for him and co-ordinate activities in the tertiary arm of education. WAPSEC is a rather vicious sounding term which we are told brings fear to many academics.

We have had a rather interesting debate, and it has included whether the Minister should be a farmer or an academic.

The Hon. R. Hetherington: I would not suggest that at all. Ministers are Ministers and they need the same sort of advice. I was talking about academic institutions.

The Hon. D. J. WORDSWORTH: WAPSEC has been called on to provide some major reports during the last three years. The commission came about as a result of recommendations of the Partridge report, and as WAPSEC it has given advice on the institution at Kalgoorlie, and moves into the Pilbara. It has been involved also in the area of the performing arts.

The main debate with regard to this Bill has centred on the membership of the commission, and whether it should consist of academics or include a high proportion of practical people; in other words, the people who do the teaching or the people who have to employ those turned out by the tertiary education facilities. Obviously, the provisions of this Bill indicate that the Government believes that those who employ are important; they are in a position where they can advise the Government just how successful are the colleges of advanced education.

It is a matter of concern that so many colleges should be afraid of the outcome of this organisation. They think it might become too powerful. However, they should not feel they are not trusted because only four academics other than the chairman will be on the commission, and they will represent all interests. In other words, the commission will comprise some experts but will allow for adequate normal public input.

It is rather peculiar that when members of Parliament present themselves to Parliament they have some qualifications, but as soon as they take their places here they are considered to have lost them.

The Hon. Neil McNeill: They are considered never to have had qualifications, actually.

The Hon. D. K. Dans: One starts the long road down.

The Hon. D. J. WORDSWORTH: There was some criticism in another place when it was

suggested that members of Parliament should be on WAPSEC.

The Hon. R. Hetherington: I have made the criticism that members of Parliament should be allowed to be on senates and councils.

The Hon. D. J. WORDSWORTH: We are not allowed to forget the academic qualifications of our friend opposite.

The Hon. R. Hetherington: Actually mine are not very good. I usually quote other people.

The Hon. D. J. WORDSWORTH: It is interesting to note that the Partridge committee recommended a small commission and that there should be no direct representatives of the various institutions. The amendment proposed by the Opposition is quite contrary to that recommendation because it provides for 12 representatives to be nominated. The present Bill provides that there will be no representatives as such.

The Hon. R. Hetherington: They will all be appointed by the Government.

The Hon. D. J. WORDSWORTH: It is argued that once a person represents an organisation he has to argue in favour of it; that whether one is a teacher or a trade unionist, one always represents his particular organisation. I do not know that is necessarily so.

The Hon. R. Hetherington: That is a delicate theory, and I will tell you about it some time.

The Hon. D. J. WORDSWORTH: The argument has been put forward that WAPSEC created a lot of fear because there is a limited number of students and a limited source of funds. The funds are being reduced, and all the institutions are concerned that sooner or later the recommendations of WAPSEC will affect them.

I do not believe that a representative of the academic staff from each institution on the commission will avoid having any reduction in funds or tensions.

There is a new role for the commission, which has not received very much attention during this debate. I refer to the fact that it will advise on salaries and working conditions within the teaching profession.

The Hon. R. Hetherington: I noticed that, and it has been worrying me. I will mention more about it later.

The Hon. D. J. WORDSWORTH: There was criticism that the Minister had not obtained advice from the various organisations before presenting the Bill to the House. On the contrary, I understand that he asked the commission and all the institutions for their views on the

recommendations and the activities of WAPSEC, and that is the basis on which these amendments come to the House.

Undoubtedly the commission will have a continuing and very important role. Most members are aware of the issue in regard to the future of Murdoch University. Perhaps few members realise that the Federal Government and its various instrumentalities in the post-secondary education sector have been willing to delegate their authority to the commission in respect of the approval of courses. It has been argued that because of the various Acts of Parliament the commission has greater control over Murdoch University and some of the other institutions than over the University of Western Australia. The Bill does not change that at all.

The Hon. R. Hetherington: Would the Minister be prepared to ask his colleague in another place to look at it? It makes Murdoch University different from the other two. Section 17 of the Murdoch University Act was inserted in anticipation of its being inserted in the legislation applying to the other two institutions. Would you ask your colleague to look into this matter?

The Hon. D. J. WORDSWORTH: I am sure my colleague has well and truly looked into it. He has asked the institutions for their views.

The Hon. R. Hetherington: It may have been overlooked.

The Hon. D. J. WORDSWORTH: I am sure the Minister for Education will be looking into it.

I understand at one stage the university was concerned that this Bill would affect the duties of the senate, which is required to advise the commission of any representations it proposes to make to the Commonwealth Government and to obtain the views of the commission on the proposed representations. I think that is fair enough. The commission should know what is being prepared so that it can make representations.

The senate is expected to furnish reasonable representation to the commission, but in no way does it have to accept the commission's point of view; nor is the senate prevented from dealing direct with the Commonwealth, particularly if it is required to submit evidence or a report in a short time. In that case it does not have to go through the process of waiting for the commission to comment on its submission.

It is unfortunate there has been so much fear of the activities of this commission. I believe it has done a good job in the past, and I am sure it will continue to do so in the future.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. T. Knight) in the Chair; the Hon. D. J. Wordsworth (Minister for Lands) in charge of the Bill.

Clause 1: Short title and citation—

The Hon. R. HETHERINGTON: I want to say something briefly on the title because the title of the Bill before this Chamber is different from the short title of the Bill which was presented in another place, and I think the Minister misunderstood a remark I made about Murdoch University.

Clause 17 of the Murdoch University Act puts that university under the aegis of WAPSEC, and it was intended to put into this Bill as it appeared in another place the same provisions to apply to the University of Western Australia and WAIT, but they were removed by amendment in another place. This means the provisions in clause 13 of the University of Western Australia Act, which say the senate is subject to the Western Australian Post-Secondary Education Commission Act, no longer appear. They do not appear for WAIT, but they still appear in clause 17 of the Murdoch University Act; so in this case Murdoch University is discriminated against.

It was put to me quite seriously by a person from Murdoch University that although the Minister's letter suggests the legal position is not different, people might think Murdoch is different, and as Murdoch is at present under some pressure it might be an idea for the Minister for Education to introduce a short Bill to remove subsection (2) of section 17 of the Murdoch University Act, which makes the governing body subject to the Western Australian Tertiary Education Commission. That is what I want the Minister to ask his colleague to have a look at. I think this could have been overlooked in the passing of amendments at the last minute. That is all I am asking. It is not a general attack on the Bill. It is a matter which I think has escaped attention, which is rather easy to do in the circumstances.

The Hon. D. J. WORDSWORTH: I will be quite happy to draw that to his attention.

Clause put and passed.

Clauses 2 and 3 put and passed.

Clause 4: Section 6 repealed and re-enacted and transitional provision—

The Hon. R. HETHERINGTON: I move an amendment—

Page 2—Delete paragraph (b) of proposed new section 6(1) and substitute the following—

- (i) the Vice-Chancellor of the University of Western Australia or his nominee;
- (ii) the Vice-Chancellor of Murdoch University or his nominee;
- (iii) the Director of the Western Australian Institute of Technology or his nominee;
- (iv) the Director of Churchlands College or his nominee;
- (v) the Director of Claremont College or his nominee;
- (vi) the Director of Mt. Lawley College or his nominee;
- (vii) the Principal of Nedlands College or his nominee;
- (viii) the Director-General of Education or his nominee;
- (ix) the Assistant Director-General (Technical) of Education;
- (x) two representatives of the Academic staff associations of tertiary institutions;
- (xi) one representative of the non-academic staff associations of tertiary institutions;
- (xii) one representative of the State School Teachers' Union of Western Australia; and
- (xiii) four community representatives.

I suppose the Minister will tell me, as the Minister for Education suggested elsewhere, that I am really supporting the principle in the Bill in that I am suggesting changes should be made to WAPSEC, and I think that is true. I think I agree with him that the composition of WAPSEC needs to be changed. What I am suggesting, as the Minister for Lands has pointed out already, is a radical departure from what is in the Bill at present and from what was suggested in the Partridge report. I am aware of that. I do it with some trepidation.

I think it would be an experiment worth trying, to see if we can get all these bodies to sit around a table with a chairman and community representatives and come to some kind of agreement.

I would not expect—and perhaps I would move my amendment in a different form if I did expect—that the vice chancellors and directors and principals named here would all in fact attend

in person. They are far too busy and I am quite sure they would send nominees. One would hope the nominees were people appointed by the councils. I think this would allow the people from the various institutions to discuss their problems, one hopes in a spirit of amity, but not necessarily because there would be some backing and filling and politicking. However, they might reach some *modus vivendi* or compromise which they would be prepared to carry out.

One matter which does concern me is that in the Government's proposed amendments one person who is on the commission *ex officio* will not be there *ex officio*. He disappears from the legislation. I am referring to the Director General of Education. I have put in my amendment "the Director-General of Education or his nominee", because I know he is a busy man.

I know also—and the Minister need not tell me—that the Minister for Education has said Dr Mossensen will be one of the members of the reconstituted WAPSEC. But that is not my argument. My argument is that the Director General of Education or his nominee, who would be one of the assistant directors general, should be on the commission because, after all, he is the person most concerned with making provision for people who are moving up into the tertiary area. He is the person who is most concerned with secondary education. He is a most important person. One would assume he is an able person. I know Dr Mossensen is an able person and one would think his successor would be an able person. If he is not, he needs to be, and one hopes the Minister for Education will nominate an able person. However, he should be on the commission, because the department at present has gone part of the way with a recommendation of WAPSEC with which I agree—I am not arguing that everything that comes out of WAPSEC is bad, but I did not argue that earlier—namely, that the technical and further education section should be separated from the rest of the Education Department.

The department has taken the first step in this direction by reorganising the TAFE system. It has appointed an assistant director general (technical)—a very able gentleman named Peter Forrest, who was formerly one of Her Majesty's inspectors in the United Kingdom. The inspectors are generally able people, and I have been talking to people over there recently who speak highly of Mr Forrest. This is beginning to happen. I think the assistant director general (technical) should be on WAPSEC, looking forward to the time when the split becomes a fact and technical and further education has greater separateness and

greater autonomy under the Minister, which I think is highly desirable. I gather it is the ultimate policy of the present Minister and it is certainly the policy of the party I represent. If we happen to become the Government next year, I would certainly hurry this separation on, as I am required to do by our party platform.

I am not in disagreement with the Minister about the developments within the department, but simply about the timing of the matter. I suggest these two people—Mr Forrest and Dr Mossenson—could be appointed to WAPSEC on an *ex officio* basis. I know that is not the policy of the Minister and that he could well appoint Mr Forrest in his own right as a suitable person to sit on that body. If he did that, I would be the last person to cavil at it because it would be a good appointment. I am not saying there are not other good appointments which could be made; I am talking about only two people whom I know. I have disagreed on occasions with Dr Mossenson, but I also recognise his great ability; one does not need to agree with a person all the time to recognise his ability.

I would like more people representative of the academic and non-academic staff appointed to WAPSEC. I appreciate, of course, that we must keep it to a reasonable size. The Minister for Education thinks that 18 on a committee makes it too large; he wants a smaller committee. I hope the Minister for Lands does not tell me that 18 will be a convention, not a committee. It will be a large committee. Of course, not everybody attends all committee meetings; probably it would settle down to a reasonable number.

This is an experiment worth trying. The Leader of the House may shake his head; I did not expect him to agree with me, but I keep hoping that one of these days he will accept what I have to say. I do not expect the Government to accept my amendment. In fact, if I expected it to pass, I would not have listed the next amendment on the notice paper.

The Hon. R. J. L. WILLIAMS: Mr Hetherington suggests we put 18 people on a committee as an experiment and hope that it will work out.

The Hon. R. Hetherington: I am quite sure that the committee proposed by the Government will not work out, which is why I am suggesting one which might.

The Hon. R. J. L. WILLIAMS: Mr Hetherington pre-empted the Minister's reply when he said his amendment would not be accepted. Apart from the first two on his list, members (iii) to (viii) would be products of the

Western Australian system of education; it is almost an incestuous relationship, and is highly over-balanced with academics.

I prefer the Minister's suggestion, which provides for 11 members other than the chairman, being persons selected for their knowledge of and interest in education, community affairs in the city and the country, employment problems, or Government. In addition, not more than four members shall be persons actively engaged in post-secondary education. Academics are notorious—

The Hon. H. W. Gayfer: I'll say they are!

The Hon. R. J. L. WILLIAMS: —for being interested principally in their own field and brand of speciality. I could envisage a great deal of bickering amongst members of Mr Hetherington's committee as to which institution should have what, regardless of what the community itself is seeking and regardless of what WAPSEC was set up to do; namely, to recommend to the Minister from time to time certain courses of action within institutions.

Mr Hetherington really is putting it on when he suggests that the principals or directors, or their nominees, of all teachers' colleges should be represented. Their common aim is teacher education, and I can envisage some good arguments coming forward as to why Mt. Lawley college should have this course, and Churchlands college that course. I believe a better balance is provided by the Bill.

We must also consider this matter in relation to the total education needs of the community. The large majority of teachers and academics do not have a great deal of community experience. They go to school and go on to a post-secondary education institution. A large majority then go straight back to school, and never have experience of the outside world. Mr Hetherington's amendment provides for only four community representatives. I believe there is room on WAPSEC for the President of the Trades and Labor Council, or his nominee; certainly, he is aware of what is going on in the field of employment.

The Hon. R. Hetherington: That will be the day when this Government appoints the President of the TLC to this body.

The Hon. R. J. L. WILLIAMS: Mr Hetherington might say, "That will be the day", but the day will come when consultation of that nature will be absolutely essential. However, to suggest this list of academia, with only a few exceptions, is to put WAPSEC out of balance.

For instance, we do not have a university outside the metropolitan area. Sometimes, when I look at either of those institutions, I doubt whether we have a university at all. I have a different idea of what universities should be; they should not be factories for education.

It could be that the Government sees fit to appoint the Director of the Department of Social Security in this State, or the Director of the Commonwealth Department of Labour. To suggest the Director General of Education should be missed out would be maniacal on the part of any Government. After all, he is the head of the department. As Mr Hetherington has told us, he will be there because the Minister has said he will be there. I assume we will have at least one vice chancellor, or his nominee. It is essential that we retain the freedom to choose amongst those 11 people, according to the needs of the community and not the needs of academics.

I oppose the amendment.

The Hon. D. J. WORDSWORTH: Mr Hetherington is quite correct when he assumes the Government will not accept his amendment. In fact, I was rather surprised he moved it because, being a student of politics, he would realise he is proposing exactly the same organisation which applied before WAPSEC was established. That organisation failed, which was why WAPSEC was set up.

I am also astounded his amendment provides for only one representative of the University of Western Australia. I know he is a great lover of that university.

The Hon. R. HETHERINGTON: I might stand on another occasion and be highly critical of that university.

The Hon. D. J. WORDSWORTH: Perhaps the honourable member may have good reason on that occasion. I do not believe this amendment would achieve very much. As it happens, an organisation comprising the heads of various institutions was set up on an informal basis. Regrettably, however, it did not work because I understand the vice chancellor did not wish to attend. Perhaps Mr Hetherington's amendment would be one way of forcing him to attend.

The Government opposes the amendment moved by Mr Hetherington.

The Hon. R. HETHERINGTON: I assumed that the vice chancellor probably would not attend; that is why I provided for a nominee. I agree with Mr Williams that it is highly desirable to appoint a trade unionist to WAPSEC.

Perhaps members of the Committee might be interested to learn the membership of WAPSEC. It is as follows—

- Benness, Mr E. C., (Retired).
- Blakers, Professor A. L., Professor of Mathematics, University of WA.
- Clough, Mr W. H., Managing Director, J. O. Clough & Son P/Ltd.
- De Laeter, Dr J. R., Dean of Applied Science, WAIT.
- Dickinson, Mr W. R., Headmaster, Scotch College.
- Harrison, Mr R. P., General Manager, Woodside Petroleum Development P/Ltd.
- Liddelow, Mr J. J., Dean of Teacher Educ., Churchlands College.
- Manners, Mr J. E. L., Chief Exec. Officer, Chamber of Mines of WA (Inc.).
- Purcell, Dr D. A., Principal, Animal Health Laboratories, Department of Agriculture.
- Ware, Mr F. R., Principal, Counselling Service.
- Williams, Mr M. C., Courier Mail, Bunbury.
- Symington, Mrs A. I., Principal, St Mary's Church of England Girls' School.
- Zinc, Dr D. W., Chairman, Cranbrook Associates.
- Chairman: Dr W. D. Neal.
- Ex Officio*: Dr D. Mossenson, Director General of Education.

If my amendment is defeated, I will be interested to see who is appointed to WAPSEC. I hope Mr Williams' suggestion is taken up by the Minister because it is a good one. If we are to have community representatives, we should have balanced community representation.

One of the good things about community representatives on all these bodies—it applies particularly to universities and the tertiary institutions—is that it is a two-way process. It helps to educate the academics, which is not a bad thing, and it helps to educate the community representatives to become aware of the problems of universities and other tertiary institutions. Quite often they become active proponents of the bodies to which they are appointed and of which in the beginning they might not have had great understanding.

I am not surprised the Minister has not seen fit to accept my amendment. However, I do hope

that out of this debate, something positive might come from Mr Williams' suggestion.

The Hon. A. A. LEWIS: I do not think anyone could fail to oppose the amendment. It is fascinating to hear the people involved in universities and tertiary institutions who think the present WAPSEC is overloaded with academics.

The Hon. R. Hetherington: I have not heard anyone say that.

The Hon. A. A. LEWIS: Does the honourable member know Dr Schapper? He thinks it is overloaded with academics.

The Hon. R. Hetherington: He thinks if any academic is on it it is overloaded.

The Hon. A. A. LEWIS: Many academics feel too many academics are on WAPSEC and that as a result that body is not doing what it should be doing. The failure of the system was that when someone asked for financial assistance no-one would oppose the move as it was known that perhaps the University of WA was coming up next to make a request. There was a balance of trial and error where each tried to get as much as it could without damaging its position in the queue. That is why a preponderance of people in the community would be better on such a body. I oppose the amendment.

The Hon. GRACE VAUGHAN: If we have a board which is specifically looking after something to do perhaps with Co-operative Bulk Handling, we usually put farmers on it with a few people from the community. For the most part we put on boards people who have a very special expertise in the area. My record shows that I am always advocating in this and other decision-making areas the inclusion of people from the community on such bodies because it is important that those who are being served indirectly by these commissions and boards have a say.

The Hon. H. W. Gayfer: As far as Co-operative Bulk Handling is concerned, the farmers are only board directors. The people who make it tick have never been farmers in their lives.

The Hon. GRACE VAUGHAN: We are not talking about the people who go into the universities and tertiary institutions and actually run the business; we are talking about the advisers; we are not talking about the technicians. Do not tell me that the Chairman of Co-operative Bulk Handling is not a farmer. He tells us all the time that he is a farmer.

The Hon. H. W. Gayfer: And proud of it.

The Hon. GRACE VAUGHAN: What we need on commissions and boards are people capable of advising on every aspect of the milieu

in which they find themselves. The idea of ensuring there are people from different areas of interest is not because they will push their particular tertiary institutions, but because they know things in certain areas. Whereas the University of WA is known to specialise in certain areas, so, too, does the Murdoch University specialise in other areas. The idea of recruiting people such as those is very much closer to the Partridge report recommendation. Members should realise that people can be interested in education not just to knock it, as do some people in this Chamber.

The Hon. A. A. Lewis: Who knocks it in this Chamber?

The Hon. GRACE VAUGHAN: As soon as the word "academic" is mentioned, we see the light of battle come into the eyes of Government members.

I support the amendment because it is closer to the Partridge report recommendation. The provision in the Bill is getting well and truly away from that.

Amendment put and negatived.

The Hon. R. HETHERINGTON: I move an amendment—

Page 2, line 28—Delete the word "more" and substitute the word "less".

This amendment is in line with the views of the Senate of the University of WA. It is thought there should be on WAPSEC a minimum number of people who teach in tertiary institutions.

As I pointed out earlier, the present Bill provides for not more than four to be members of teaching staff of tertiary institutions; but it does not say "any" will necessarily be members.

I believe we do need people from teaching staffs of universities who know the problems involved in the establishment of courses and who can put their points of view and the points of view of the institutions when different matters are being discussed.

I moved the previous amendment not because I expected it to be accepted, but to indicate it would be part of a departure for negotiation by a Labor Government. I have hope I might get from members some support for this amendment which would change the Bill so that it would no longer read "not more than four shall be persons actively engaged in post-secondary education" but would read not "less" than four. In this way there will be at least four and there could be more at the discretion of the Government.

Sometimes a person could turn up at a tertiary institution when there were already four members

on the committee. Such a person could be eminently suitable because of experience overseas or for some other reason. I believe the amendment is self-evident and I hope it will get some support.

The Hon. A. A. LEWIS: This is a very good amendment and I cannot understand how the Government could refuse to accept it. I see the sense of Mr Hetherington's argument. If we say "no more than four" we could end up with none which would mean the committee would be unbalanced. I support the amendment.

The Hon. R. J. L. WILLIAMS: To be consistent with my past remarks I must support the amendment. As Mr Lewis pointed out it could mean we could have no people on WAPSEC with any academic qualifications or experience in post-secondary education. That would be just as bad as Mr Hetherington's previous amendment which was unbalanced the other way. I will support the amendment unless the Government has some really excellent reasons for my not supporting it.

The Hon. W. M. PIESSE: I cannot see what all the fuss is about that there will be no people with any educational knowledge or experience. Clause 13 refers to 11 other members being persons selected for their knowledge of and interest in education. So members of the committee must have knowledge of education. As the clause stands it indicates that not more than four shall be actively engaged in secondary education and the others on the committee could come from all walks of life. There is no need for Mr Lewis and Mr Williams to worry.

The Hon. GRACE VAUGHAN: Not only do I support the arguments put up by the Hon. Mr Williams and the Hon. Mr Lewis that there could in fact be no persons on the commission who were actively engaged in post-secondary education—and they are the operative words which the Hon. Win Piesse seems to have ignored—but we also find in subclause (3) that it is not only people who are engaged in actually educating. They could be members of the technical staff or the ground staff. A person could be a gardener in an institution and he could be particularly interested in education. It is no good members shaking their heads; this is stated in the Bill.

The provisions of subclause (3) demonstrate that students could be members of the commission. This provision excludes members of staff whether academic or otherwise. A man could be working in the boiler room and could be interested in education generally; but he has nothing to do with the education of tertiary students. He may be interested in primary

education and how that will affect the development towards tertiary education, yet he would not be allowed on the committee.

So we are further exacerbating the position whereby we may be left without anyone who has in fact been actively engaged in post-secondary education.

The Hon. D. J. WORDSWORTH: I am surprised at the amendment and the argument put forward. Obviously we do not want a commission overloaded with academics. It needs to be balanced. The argument put up about the man working in the boiler room was ridiculous.

The Hon. Grace Vaughan: Do you think it is wrong for a man in a boiler room to be on WAPSEC?

The Hon. D. J. WORDSWORTH: They can have him if they so wish.

The Hon. Grace Vaughan: They cannot; not according to the Bill.

The Hon. D. J. WORDSWORTH: They can include him as one of the four.

As I pointed out, the committee comprises the chairman and not more than four others. That provides the opportunity to have five out of twelve and I think that is a very sound balance.

The Hon. A. A. LEWIS: The Minister is wrong. He is talking about balance; well let us have balance. The Bill says "not more than four". It does not say one needs to have four, the Government can appoint none, and what balance is there in that? If one has not less than four then at least one has four from the post-secondary education institutions. Surely the amendment gives this balance where the Government's wording does not.

The Hon. R. HETHERINGTON: I wish to make two points. The first is to point out to the Hon. Win Piesse that the proposed new section refers to four other members being persons selected for their knowledge and interest in education—not necessarily tertiary education but in education. Therefore we would expect people from all kinds of schools to be put on the committee. The subclause I am attempting to amend refers to not more than four persons who shall be persons actively engaged in post-secondary education.

I want people actively engaged in post-secondary education to be included. Of course there will be four, because it says not less than four. If that is the intention, let us make sure that there are four on the committee, and five will not have to be appointed.

"Not less than four" makes it perfectly clear that the Government intends to appoint people who teach in post-secondary institutions and this type of expertise is worth having. It would allay fears held in institutions that they will not even have four. It is requested that there be a minimum so that we will be sure that people who teach in post-secondary institutions will be selected.

I cannot see any reason for the Government to oppose this amendment. I am glad that at least two members opposite can see the sense of my amendment.

Amendment put and a division taken with the following result—

| Ayes 10 | |
|-----------------------|------------------------|
| Hon. D. W. Cooley | Hon. F. E. McKenzie |
| Hon. D. K. Dans | Hon. Grace Vaughan |
| Hon. Lyla Elliott | Hon. R. J. L. Williams |
| Hon. R. Hetherington | Hon. W. R. Withers |
| Hon. A. A. Lewis | Hon. R. F. Cloughton |
| (Teller) | |
| Noes 13 | |
| Hon. N. E. Baxter | Hon. N. F. Moore |
| Hon. G. W. Berry | Hon. W. M. Piesse |
| Hon. V. J. Ferry | Hon. I. G. Pratt |
| Hon. H. W. Gayfer | Hon. J. C. Tozer |
| Hon. G. C. MacKinnon | Hon. D. J. Wordsworth |
| Hon. Margaret McAleer | Hon. G. E. Masters |
| Hon. Neil McNeill | (Teller) |

| Pairs | |
|----------------------|--------------------|
| Ayes | Noes |
| Hon. R. T. Leeson | Hon. I. G. Medcalf |
| Hon. R. H. C. Stubbs | Hon. R. G. Pike |

Amendment thus negatived.

The Hon. R. HETHERINGTON: I move an amendment—

Page 2, line 28—Delete the words "not more than".

The proposed subsection (2) would then read—

(2) Of the members other than the Chairman four shall be persons actively engaged in post-secondary education.

Point of Order

The Hon. G. C. MacKINNON: May I direct your attention, Mr Chairman, to Standing Order No. 261.

The CHAIRMAN: There is no point of order.

Committee Resumed

The Hon. A. A. LEWIS: Again I support this amendment because at least it does give some balance and gives the academics some chance of being on the commission. As the Bill reads at present they do not know who they will have and

how many. At least this amendment states that there will be no more than four members from the institutions on WAPSEC. I congratulate the honourable member for moving the amendment.

The Hon. R. HETHERINGTON: I think this is a happy compromise. It means that there will be four, not less, not more, and if that is what the Government wants, that is what it can have. At least it means there will be a minimum number and this will allay many fears. Therefore I recommend this amendment.

Amendment put and a division taken with the following result—

| Ayes 12 | |
|-----------------------|------------------------|
| Hon. D. W. Cooley | Hon. F. E. McKenzie |
| Hon. D. K. Dans | Hon. N. F. Moore |
| Hon. Lyla Elliott | Hon. Grace Vaughan |
| Hon. V. J. Ferry | Hon. R. J. L. Williams |
| Hon. R. Hetherington | Hon. W. R. Withers |
| Hon. A. A. Lewis | Hon. R. F. Cloughton |
| (Teller) | |
| Noes 11 | |
| Hon. N. E. Baxter | Hon. W. M. Piesse |
| Hon. G. W. Berry | Hon. I. G. Pratt |
| Hon. H. W. Gayfer | Hon. J. C. Tozer |
| Hon. G. C. MacKinnon | Hon. D. J. Wordsworth |
| Hon. Margaret McAleer | Hon. G. E. Masters |
| Hon. Neil McNeill | (Teller) |

| Pairs | |
|----------------------|--------------------|
| Ayes | Noes |
| Hon. R. T. Leeson | Hon. I. G. Medcalf |
| Hon. R. H. C. Stubbs | Hon. R. G. Pike |

Amendment thus passed.

Clause, as amended, put and passed.

Clauses 5 to 8 put and passed.

Clause 9: Section 14B added—

The Hon. R. HETHERINGTON: This is one of the clauses which was amended in another place. The only point I wish to make is that it is a drawback that submissions must now be prepared well in advance of their being sent to the Tertiary Education Commission. They will have to be prepared a month earlier so that they may be considered. Therefore the submissions may be made on figures that will tend to be out of date.

Members will recall that I read out the Minister's letter, and they might understand what was meant by my worry in regard of the power of veto by default. As the Bill stood originally it would have been possible for the commission not to look at a submission, and the submission then would not be able to be forwarded. This provision is an improvement in that it enables the submission to be forwarded after 30 days, even if the commission has not looked at it.

All in all, I suppose the provision might cause some dislocation, and I will be interested to see how it works.

Clause put and passed.

Clause 10 put and passed.

Title put and passed.

Bill reported with an amendment.

MEDICAL ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [9.49 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend two main areas of the Medical Act—registration requirements and a minor practice matter—for the purpose of bringing the Medical Act into line with accepted practices in other States of Australia. The opportunity is also taken to present certain changes to update the Act.

The amendments dealing with the acceptability of overseas qualifications for registration will clarify and simplify the present registration requirements which, in some cases, by necessity, are rather time consuming, requiring thorough investigation of medical courses in some overseas institutions.

These proposals, which were requested by the Medical Board of Western Australia, have been discussed with and agreed to by the Western Australian Branch of the Australian Medical Association.

The first amendment is to allow recognition of medical degrees, awarded by all universities in the United Kingdom and the Republic of Ireland, as registrable qualifications.

At present some universities awarding degrees for medicine and surgery in the United Kingdom and the Republic of Ireland are listed by name in a schedule attached to the Act and this schedule has to be amended each time a further degree is assessed as being acceptable in this State for registration purposes.

As the standard of medical degrees from all universities in these two countries is of registrable standard, an amendment to include the names of these countries in the Act will simplify procedures when new degrees from these areas are presented

for registration. The schedule of named universities and colleges can then be deleted from the Act, bringing this part of the legislation into line with other States' proposed or enacted legislation.

Another amendment requested seeks to allow for the acceptance of a certificate issued by the Australian Medical Examining Council as a registrable qualification. This certificate, obtained by examination, is recognised by Medical Boards in other States of Australia for registration purposes and will provide a uniform method throughout Australia of assessing the medical qualification and standard of competence of overseas graduates who, at present, are not able to have their degrees recognised for registration purposes.

The acceptance of this certificate will replace the present need to have the overseas institution and medical course concerned separately assessed to determine whether the qualification is acceptable by this State's standards.

The wording of the Act describing the document of qualification—that is "degree, licence or diploma" will need to include the word "certificate" to allow for this recognition.

Graduates from the present six-year medical courses in Australia are required to serve for one year as a medical officer in a recognised hospital or institution before becoming eligible for registration.

Following the introduction of shorter medical courses of five years into Australia, it has been recommended by the Medical Board that graduates from these courses may need to serve for a training period of two years, instead of the present one-year period, before they become eligible to be registered and one of the amendments proposes to give the board the option to make this change in pre-registration training for these particular graduates.

The Bill also includes an amendment to remove the word "resident" from the term "resident medical officer" because this word is not generally used now, as very few medical officers are in residence in hospitals during the pre-registration period.

Another amendment refers to conditionally registered graduates; that is, those overseas graduates who are unable to have their qualifications accepted for full registration, but, because there is an unfilled need, can be granted provisional registration for a particular region or for a particular medical service and who can now become fully registered after serving satisfactorily for five years in that particular region or service.

It is proposed that future graduates who are granted this form of registration will be required to pass the examination of the Australian Medical Examining Council at the end of the five-year period—if they desire to become fully registered—to ensure that their standard of competence is no less than that of other fully registered graduates.

The amendment however, does make provision to exempt those six conditionally registered graduates, currently in their five-year term, from having to comply with this new requirement as it would be unfair to impose this condition now.

The final amendment is purely to take into account the general improvement in roads and transport and proposes to increase the distance from another practitioner under which a medical practitioner cannot both operate on and administer anaesthetic to a patient, except in an emergency. The present prescribed distance is five miles and the proposal is to increase this to 30 kilometres, which is still considered a reasonable distance, having regard to the safety of the patient.

It is considered that, generally, these amendments will do much to ensure that medical graduates finally registered, especially those from overseas, have satisfied the high requirements expected and are competent to practise medicine in this State. It will also end the anomaly which restricted registration to a few graduates of rather arbitrarily chosen countries.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Lyla Elliott.

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th October.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [9.55 p.m.]: This Bill contains five amendments, two of which are concerned with rectifying anomalies which have arisen in the day-to-day operations of regional advisory committees and zone control authorities. The members of those bodies must travel great distances in isolated areas, and it is apparent that some problems have arisen in respect of obtaining full attendance at meetings.

The third provision is concerned with placing on a legal basis whether an animal is a feral animal. This matter requires further clarification.

Similarly, further clarification is required in respect of the fourth amendment, which concerns regulations for the transport, storage, and application of certain chemicals in the Geraldton region. The fifth and final amendment is to give powers for the making of regulations to restrict or prevent the entry of persons onto land which has had a restriction placed upon it for a certain reason.

The Opposition supports the Bill. This is rather a new experience for me to talk about agriculture.

The Hon. D. J. Wordsworth: You had a go at it at Meekatharra the other day.

The Hon. D. K. DANS: Very successfully, too.

The Hon. N. F. Moore: That is a matter of opinion.

The Hon. D. K. DANS: I think the matter will be judged by the notice that was taken of the speakers.

In his second reading speech the Minister described the roles of the regional advisory committees and zone control authorities. It is necessary that some changes be made in the composition of the bodies. There is to be a change in respect of eligibility for membership.

At present members of the bodies must be members of either a local authority or a producer organisation. It appears that occasions have arisen when that eligibility cannot be complied with. The amending Bill provides that in the event of a member or his deputy being unavailable to attend a meeting, the deputy of another member will be permitted to attend in his stead. I do not think anyone would argue with that. Secondly, the eligibility in respect of being a member of a shire or a producer organisation is changed to a slight degree to meet the contingencies one would expect to find in pastoral areas. The Opposition has no objection to that.

The third amendment in respect of the legal basis for determining whether an animal is a feral animal is somewhat interesting. I have read the debate that occurred in another place, and no doubt some other members in this Chamber would have a better understanding of it than I. However, the Bill places obligations upon persons who may not be particularly skilled in this matter. The ultimate criterion in respect of whether an animal is feral is to be the statement of a senior member of the Agriculture Protection Board.

If the animal were a dingo or a kangaroo, no problem would arise. I think during the Minister's second reading speech—and certainly in a debate in another place—the question of goats was

raised. I would like to know how it is possible to tell whether a goat is feral or non-feral.

The Hon. W. R. Withers: If it is wearing a ring it would be a "ferrule" goat.

The Hon. D. K. DANS: That is not the way I spell it. The same situation arises with feral pigs. I am aware that after pigs have been in the wild for a number of years—and at one time there were many in Mr Withers' area—they develop on their backs a physical characteristic called a ridge.

There have been instances recently of people farming goats. I have no doubt when the Minister replies he will be able to set our minds at rest in this regard. I am not suggesting that the officers of the Agriculture Protection Board would not have some knowledge; but I would like to know how they will recognise a feral goat, or how they will recognise a feral pig, inside a certain span of time. Perhaps when the Minister rises he will be able to tell me that if a domesticated goat has been in the wild for a certain time, it develops some characteristics. However, it could be classed as feral long before that. I believe some problems may occur in that regard.

The Hon. G. C. MacKinnon: There is one big advantage: they do not have fences around them.

The Hon. D. K. DANS: In many areas of the State properties do not have fences around them. We have already spoken of the problems that could arise in pastoral areas. That is the point I am making. If the explanation is that all those animals outside a fence are classed as feral, there will be legal problems.

The Hon. G. W. Berry: They are on Heron Island out from Gladstone, and they have been there for the best part of a century. They are a breed of angora, and they are run by people who shear them.

The Hon. D. K. DANS: Would Mr Berry call them ferals?

The Hon. G. W. Berry: I do not know.

The Hon. D. K. DANS: If the Minister can give us an answer, I am sure he will. If he has not an answer, I am sure he will obtain one.

There is a need to close some areas to prevent people entering or to allow people to enter certain areas for certain reasons. That needs no amplification, because it is quite obvious. A number of reasons exist for that.

The last amendment is interesting. It relates to the need to place beyond any reasonable doubt the ability of the APB to make regulations in respect of the storage, use, and transport of prescribed agricultural chemicals in the Geraldton region. The reason for this protection is

not clear. It must be assumed that when the regulations were gazetted they were not quite correct. The Crown Law Department is probably at the back of this, for some reason. I would like to know what were the reasons.

Members know as well as I do that some unfortunate incidents have occurred in vine and tomato growing areas in this State through the use of chemicals. I have been told by our shadow Minister for agriculture—and I am sure he said this himself in the other place—that if one were to drive through the Swan Valley with an open container of 2,4-D, one could wipe out the entire vine population of that valley. I do not say that is correct; but I would expect the Minister to tell me whether it is correct. I would expect the Minister to tell me why it is necessary at this stage to put beyond legal doubt the provisions in respect of the Geraldton area.

That is one of the areas in which, not so long ago, whole tomato crops were wiped out. I saw in the paper that the reason given was that some spraying had occurred. There was some transportation, maybe; and the crops were affected, with disastrous effects. Some members were up there. Certainly I have been there.

The Hon. G. W. Berry: It happened in Carnarvon.

The Hon. D. K. DANS: It might happen in Geraldton. Mr Berry is more familiar with Carnarvon.

We support the Bill. In the Committee stages, I have no doubt the Minister will answer the queries I have raised. If he does not, I would like to go a little further with them.

THE HON. NEIL McNEILL (Lower West) [10.06 p.m.]: This Bill may more properly be regarded as a Bill to be dealt with in Committee rather than on the second reading. As the Leader of the Opposition has said, it deals with a number of amendments, and these are quite specific and isolated. In the circumstances, I do believe that the Committee debate would be justified on the various points.

I indicate I am supporting the Bill, and I will raise some of the points raised by Mr Dans, and perhaps one or two others. One point that readily came to my mind was when he was referring to the determination of feral animals. He said some difficulty may be found in proving that an animal is a feral goat. The Bill provides that it will not be necessary to do that. That situation would not obtain, because with the passing of this Bill it will be provided that a certificate from the senior officer of the APB is sufficient evidence that it is a feral goat.

The Hon. D. K. Dans: That is the point I am making. That is the only criterion. I want to know how he makes that decision.

The Hon. NEIL McNEILL: The matter of proof will not arise with the APB; but rather, anyone who wanted to contest the certificate would have to prove that the animal was not feral. That is a different twist to the argument.

The case of a dingo was the one mentioned in the second reading speech. It may well be that some difficulty has been experienced already. Some action may have been proposed in relation to what were believed to be dingoes, but it was not possible to prove conclusively that they were dingoes. Presumably the only way to overcome the problem is to enable the APB to provide a certificate to the effect that it is a dingo or a feral dog. The onus is then on the aggrieved party to prove that it is not.

That is a curious twist to the law which would not be met in all Statutes. Another point mentioned by Mr Dans related to the appointment of deputies to an authority. In geographical areas of the State it may be difficult for pastoralists to attend meetings, or there may not be appropriate people who are able and willing to attend. The opportunity is provided for the appointment of deputies. However, it has been found that a deputy may not be able to attend, so the Bill provides that the deputy of another member may be authorised in writing to stand in as deputy for the first-mentioned absent member. If there is confusion about that, it is understandable. Let us look at the clause of the Bill dealing with this. I may be regarded as being somewhat pedantic about it, but it reads—

(15) Where a member of an authority is absent from a meeting of the authority—

That is not the expression used by Mr Dans. Mr Dans said, "when a member is unable to attend". I suggest there is a difference.

The Hon. D. K. Dans: Perhaps I read the second reading speech wrongly.

The Hon. NEIL McNEILL: I am not being critical of Mr Dans. I would like to assure him of that. That is a point in the clause which struck me as curious.

The Hon. D. K. Dans: If he was absent, he would have been unable to attend.

The Hon. NEIL McNEILL: The clause continues—

—any other deputy of a member may, if authorized in writing by the member who is absent from the meeting, . . .

If a person does not turn up, he has to know in advance that he will not be present in order to provide notice. He has to give the other deputy the notice in writing. That would be difficult if the rest of the meeting did not know, until the fellow failed to turn up, that he would be absent. That is curious wording. We all know what it means; but whether it is a strict legal definition is another matter.

The Hon. D. K. Dans: I think it might be a Bill for the Attorney General.

The Hon. NEIL McNEILL: The third matter relates to spraying regulations. That is the term which is being adopted in this Bill. I am sure Miss McAleer would be able to make a more appropriate explanation. However, it appears to me that what is meant is not that the regulations of themselves are in doubt, but rather that the parent Act gives insufficient regulation-making power. There appears to be some doubt that the parent Act provides that.

I will not be critical of that, because the provision in the Bill will cover the situation. What interests me is that when we see wording like this in a Bill, it suggests that some action is pending or is proposed, or some action is intended against a party for an offence of some nature and it has not been proceeded with. The fact that the matter is being backdated suggests that to me. The House is accustomed to looking at these matters rather closely. In some instances this can be regarded as a doubtful practice. We do not have information available to us, so I hope that is not the intention of this Bill.

I am prepared to believe, and I think it is the case, that the demand for the protection of agricultural industries is greater in Geraldton than in any other area. I would have thought some action would be taken; but it has not taken place, simply because of this doubt about the parent Act.

That is probably the more reasonable understanding and the more reasonable interpretation.

The Hon. D. K. Dans: Most of those points can be answered in Committee.

The Hon. NEIL McNEILL: With those remarks, I indicate my support for the Bill.

Debate adjourned, on motion by the Hon. Margaret McAleer.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Consideration of Tabled Paper

Debate resumed from the 16th October.

THE HON. LYLA ELLIOTT (North-East Metropolitan) [10.16 p.m.]: During the last

weekend most newspapers carried some rather horrific information which was released by Amnesty International about the official child abuse which is taking place throughout the world. Every person reading those reports could not fail to be outraged by what is happening to those children. One would expect that, in the 20th century, rather than persecuting children, all Governments would be doing everything possible to ensure their well-being and protection.

Therefore, I was disappointed that, despite some rather strong evidence presented to the Government, no allocation appears to be made in the Estimates to enable recommendations contained in a report on a survey of child sexual abuse to be put into effect. The survey was conducted by Mrs Jean Harmony, Social Work Supervisor of the Child Life Protection Unit of the Department for Community Welfare.

The survey was undertaken following a request from the Advisory and Consultative Committee on Child Abuse to the Department for Community Welfare for the establishment of further special services for sexually abused children and their families.

The recommendations included the establishment of a highly specialised team consisting of two social workers and a clinical psychologist to form a nucleus for treatment of sexually abused children and their families and to undertake professional and community education in the prevention, detection, and management of childhood sexual abuse in co-operation with other agencies.

Another important recommendation concerned the restructuring of the Child Life Protection Unit for the purpose of establishing a child protection and family support centre where the proposed child sexual abuse team would be located.

In all, 15 recommendations were made and I do not propose to quote all of them. However, I recommend that members read the report which is a good one and worth reading.

Apparently professionals working in the field of child welfare have been concerned for some time about evidence coming to light concerning sexual abuse of children. The matter was highlighted last year when the Australian Women Against Rape organised a phone-in. Women were invited to report anonymously sexual assaults which they had not reported previously and which, therefore, had not shown up in statistics.

The team of women who manned the phones for this phone-in was astounded at the results. Out of 150 calls taken in a 24-hour period, 41 per cent of the cases reported involved incest and of these over half were committed by the natural father. Figures were taken out also during the phone-in which showed the small percentage of cases actually reported by the victims and the even smaller percentage of victims who were believed by the persons or authorities to whom they reported the assaults.

One caller stated she had been raped by her father, brother, and friends of her father. She estimated she had been assaulted 50 to 60 times before she reached the age of 15 years.

The phone-in poignantly emphasised the awful personal problems which affected the lives of the women concerned as a result of the sexual abuse they suffered when they were children. These included such matters as sexual problems, failed marriages, hatred of men, guilt, depression, suicidal tendencies, and alcohol and drug addiction, and, of course, many women required psychiatric treatment.

I would like to pay a tribute to the work done by the dedicated women of AWAR who I feel are making a very valuable contribution not only to assisting victims of sexual assaults, but also in the area of creating greater public awareness of the serious human suffering involved in the case of sexual abuse.

I understand it was as a result of the work of AWAR and its recommendations to the Advisory and Consultative Committee on Child Abuse in October, 1978, that Mrs Harmony was given the task of compiling her report. The survey conducted by her revealed a fragmentation of services offered by the various agencies dealing with abused children, disagreement over what constitutes child sexual abuse, and inadequate official statistics. The report sees a need, firstly, for more accurate data; secondly, for more accurate clinical definitions of assault and abuse; and, thirdly, and most importantly, for attention to be focused on the treatment and education of the family.

It analysed 127 cases of child sexual abuse reported during the months of October, November, and December, 1978 in Western Australia. If this figure was projected over a 12-month period it would mean that at least 500 cases of child sexual abuse occurred in this State in one year. As the AWAR phone-in indicated, this figure could very well represent only the tip of the iceberg.

Experience in California has shown that the establishment of the right kind of treatment programme can improve the situation immensely not only for the victim, but also for the child's family.

The programme which proved so successful was the Santa Clara child sexual abuse treatment programme conducted in San Jose, California.

I should like to quote from an article titled, "Sexual abuse begins at home" which appears in *Ms* magazine. It deals with this particular programme. CSATP—that is, the child sexual abuse treatment programme—started five years ago and the article reads, in part, as follows—

Started five years ago CSATP provides therapy and counselling for daughters, fathers, and mothers, as well as practical assistance and emotional support through the maze of courtroom procedures. Therapy for the victim is aimed at relieving her own feelings of guilt over the abuse and family break-up, and helping her deal with her anger and resentment toward both parents. For the offender, the program emphasizes "taking responsibility for what [he has] done," says Director Giarretto. Offenders and their wives are helped to recognize the marital (not just sexual) problems which, according to Giarretto, are often a primary cause of sexual abuse.

Some of the families in the program are referred by the courts—as an alternative to the father's imprisonment or as a condition for probation. Many of the cases police formerly had to drop for lack of evidence are now referred to CSATP. The program lasts for an average of six months to a year, although many of the graduates continue to attend Daughters United or Parents United—the two self-help groups generated by CSATP. About 400 families have completed treatment in the past five years, and only two repeat cases of sexual abuse have been reported.

CSATP is being looked to as a model for other state programs in California. Last year Governor Jerry Brown signed into law a measure that would create statewide treatment centres for abused children and their families. Elsewhere in the country, police departments and district attorneys' offices now have special units trained to handle sexual abuse problems with greater sensitivity. In some places, child-abuse hot-lines, rape crisis centres, and hospital sexual

assault services are expanding their facilities to recognize and treat sexual abuse.

I thought it was important to read that to the Chamber to indicate the sort of treatment which is taking place overseas and the sorts of things envisaged in Mrs Harmony's report and the recommendations of AWAR.

I have read a number of articles on child sexual abuse which indicate that it is a serious problem and one which is receiving totally inadequate attention by the authorities in this country and in other countries.

When that particular programme was started in San Jose it was rather unique; but as the article indicated, it has been so successful that it is being implemented in other areas.

It is estimated that this problem is causing distress to hundreds of children in this State each year. These children are being forced to endure years of pain and unhappiness. Of course, when the children become adults they suffer all kinds of emotional and psychiatric problems.

I appeal to the Government to make available more funds to the Department for Community Welfare to enable the establishment of a family support centre and a child sexual abuse team, both of which were recommended in the report made by Mrs Harmony and by AWAR.

The next matter with which I want to deal is the question of guarded crossings for children. Ever since I have been a member of Parliament one of the most frequent problems which has been referred to me the need for guarded crossings outside schools. I am approached constantly by parents and citizens' associations which have applied for such crossings and been rejected.

I was shocked recently by the answers given to questions I asked about the number of children killed and injured in traffic accidents in Western Australia each year. The figures revealed that in each of the past three years an average of approximately 1 000 school-aged children were injured and about 25 killed in accidents involving conflict with motor vehicles. Of these, pedestrians and cyclists represent about one-third of those injured and half of those killed.

The WA Council of State Schools Organisation has asked the Government to conduct an inquiry into the whole question of traffic-children conflict. WACSSO asked also that the responsibilities of the schools crossings committee be widened to allow it to make recommendations other than just for the approval or rejection of applications for school crossings.

The Minister for Police and Traffic turned down the request by WACSSO, and justified his rejection with the following statement which appeared in a letter dated the 18th April—

It is the opinion of officers in the Road Traffic Authority and the Main Roads Department who are constantly involved with traffic problems near schools, either through the School Crossings Committee or the Hazards Committee, that there are already adequate avenues for dealing with these matters.

Neither committee is limited in its scope or debarred from co-opting people with special knowledge outside that of its normal membership.

The people who received that letter were rather surprised because they thought the committee was limited to a "Yes" or "No" recommendation with regard to crossings, and that the committee could not co-opt people. I tried to clarify the position by asking a question of the Leader of the House on the 14th August. I asked the Minister—

Will the Minister advise—

When was the School Crossings Committee established?

The Minister replied—

The 11th February, 1963.

I then asked—

Which bodies are represented on the committee?

The Minister replied—

Road Traffic Authority, Education Department, Main Roads Department, West Australian Council of State School Organisations.

I then asked—

What are the powers of the committee?

The Minister replied—

The committee has power to either accept or reject each application.

My next question was—

Does the committee have power to co-opt members?

The Minister replied—

No.

Obviously, the reply to my question contradicted the information contained in the letter sent to the WA Council of State School Organisations. On the 21st August I asked another question of the Leader of the House representing the Minister for Police and Traffic. My question was—

Further to my question No. 126 of Tuesday, the 14th August, 1979, and the Minister's reply in which he advises that the School Crossings Committee—

(a) only has power to either accept or reject applications; and

(b) does not have power to co-opt members; how does the Minister reconcile that answer with the statement in his letter to the Western Australian Council of State School Organisations of the 18th April, 1979, in which he states, when referring to the School Crossings Committee and the Hazards Committee: "Neither committee is limited in its scope or debarred from co-opting people with special knowledge outside of its normal membership."?

I was rather astounded at the Minister's reply, which was—

The Minister does not see there is any conflict in his reply to question No. 126 and the passage quoted from his letter to the Western Australian Council of State School Organisations of the 18th April, 1979. However, he concedes that the use of the word "co-opting" in the letter could have caused confusion. Despite the fact that reference is made to "normal" membership, perhaps the expression "seeking advice from" instead of "co-opting" would have been preferable.

It is quite obvious that the reply I received on the 14th August was a contradiction of the letter sent to WACSSO, but the Minister was not gracious enough to admit his mistake. However, it has now been established definitely that the powers of the school crossings committee are extremely limited.

In April last year I asked how many requests for guarded crossings were made and rejected. The reply I received was that from July 1977 to April 1978, 40 guarded crossings had been requested and 33 had been rejected. So, in that period only seven guarded crossings had been approved.

Yesterday I obtained up-to-date information by asking how many guarded crossings had been requested and rejected during the last 12 months. I was told that 99 had been requested and 84 had been rejected. A total of 15 were granted over the 12-month period, or 15 per cent of those requested. I consider that is a pretty low figure. A total of 99 school bodies requested guarded crossings because they were concerned about the safety of children crossing the roads.

The people who applied for those guarded crossings must have had good cause, yet 84 of the

applications were rejected, and only 15 were granted.

In the publication *Western Roads* of August, 1977, there appeared a report on an evaluation of the safety of guard controlled school crossings. It stated—

The accident risk to pedestrians at zebra crossings was found to be some seven times greater than that experienced at school crossings.

There is no doubt that is probably the safest way to get children across roads; the use of guard-controlled crossings.

In view of the terrible statistics in regard to deaths and injuries caused to children on the roads, particularly as pedestrians and cyclists, I ask the Government to reconsider its attitude and to order a full-scale inquiry into the whole question of children/traffic conflict with a view to devising ways and means of reducing the toll of young lives. The inquiry should also provide more generous criteria for establishing guard-controlled crossings which, as I have said, are an important factor in reducing traffic hazards.

The next matter I want to raise is that of the exploitation of certain young people. I am talking about hairdressers. A practice has developed whereby master hairdressers advertise for staff, and when a girl applies she is told she can work for a day without pay for a trial period to ascertain whether she is suitable for the job. The girl takes advantage of the opportunity in the hope of getting the job. She usually puts in a hard day's work doing sets and perms, and all sorts of things that happen in hairdressing salons. In general, the girl usually makes a good deal of money for the owner. In most instances the girl then waits some days or weeks for advice as to whether she has the job.

In many cases the employer who has advertised the job does not even bother to contact the girl. In the meantime, the same employer has probably tried out any number of girls on this so-called full-day-without-pay trial basis.

The Hon. G. C. MacKinnon: Do you mean to say there is so much lack of skill that a girl can walk in off the street and do sets and perms.

The Hon. LYLA ELLIOTT: No, I am talking about trained hairdressers who have finished their apprenticeships.

The Hon. G. C. MacKinnon: You did not make that clear; I am sorry.

The Hon. LYLA ELLIOTT: I pointed out that a girl applies for a job and is told by the prospective employer that she will be given a

day's trial without pay. That is happening all the time. These girls put in a full day's work—carrying out skilled work—with no return. They then wait for days or weeks without receiving any indication as to whether or not they have the job. In the meantime, a dozen other girls could apply for the same job and the employer receives free labour at the expense of those girls. That is a bad practice and it is an exploitation of the young hairdressers. I think the Minister for Labour and Industry should take some action to stop the practice.

My next heading is "Handicapped Persons". In 1977 the Dunstan Government established a committee under the chairmanship of Mr Justice Bright to consider matters related to handicapped persons. The terms of reference were as follows—

to consider matters of law and policy adversely affecting persons with handicaps of a physical or mental nature and to recommend legislative changes in the laws of the State in accordance with the United Nations Declarations on the Rights of Disabled Persons and of Mentally Retarded Persons

On two occasions—in September, 1977, and in October, 1978—I endeavoured to get our State Government to emulate the South Australian initiative and set up a committee with similar terms of reference. However, I was unsuccessful. In December, 1978, the Bright committee brought down its first report and recommendations, which dealt with the physically handicapped. It was a fine report and I hope this State Government received a copy and studied it. The latest development in South Australia concerned the action taken by the Public Service Board in that State to assist handicapped people along the lines of the Bright report. I did want to quote a letter, but I do not want to unduly delay the House. I was wondering whether I could have it incorporated in *Hansard*.

The PRESIDENT: You can seek leave of the House to have the letter incorporated in *Hansard*. I have previously ruled that I think this is a very undesirable practice. However, if the House is prepared to give you leave, that is the will of the House. Leave has to be granted without a dissentient voice.

The Hon. W. M. Piesse: How long would it take to read the letter?

The Hon. LYLA ELLIOTT: I seek leave to have a letter incorporated in *Hansard*.

Leave not granted.

The Hon. LYLA ELLIOTT: I could have had the letter half read by now. It is important. I have

tried on two occasions previously to get the Government in this State to take action along the lines taken in South Australia. It is very important to bring to the attention of this Government what South Australia is doing in the interests of the physically and intellectually handicapped people in that State. The following letter is an example of what is coming out of the report. I received the letter, dated the 6th September, 1979, from the Public Service Board of South Australia. It reads as follows—

Dear Ms. Elliot,

The South Australian Public Service Board has recently taken initiatives to assist handicapped people to seek and obtain employment in the Service.

In determining policy affecting the employment of the handicapped the Equal Opportunities Unit and Equal Opportunities Panel of the Board have placed heavy emphasis on the recommendations of the Bright Report, The Law and Persons with Handicaps.

Board initiatives thus far have focussed upon those areas in which handicapped people appear to be most critically disadvantaged, viz, specific representation, structural and systematic discrimination, access and information. These initiatives include:

- (1) The creation of a position for a representative of disabled persons on the Equal Opportunities Panel. Ian Bidmeade, Secretary of the Commission on Rights of Persons with Handicaps currently occupies the position.
- (2) A placement Officer has been appointed whose responsibility it is to act as a contact point for disabled persons seeking employment, for organisations assisting the disabled, for employing departments and other Government agencies both State and Federal.
- (3) Proposed amendments to the Public Service Act which will empower the Board to determine educational, vocational and health requirements for appointment in the Public Service and will alter regulations which act as a ban to the employment of impaired and disabled persons.

- (4) The Equal Opportunities Panel has requested relevant authorities for information regarding access to buildings occupied or leased by the Government and has an agreement that a statement regarding access for the disabled be incorporated in all reports prepared at sketch design stage of building projects.
- (5) The placement of emergency evacuation instructions on each floor of buildings occupied or leased by the Public Service. Emergency evacuation handbooks are also to be amended to emphasise those precautions specifically related to the physically handicapped.
- (6) The revised wording for advertisements for Public Service vacancies aimed at encouraging applications from disabled persons.
- (7) The problem of identification of handicapped applicants for employment is currently being addressed by a party working on the establishment of information systems.
- (8) Publicity has been given to the Board's initiatives through the medium of Public Service Board publications, the Bulletin, Equity and in the daily press.

Ian Bidmeade has attributed a large measure of the success of the Bright Report to the fact that it reflects the views of handicapped people with whom the Committee had close liaison.

In view of your contribution to that report, we would appreciate your comments on the initiatives outlined. Any further suggestions which you consider appropriate and needful to enhance employment opportunities for handicapped people will assist us in the development of programmes which reflect the actual needs of handicapped people.

Yours faithfully,

Jan Lowe

Equal Opportunities Officer

Again I ask the Government to take a leaf out of South Australia's book and institute a comprehensive inquiry into the needs of the handicapped, using as a basis the work done by the Bright committee, which has produced the first report relating to people with physical handicaps. Another report on mental or intellectual handicaps is still to be completed.

The United Nations has declared 1981 as the year of the disabled, and I would like the Western Australian Government to undertake to make

that year meaningful for handicapped people in this State.

The Hon. W. R. Withers: Do you want a separate ministry as suggested in a letter recently received by members?

The Hon. LYLA ELLIOTT: I saw that letter, but I have not had a chance to read it, so I cannot comment on it.

The next matter relates to funerals. Members will remember that earlier this year in the Address-in-Reply debate I spoke at length on the need for an inquiry into the funeral industry and for legislation to govern the activities of funeral funds. I pointed out that the burial of people in this State was a multi-million-dollar industry and that constant complaints were being received from the public concerning overcharging and malpractices; and I listed some of them.

I asked that the Bureau of Consumer Affairs undertake a full inquiry to determine whether people were being overcharged, whether there was adequate protection and cover for contributors to funeral funds, whether the level of cemetery and crematorium fees was justified, and what steps could be taken to simplify the procedures for privately conducted, do-it-yourself funerals, as they have come to be known.

Members might be interested to learn that as a result of my contacting the Swan Shire Council when I was preparing that speech for information about its cemeteries at Midland and Guildford, the council has now agreed to accept and assist people who want to conduct funerals themselves. Two such funerals have already been conducted at Guildford and the staff of the council have been very helpful to the families concerned.

Following my speech an encouraging news item appeared in the Press. It was headed, "Inquiry looms into the cost of funerals", and it stated—

The high cost of funerals in WA—about \$1 000—is likely to lead to an inquiry by the Consumer Affairs Bureau into undertakers' charges.

The cost is responsible for increasing pressure from a small section of the community to conduct funerals without undertakers.

Public pressure has forced the Cemeteries Board to study do-it-yourself funerals and the use of cardboard coffins for cremations.

The CAB and its advisory body, the Consumer Affairs Council, has received some serious complaints about undertakers' charges and their dealings with the public.

These include accusations against undertakers of not itemising services on their accounts and not giving written quotations.

The council is under pressure from individuals and the Consumer Association of WA to recommend an inquiry into undertakers' charges.

The chairman of the council, Mr R. Harmer said yesterday that the council had resolved to take further the issue of itemising and quotations.

The Commissioner for Consumer Affairs, Mr N. R. Fletcher, said it seemed highly likely that the council would refer the matter to the bureau for investigation.

The practices of undertakers seemed to be a worldwide problem. The bureau had received some complaints about undertakers persuading bereaved and distressed people to take services they could ill afford.

In one instance the bureau had investigated a complaint that a letter asking for a deposit of \$100 had been handed to a bereaved daughter at a funeral.

The chairman of the Cemeteries Board, Sir Thomas Meagher, said that changing attitudes towards funerals would mean that do-it-yourself funerals and cardboard coffins warranted further discussion.

Although there was no response from the Government to my speech in the Address-in-Reply debate, after reading that news report I was rather optimistic that some action would be taken. However, when nothing appeared to be happening, I asked the following question of the Leader of the House on the 20th September—

With reference to the matters raised by me during the Address-in-Reply debate earlier this year concerning the need for an inquiry into the funeral industry and legislation to govern funeral funds—

- (1) Has any action been taken by the Government on either of these matters?
- (2) If not, is action contemplated?
- (3) If so, when?

The Leader of the House replied—

- (1) No. Inquiries made with the Bureau of Consumer Affairs indicate there have not been sufficient complaints to warrant the type of action the honourable member suggests.
- (2) No.
- (3) See (2) above.

I thought that was a rather peculiar attitude in view of the Press report which indicated that the

bureau had evidence of malpractice and exploitation of the public and that there was an obvious need for an inquiry. But for some reason the Government decided not to proceed with an inquiry.

Only last week I had a phone call from a minister of religion who was absolutely furious because a person he knew who wanted to conduct a funeral in the country came to Perth to buy a coffin and was forced by the coffin manufacturer to pay \$200 for a coffin which was worth only \$52.

The Hon. G. C. MacKinnon: How do you know it was worth only \$52?

The Hon. LYLA ELLIOTT: Because that is the price at which it is sold to funeral directors. That person was forced to pay the price the funeral director charges the public, and as we know many of the funeral director's costs are loaded onto the coffin in the overall account. So it is very wrong that this man who wanted to conduct a funeral privately in the country was forced to pay the extortionate amount of \$200 when the coffin cost only \$52. This is another example of the sort of exploitation of the public by the funeral industry which should be stamped out.

The Hon. G. C. MacKinnon: Can you verify that? That is just a statement you make. Have you any backing for it?

The Hon. LYLA ELLIOTT: The phone call I received was from a minister of religion whom I know and who would not ring me up and tell me a deliberate lie. He is in the process of getting a copy of the invoice from the person concerned in the country to send to me. It is a fact that the man was told he had to pay \$200 even though the funeral director can buy the same type of coffin for \$52. I think it is a downright disgrace if the Government intends to continue to shut its eyes to what is going on in the industry and allow people who are vulnerable through grief because of the loss of a loved one to be exploited. I gave some examples—

The Hon. G. C. MacKinnon: The Government does not determine what Mr Fletcher will investigate. He determines that himself, surely.

The Hon. LYLA ELLIOTT: I do not know whether it was Mr Fletcher's decision or the Government's decision, but the Minister did not say it was Mr Fletcher's decision.

The Hon. G. C. MacKinnon: That advice would have come from the Bureau of Consumer Affairs.

The Hon. LYLA ELLIOTT: Why did he make the statement to Janet Wainwright which I quoted earlier?

The Hon. J. C. Tozer: Who is she?

The Hon. LYLA ELLIOTT: She is the journalist who wrote the article on the cost of funerals.

The Hon. G. C. MacKinnon: Have you only got Janet Wainwright's word for that?

The Hon. LYLA ELLIOTT: The article says—

The chairman of the council, Mr R. Harmer said yesterday that the council had resolved to take further the issue of itemising and quotations.

The Commissioner for Consumer Affairs, Mr N. R. Fletcher, said it seemed highly likely that the council would refer the matter to the bureau for investigation.

The article begins by saying—

The high cost of funerals in WA—about \$1 000—is likely to lead to an inquiry by the Consumer Affairs Bureau into undertakers' charges.

I assumed when I read the article that the information contained in it was obtained from the bureau.

The Hon. G. C. MacKinnon: I do not think you can assume that.

The Hon. LYLA ELLIOTT: Well, where did she get the information? She says—

The CAB and its advisory body, the Consumer Affairs Council, has received some serious complaints about undertakers' charges and their dealings with the public.

These include accusations against undertakers of not itemising services on their accounts and not giving written quotations.

The Hon. G. C. MacKinnon: They might have decided the accusations were unsubstantiated.

The Hon. LYLA ELLIOTT: How would she be able to quote such specific matters unless she got the information from the bureau?

The Hon. G. C. MacKinnon: Why did not the bureau conduct an inquiry? The Government does not stand over it and say it must or must not.

The Hon. LYLA ELLIOTT: During the Address-in-Reply debate earlier this year I gave some examples of the sort of thing that was going on in the industry. That alone should have been enough to make the Government act.

The Hon. G. C. MacKinnon: It was all hearsay.

The Hon. LYLA ELLIOTT: Often, we need an inquiry to get to the bottom of something.

The Hon. G. C. MacKinnon: Do you mean to say that because you stand and make an accusation, there should be an inquiry next week?

The Hon. D. K. Dans: That is not what she is saying at all! Give her a go!

The Hon. LYLA ELLIOTT: What I am saying is that most inquiries are based on statements by people. There is not always documentation, signed statutory declarations, and that sort of thing before the Governments will act to institute an inquiry. Usually, there are individual verbal or written complaints.

The Hon. G. C. MacKinnon: I take it you are suggesting the Government stopped an inquiry. The Government did no such thing.

The Hon. LYLA ELLIOTT: If the Minister says that, I accept it. However, I am surprised that the bureau has not followed it up.

The Hon. G. C. MacKinnon: It believes it does not have sufficient grounds to follow it up.

The Hon. LYLA ELLIOTT: Perhaps I had better talk to Mr Fletcher. However, I am still disappointed that the Minister responsible has not seen fit to take the matter up.

The Hon. J. C. Tozer: Is there only one supplier of coffins?

The Hon. LYLA ELLIOTT: I understand there are two; however, only one is listed in the yellow pages, so most people would go to that supplier.

The Hon. D. K. Dans: I think some individual undertakers make their own.

The Hon. LYLA ELLIOTT: The next matter with which I wish to deal is aged persons' housing. I have been disgusted at the present Federal Government's cuts in funds for aged persons' housing since it has been in office.

In 1976, the Fraser Government reduced Labor's \$4 : \$1 subsidy to \$2 : \$1 and this year it intends to spend only \$62 million in this area compared with the Labor Government's last allocation for 1975-76 of \$71.6 million. The State Government should prevail upon its Federal counterpart to increase spending in this area.

I also feel it is time some action was taken to stop what I feel is the exploitation of elderly people in the area of ingoing donations for aged persons' units. It has concerned me for some time that many old people pay over their life savings as a "donation" to go into a unit which has been built by some organisation and, if subsequently they find they are not happy they either leave a lot poorer, or find themselves imprisoned in an unhappy situation because they cannot afford to leave.

I was recently approached by a lady who paid \$20 000 to the Air Force Association Veterans Homes Board to move into a unit at Bullcreek. The units were totally resident-funded; no Commonwealth subsidy was involved. In addition to the \$20 000, the lady spent over \$3 800 on furniture, fittings, shrubs, and landscaping. She put a great deal of effort into beautifying the area outside the unit.

After a time, she became unhappy with her loss of independence and lack of privacy and within about seven months of moving in, she advised the board she wished to vacate the unit, and she moved out some three months later.

Unfortunately, although the tenancy agreement gave the board the right to evict any resident, it did not contain a provision for a refund to be paid to someone who vacated a unit while he or she was still living.

This lady is now my constituent. She has gone through a very unpleasant and worrying time. However, when she tried to obtain a refund, the board finally decided to refund only \$13 000 of her \$20 000. So, in the short space of 10 months it cost her \$7 000 to occupy the unit, or about \$166 per week.

The Hon. G. C. MacKinnon: Have you had much experience with these sorts of situations?

The Hon. LYLA ELLIOTT: I have heard of a number of cases like this.

The Hon. G. C. MacKinnon: I have had a great deal of experience in this area, and I think you would find this is a rare exception.

The Hon. LYLA ELLIOTT: I am surprised to hear the Minister say that.

The Hon. G. C. MacKinnon: Most of the people who look after elderly folk at these sorts of homes do a first-class job. They bend over backwards to help people.

The Hon. LYLA ELLIOTT: If the Minister will let me continue, he will see that I have grounds for complaint. I am not saying these people are not looked after very nicely. The sorts of situations to which I am referring involve people trying to get refunds when they move out.

The Hon. G. C. MacKinnon: I have never heard of such harsh and unconscionable treatment; it must be very exceptional.

The Hon. LYLA ELLIOTT: Perhaps the Minister has not moved around aged persons' units a great deal.

The Hon. G. C. MacKinnon: I started frail-aged persons' homes.

The Hon. Lyla Elliott: These units were totally resident-funded. It cost my new constituent \$7 000 to live in the unit for only 10 months. However, that was on the cost of the unit alone. In addition, her losses on furniture and fittings, etc. amounted to over \$2 500, after allowing for the State subsidy, part of which was for an air-conditioner which cost her \$700 and which was not subsidised.

As the board would not allow her to remove any of her furniture or fittings—including the air-conditioner—it meant the incoming tenant was getting the unit for \$13 000, thus saving \$7 000 at her expense, plus the benefit of about \$3 800 worth of improvements.

As I felt this lady had had a pretty raw deal, I wrote to the Air Force Association Veterans Homes Board asking it to review the case with a view to increasing the refund and perhaps negotiating with the new tenant for the purchase of the air-conditioner. However, I got precisely nowhere.

So, I placed the matter in the hands of the Bureau of Consumer Affairs. The result of this was, firstly, no increase in the refund—because the board was not legally required to give a refund at all—and, secondly, an offer of \$500 for the air-conditioner.

I am aware that under the Commonwealth Aged and Disabled Persons Homes Act, money used to attract a Commonwealth subsidy cannot be refunded without the permission of the Director General of the Department of Social Security, but that where no Commonwealth money is involved, the organisation concerned is not bound by that rule. No doubt members of the veterans homes board did not think they were being in any way unfair or unjust because, contrary to what the Minister says, I believe the great majority of these organisations have similar policies governing refunds. That is what bothers me. It is time the Government investigated this matter with a view to providing some protection for vulnerable elderly people.

What often happens is a person—usually an elderly woman—finds the family home is getting a bit too much for her to handle. It may be getting a bit run down and in need of paint and repair. The garden may also be getting out of hand. She is struggling to pay rates and taxes. She is made aware of some new aged persons' units and goes to see them. They probably look glamorous because of their modern facilities. She is encouraged to think about the other company and social life she will have, so she decides to sell her family home and move into the new units. In

the process she signs over \$20 000 or more to the organisation concerned.

It often happens that after the novelty has worn off the nice, shiny new unit, she finds things start to irritate her. Living in close proximity to others affects her privacy. She finds there are rules and regulations about what she can or cannot do. She might develop the feeling that the management of the estate is paternalistic, unco-operative or downright rude when she wishes to raise some matter. I have had it said to me by other people that this, in fact, has happened.

In her old home she may have had a garden to potter around in and a pet for company and she misses both. She may finally reach the stage where she cannot stand the loss of independence any longer and wants to opt out.

She then finds she has signed away such a large part of the proceeds of her old home for the new unit that she has burned her boats and is stuck there, imprisoned in an unhappy situation.

There are two things the Government should do. Firstly, in conjunction with local authorities, it should promote a handyman-gardener home care scheme for pensioners to assist them to remain in their own homes. Although the volunteer task force does this kind of work it is limited in its resources.

Secondly, the Government should investigate the tenancy agreements drawn up by organisations which develop tenant-funded aged persons' projects, with a view to ensuring the tenant is assured of a reasonable refund if she or he decides to leave. One of the best agreements I have seen is one drawn up by the Canning Aged Persons Trust for a new development called the Tuscan Street estate. The units are resident-funded and the total ingoing payment is \$23 000. However, if a tenant decides to leave within one year of taking up occupation, that person loses only \$2 500. If the person leaves within two years it costs \$5 000, and so on. If the resident dies, the family receives \$13 000 from the original \$23 000, irrespective of the length of residence. The point is, if the person leaves in the first year it costs just \$2 500, which is a far more reasonable amount than the \$7 000 of which I was speaking earlier. This scheme is certainly much fairer to the aged people concerned.

Those are the sorts of things the Government should be considering; they are the sorts of things the Bureau of Consumer Affairs should be investigating to ensure that aged persons are not signing things they will later regret.

The final matter to which I shall refer also concerns the welfare of the aged. I was somewhat

dismayed and disappointed to see in the Estimates that the Government has seen fit to allocate only \$3 500 to the WA Council on the Ageing for this year. I say "dismayed", because the council, in a submission to the Government, set out a very good case for a much larger grant, without which it may be forced to go out of existence. It has shown that the total amount required to maintain a minimum staff of three plus administrative expenses is \$40 000, and its total anticipated income is only \$13 000.

There are three main reasons for the desperate financial position in which the council finds itself. Firstly, the Commonwealth Government terminated its annual grant of \$9 500. Secondly, the council's travel programme which brought in \$10 000 per annum has folded. Thirdly, to qualify for the \$7 500 home care grant from the Commonwealth, it must find a matching amount of \$7 500.

It is quite obvious that unless the State Government comes to the aid of the WA Council on the Ageing it will find it extremely difficult to function. It certainly cannot exist on its present anticipated income for the year. It does not have adequate funds to pay the stenographer, let alone the executive officer and a social worker. If the council could not operate, the State and the aged people of WA would be the poorer for it.

Since its establishment in 1959 the council has made a very worth-while contribution to the welfare of retired people in WA. It has been actively involved in providing community education programmes and a number of community services for the aged.

A very important role has been its co-ordination of various services. For example, it was responsible for the establishment of the Voluntary Care Association and the development of a co-ordinating committee for Meals on Wheels, and it has prepared and printed valuable information on aged persons' accommodation and a directory of services for older people.

The council has also been responsible for initiating such stimulating activities as the talks and discussion group which brings about 100 people together each week, and the school for seniors which has 300 people attending classes on history, philosophy, current affairs, and oil painting.

It has an information service on such things as pensions, taxation, availability of community facilities, health and welfare, pensioner employment, assistance with home maintenance, aged persons' accommodation, and so on.

There are so many good things that can be said about the council and its hard-working staff. In view of the wonderful service it is providing for elderly people, it would be a tragedy if it were to go out of existence through lack of Government support. It is the kind of organisation which saves the Government money in the long run by providing what could be described as a preventive care service. It is therefore a pretty good investment.

I hope the Government sees fit to increase the amount mentioned in the Estimates because if it does not I can see that Western Australia could lose the services of this very worth-while organisation.

Debate adjourned, on motion by the Hon. T. Knight.

EDUCATION ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [11.20 p.m.]: I move—

That the Bill be now read a second time.

A Bill to establish the Government School Teachers Tribunal under its own legislation is at present before the Parliament. As a result of that Bill, it is necessary to make some consequential but simultaneous amendments to the Education Act. This Bill seeks to do that.

At the same time, the opportunity is being taken to make some other amendments in parts of the Act that need updating or alteration, due to changing circumstances.

As indicated in the Bill, certain parts are directly related to the Government School Teachers Arbitration and Appeal Bill.

The definition of "teacher" and "teaching staff" to be included in the Education Act are identical with the definitions in the arbitration and appeal Bill, and this obviously becomes a necessary requirement.

The Bill also assigns to the Public Service Board the responsibility for appointing those officers of the department who are employed under the Public Service Act where previously the Governor was obliged to exercise this power. Members will know that changes in recent times to the Public Service Act have restricted the

Governor's involvement in the appointment of staff to very senior officers only.

The Minister currently has power delegated from the Governor to appoint teachers and other ministerial employees. The amendments in this Bill will give the Minister the power of appointment in his own right.

The present Education Act enables the Minister to transfer teachers "from one school to another school". When the Act was originally drawn up in 1928, teachers were employed only in schools and this provision was satisfactory. Today teachers are employed also in advisory services, special branches, and in the head office. This Bill, by deleting the specific reference of transfer from school to school, will enable the Minister to transfer teachers throughout the service, whether or not they are in schools.

The amendment to section 28 follows the distinction made between officers and teachers. Officers are staff employed under the Public Service Act, while teachers and other employees are those employed under the Education Act.

The power to "suspend" a teacher is also to be included. Although suspensions have been made in the past, there has been no reference to this in the Act and the present amendment seeks to remedy this.

The Bill also deletes from the Act the power of the Minister to determine teachers' salaries. All matters relating to the fixing of teachers' salaries have been transferred to the arbitration and appeal Bill.

A further consequential amendment following the arbitration and appeal Act simply deletes from the Education Act those sections dealing with the establishment, functions, and procedures of the Teachers' Tribunal.

The remaining amendments are unrelated to each other. Paragraph (b) of subsection (3) of section 20D of the present Act provides that the psychologist member of the advisory panel should be a member of the Australian Psychological Society. With the establishment in this State of a Psychologists Registration Board, no person may practice as or claim to be a psychologist unless he is registered. The reference to the Australian Psychological Society may have been a necessary safeguard before the establishment of the board,

but is now a superfluous condition. Not all psychologists will seek membership of the society now since their professional integrity can be established by registration. The Bill deletes those words requiring the psychologist to be a member of the Australian Psychological Society.

The regulatory powers of the Minister are being increased and the Bill seeks to make sure that regulations relating to the practice of deducting rent from teachers' salaries covers all Government housing. The Education Act currently contains such a provision for property vested in the Minister, but this authority was not extended to houses leased from the Government Employees' Housing Authority when that authority was established.

Among the amendments to the Education Act in 1975 were a number which raised the amount of financial penalties. Several penalties of \$40 were raised to \$200, but the \$40 maximum penalty for breaking regulations was inadvertently overlooked. This Bill seeks to bring this penalty into line with the others of a similar nature that were previously increased.

The Bill also seeks to include a provision for the Minister to make regulations for the management, care, protection, control, and superintendence of school lands.

Principals and staffs of schools often are disturbed by intruders on school grounds and buildings and, at present, they have very limited power to cope with them. A draft of suggested by-laws, based on those operating at tertiary institutions, is at present being widely examined within the department and is meeting with support from principals and superintendents. When the regulatory power to gazette such by-laws is included in the Act, schools will be given more scope to deal with intruders who are a nuisance and interrupt school activities.

The provisions incorporated in the proposed new section 28A of the Education Act embrace what is already provided for in section 35 of the Act. Section 35 is therefore no longer necessary and is to be deleted.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. Hetherington.

House adjourned at 11.26 p.m.

QUESTIONS ON NOTICE

BOATS

Harbour: John's Creek

266. The Hon. D. K. DANS, to the Leader of the House:

- (1) Is it the Government's intention to develop John's Creek at Dampier as a small boat harbour?
- (2) If the answer to (1) is "Yes"—
 - (a) when will the project commence; and
 - (b) what is the anticipated completion date?
- (3) If the answer to (1) is "No", has the Government any other site or sites under consideration for a small boat harbour?

The Hon. G. C. MacKINNON replied:

- (1) and (2) Investigations have been carried out by the Public Works Department into the feasibility of constructing a small boat harbour in John's Creek, Port Walcott, as a replacement for the existing boat refuge in Sam's Creek.
The cost of developing either site is extremely high for the restricted facilities which can be provided and the proposals are consequently being carefully scrutinised.
- (3) No other sites are under consideration.

TRAFFIC: PEDESTRIAN CROSSING

Orrong Road

267. The Hon. F. E. McKENZIE, to the Minister for Lands, representing the Minister for Transport:

- (1) Is the Minister aware of the difficulty people living on the northern side of Orrong Road, Rivervale, are having in crossing Orrong Road, in the vicinity of Francisco Street, because of the increasing traffic flow along Orrong Road?

- (2) As there is a shopping complex on the southern side of Orrong Road, in the vicinity of Francisco Street, will the Main Roads Department or the local authority sanction the construction of some form of pedestrian crossing at this point to enable residents, particularly the elderly and children, to cross Orrong Road safely?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) The Minister for Transport advises he is aware of the increasing traffic in Orrong Road. The particular problem at Francisco Street has not been brought to his attention and he will have the matter investigated.

EDUCATION: HIGH SCHOOLS

Karratha and Wickham

268. The Hon. J. C. TOZER, to the Minister for Lands representing the Minister for Education:

Arising from the answers given to question 248 on the 9th October, 1979—

- (1) Is it planned that the proposed Wickham high school will, in the first instance, be a three-year high school?
- (2) On current population predictions, in what school year will the Wickham high school be established and accepting students? This question re-states item (4) of question 248 which was not answered.
- (3) Why was the provision of a second high school in Karratha not considered as an option in education planning for the sub-region?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
- (2) The year of establishment of the Wickham high school will depend upon the timing of development of the natural gas project.
- (3) Wickham is becoming a substantial population centre generating sufficient secondary pupils in time to warrant its own high school.

269. *This question was postponed.*

**PORT: PORT HEDLAND PORT
AUTHORITY**

Pilots

270. The Hon. J. C. TOZER, to the Minister for Lands representing the Minister for Transport:

- (1) Is the Minister aware that the second marine pilot, in the course of a few months, has resigned his position with the Port Hedland Port Authority, to take up similar employment elsewhere?
- (2) What is the normal complement of pilots for the Port of Port Hedland?
- (3) How many pilots—fully trained and experienced to bring in 160 000 tonne ore carriers in the difficult navigational, tidal, and wind conditions prevailing at the port—will be available to the port authority when the second of the two pilots departs?
- (4) How long does it take the normal certificated master mariner to be so qualified?
- (5) Is the Minister not concerned that a shortage of qualified men may, in fact, seriously inhibit the movement of iron ore from the port?
- (6) If so, what actions can be taken to remedy the position?
- (7) As a first step—but with the aim of achieving a long-term solution—will the Minister discuss with the Premier the proposition of removing all control and restraints imposed by the Public Service Board on the Port Hedland Port Authority in respect of the pilots' conditions of employment so that the authority can make all decisions—as befits an autonomous authority—necessary to attract and hold marine pilots, who currently leave Port Hedland because there is no incentive to hold them there?

The Hon. D. J. WORDSWORTH replied:

- (1) The Minister for Transport is aware of the matter.
- (2) Five pilots and a deputy harbour master who is used on occasions as necessary.
- (3) One.
- (4) Usually two to three years, depending upon previous experience.
- (5) Yes, the matter is causing concern.

- (6) and (7) The Minister for Transport is expecting a report from the Port Hedland Port Authority relating to the current situation and recommending ways and means of overcoming the problems.

LEGAL AID COMMISSION

Funds

271. The Hon. D. W. COOLEY, to the Attorney General:

Will the Minister advise—

- (1) (a) The allocation of funds to the Legal Aid Commission for criminal cases; and
(b) the allocation of funds between Legal Aid Commission staff lawyers and the private profession?
- (2) Have any funds been allocated by the Crown Law Department to brief the private profession to prosecute criminal matters on behalf of the Crown?

The Hon. I. G. MEDCALF replied:

- (1) (a) Funds are not allocated in advance to any particular "type of law" category.
(b) The amount available for assignments to the private profession is \$2 630 million. Commitment funds are not divided between staff lawyers and the private profession because the former are paid by way of salary.
- (2) Yes.

**PARLIAMENTARY COMMISSIONER FOR
ADMINISTRATIVE INVESTIGATIONS**

Jurisdiction: Solar Energy Research Institute

272. The Hon. F. E. MCKENZIE, to the Leader of the House representing the Premier:

- (1) Is the Government prepared to add the Solar Energy Research Institute of Western Australia to the schedule of the Parliamentary Commissioner rules?
- (2) If so, will it do this during this session of Parliament?
- (3) If not, will the Minister give the reason?

The Hon. G. C. MacKINNON replied:

- (1) to (3) This is a matter of policy, and in arriving at it the views of the Parliamentary Commissioner would be sought. I have no doubt that this will be done within the process of reviewing from time to time the Parliamentary Commissioner Act by the Premier under whom the administration of that Act falls.

273. *This question was postponed.*

HOUSING: BUILDING SOCIETIES

Permanent: Assets and Liquidity

274. The Hon. D. W. COOLEY, to the Attorney General representing the Minister for Housing:

Further to my question 251 of Wednesday, the 10th October, 1979, and in view of the substantial increases in both the assets and liquidity of permanent building societies, will the Government propose to the societies which have expressed an intention to increase interest rates, that the said rates should remain either constant or be, in fact, reduced?

The Hon. I. G. MEDCALF replied:

Even though the Government supports the reduction of interest rate costs in the minimum of time, it realises that the permanent building societies which are responsibly managed operate in a complex and sensitive open market situation.

Because of this they themselves are the best judges of keeping the balance between interest rates required by depositors and those payable by borrowers. It is this experience that has enabled permanent societies to remain the principal lenders of home finance in Western Australia, ensuring that the house building and real estate industries function at an optimum level.

Whilst keeping in close touch with societies on interest rate matters, it is not intended to propose to them interest rate changes that would upset their competitive position in the money market.

ROADS

South Hedland

275. The Hon. J. C. TOZER, to the Minister for Lands representing the Minister for Transport:

Associated with the new access road to South Hedland, is it planned to provide a slip road for the traffic turning from the North Ring Road into Hamilton Road on the main route to the South Hedland town centre?

The Hon. D. J. WORDSWORTH replied:

Planning provides for a "T" junction of the south leg of Hamilton Road with North Ring Road when North Ring Road is extended westwards. At that stage the north leg of Hamilton Road would be either closed or deviated depending on future needs.

It is not proposed to change the existing "T" junction at present.

KAMPUCHEA

Donation

276. The Hon. F. E. McKENZIE, to the Leader of the House representing the Premier:

- (1) Is the newspaper report in *The Sydney Morning Herald* of Friday, the 12th October, 1979, correct when it states that the New South Wales Government will provide \$150 000 to help the starving people of Kampuchea?
- (2) Will the Western Australian Government be providing any financial assistance?
- (3) If "Yes"—
 - (a) how much; and
 - (b) when will it be provided?

The Hon. G. C. MacKINNON replied:

- (1) Yes.
- (2) and (3) No consideration has been given to this matter by the Government at this stage. It is normal for assistance of this kind to be handled by the Commonwealth on behalf of the nation, but we are watching the position to see if special circumstances develop.

QUESTIONS WITHOUT NOTICE

ELECTORAL ACT AMENDMENT
BILL (No. 2)*Proclamation and Claim Forms*

1. The Hon. R. HETHERINGTON, to the Leader of the House representing the Chief Secretary:

- (1) When is it expected that the new Electoral Act will come into operation?
- (2) Have new claim forms yet been prepared and will they be available when the Act is proclaimed?

The Hon. G. C. MacKINNON replied:

- (1) Not yet known.
- (2) This matter is being attended to.

HEALTH

Speech Therapists

2. The Hon. D. J. WORDSWORTH:

I wish to make a correction to the answer I gave in reply to question 262 yesterday. Unfortunately, the information supplied to me in reply to part (1) was inaccurate. The question was—

- (1) What is the total number of speech therapists employed by the Government in Western Australia?

The answer was—

- (1) Eight full time plus one sessional.

The answer should have been—

- (1) 55 plus 4 vacant—1 sessional.

The Minister for Health apologies for the error.
