

Legislative Assembly

Tuesday, the 1st November, 1977

The SPEAKER (Mr Thompson) took the Chair at 4.30 p.m., and read prayers.

URGENCY MOTION

Request by Member for Fremantle

DR TROY (Fremantle) [4.31 p.m.]: Mr Speaker, could you advise me whether you received a request from me in respect of an urgency motion; and, if so, what is your ruling on it?

THE SPEAKER (Mr Thompson): I advise the House that at about 4.10 this afternoon there was placed on my table a letter which at about 4.20 p.m. I read—or, in fact, I read the first paragraph of it; I did not have an opportunity to read much more. I gleaned from reading the first paragraph that the member wished to raise some matter of urgency by way of taking advantage of Standing Orders Nos. 48 and 49. This is the second occasion on which I have received a late request. This request was received almost as late as the first one. Each request was received too late for me to be able to consider whether the matter was one that could properly be placed before the House.

I have a responsibility to the House to ensure that such requests conform with Standing Orders and so, as was the case with the previous occasion, I have decided not to accede to the request. I have dictated a letter, which the honourable member should receive in the very near future, advising him of my decision.

QUESTIONS

Questions were taken at this stage.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

ADOPTION OF CHILDREN ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Ridge (Minister for Community Welfare) read a first time.

Second Reading

Leave granted to proceed forthwith to the second reading.

MR RIDGE (Kimberley—Minister for Community Welfare) [5.01 p.m.]: I move—

That the Bill be now read a second time. This Bill has become necessary to complement the Legal Representation of Infants Bill. A minor consequential amendment to the Adoption of Children Act, 1896-1976, is required to avoid problems of interpretation.

The Legal Representation of Infants Bill has inserted in it a provision to ensure that before any guardian is appointed the court shall inquire into the guardianship of the infant for other purposes. Where it appears to the court that an infant is under the guardianship of the Director of the Department for Community Welfare, the court must give the director an opportunity to be heard before appointing another person guardian for the purposes of the court case.

Arising out of a consideration of other Acts under which the director was the statutory guardian, it has become necessary to make some consequential amendments to the Adoption of Children Act by including a reference to the Legal Representation of Infants Act, 1977.

Also included is an amendment to section 15 (5) which is necessary for other purposes. When earlier amendments were made making special provision for New Zealand in section 14 of the Adoption of Children Act, a consequential amendment was made to section 15 (1) but was omitted in respect of section 15 (5). The necessary amendment is in clause (4) of the Bill so as to ensure that effective reciprocity is given in all respects to New Zealand adoptions, the principle already having been previously set out in the Act.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

APPROPRIATION BILL (GENERAL LOAN FUND) (No. 2)

Returned

Bill returned from the Council without amendment.

BILLS (8): ASSENT

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

1. Building Societies Act Amendment Bill.
2. Industrial and Commercial Employees' Housing Act Amendment Bill.

3. Pay-roll Tax Assessment Act Amendment Bill.
4. Industrial Arbitration Act Amendment Bill.
5. Public Service Arbitration Act Amendment Bill (No. 2).
6. Metropolitan Market Act Amendment Bill.
7. Pharmacy Act Amendment Bill.
8. Education Act Amendment Bill.

CHICKEN MEAT INDUSTRY BILL

Second Reading

MR OLD (Katanning—Minister for Agriculture) [5.04 p.m.]: I move—

That the Bill be now read a second time. The Chicken Meat Industry Committee Act, 1975, established a committee which, subject to the Minister, is responsible for administering the legislation. The provisions of the Act—which are virtually identical with similar chicken meat industry legislation in Victoria—are designed to ensure that a balance is maintained between the legitimate interests of growers and processors so that the interests of one group are not disadvantaged by the activities of the other. The committee in effect provides a forum for negotiations between growers and processors.

Unfortunately, the committee has not functioned as effectively as was envisaged when the legislation was enacted, and disputes have arisen particularly in relation to the form of the contract, the growing fee, and the format for growers to share in the processors' expansion. The difficulties have been such as to require issues to become the subject of arbitration, and in turn experience has shown that the present format for arbitration has been ineffective in resolving disputes within the committee. Somewhat similar problems have also occurred in Victoria and have resulted in the introduction of amending legislation in that State.

It is for these reasons that the amending legislation has become necessary, and the series of amendments has been sufficiently extensive to warrant the drafting of a Bill for a new Act—the Chicken Meat Industry Act—rather than an amendment to the existing legislation.

Although the concept of the proposed legislation is the same as in the present legislation—that is, to continue to provide for a forum for negotiation between the two parties in the industry—several important changes are envisaged.

One of these involves the contract, the proposal being to prescribe by regulation its precise form. This will mean that the committee is no longer required formally to ratify each

agreement, and, provided a copy of the agreement duly signed by both parties is lodged with the committee, no offence will be committed. However, where a dispute arises between the parties as to their respective rights, benefits, or obligations under the agreement, the matter may be placed before the committee for determination. Further, in the event of the committee being unable to resolve the matter, there is provision for the appointment of a single arbitrator to determine the matter, and this determination is final under the legislation and binding on both parties.

One of the functions of the committee is to make a determination in relation to the standard price for broiler chickens; but again, in the event that the committee is unable to reach agreement on this matter, there is provision for the appointment of a single arbitrator to make the determination. It is relevant to comment that in making such a determination—either by the committee or by the arbitrator—the standard price to be paid by processors to growers is computed, using cost of production figures supplied by the Department of Agriculture.

Any determination made in respect of the standard price is final and is able to be notified in the *Government Gazette*. It is also proposed that the establishment of new processing plants will require the prior approval of the Minister.

Other amendments include the payment of a sitting fee to members of the committee; the establishment of the committee as a body corporate; provision for the appointment of inspectors; provision for the Minister to exempt specified broiler chickens from sections of the Act; and the ability to record in respect of each farm its effective capacity to grow broiler chickens.

I believe all aspects of the amending legislation are necessary if the committee is to function effectively, and I commend the Bill to members.

Debate adjourned, on motion by Mr H. D. Evans.

MARKETING OF LAMB ACT AMENDMENT BILL

Second Reading

MR OLD (Katanning—Minister for Agriculture) [5.09 p.m.]: I move—

That the Bill be now read a second time. Members will recollect the referendum involving the producers of lamb which led to the introduction of the Marketing of Lamb Act, 1971.

During its early years, the board was the subject of a great deal of criticism from persons opposing the principles of the legislation, and it is to the credit of the board and the management that new markets in the Middle East area are being pioneered so successfully. The board's success in marketing has been recognised by two major awards, the most recent being the International Hoover Marketing Award.

The future of marketing of lamb in the Middle East countries is very sound and the board's ability to increase this market penetration is likely to be constrained only by the turn-off of lambs from the State's flock, which, as members are aware, has been substantially eroded by the drought conditions experienced over the past two years. The amendments in the Bill now before the House are designed to improve the board's effectiveness in administering the legislation.

An amendment is proposed to enable the board to determine whether a person is or is not a producer, and is related to the difficulties which bona fide producers have at certain times of the year in booking lambs for slaughter. This amendment is not intended to disadvantage dealers and operators whose legitimate role in the industry is recognised by the board.

The present legislation provides for a pooling arrangement in relation to payments to producers. This is not possible to carry out in practice and an amendment is therefore proposed in relation to section 22 to enable payments to be made in accordance with a contract between producers and the board or on the basis of a price schedule published by the board. Such payments may take into account any incentives, seasonal trends, or other factors which, in the opinion of the board, are in the interests of producers generally or are necessary to meet specific marketing requirements.

An amendment is proposed to penalise a person who does not deliver the number of lambs arranged. As members will appreciate, the failure to deliver lambs results in a significant loss to abattoir operators who have allocated space as a result of a prior booking arrangement with a producer, an operator, or a dealer. The amendment will enable the board to impose a penalty in such circumstances.

An amendment is also proposed to permit the board to distribute, on a ratable basis, any surplus moneys which it has derived from its operations during the immediately preceding financial year. In remitting such surplus moneys, the board is required to take into account its need to meet prior deficits and to maintain proper reserves.

I believe these amendments will enable the board to function more efficiently and I commend the Bill to members.

Debate adjourned, on motion by Mr H. D. Evans.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

Second Reading

MR RUSHTON (Dale—Minister for Local Government) [5.13 p.m.]: I move—

That the Bill be now read a second time. The amendments to the Local Government Act which are proposed in this Bill include two very important innovations so far as local government in Western Australia is concerned. These relate to long service leave for municipal employees and deficit budgeting by councils.

At present, the long service leave conditions for council employees are prescribed in the by-laws of the individual councils. These conditions therefore vary from council to council. Although each council is an autonomous body, the whole of local government employment is very much a career service and there is therefore a regular movement of officers and employees from council to council.

The development of this career aspect in local government employment can do nothing but strengthen local government administration. It allows officers to gain adequate experience and develop the expertise required for this specialised field of employment and thus better equips them to serve individual councils.

In order to foster the career opportunities in local government, this Bill provides for the application of uniform long service leave conditions right throughout local government in Western Australia. But by far the most significant feature of the proposed long service leave scheme is that it provides for portability of service from council to council.

Under the provisions of the Bill, long service leave schemes which presently are contained in council by-laws will cease to apply and councils will no longer be able to make by-laws for this purpose.

Instead, standard long service leave conditions for all municipalities will be prescribed by regulation. However, where employees of particular councils are currently entitled to long service leave after a lesser qualifying period than that prescribed in the regulations, the regulations may allow those present employees to continue to

enjoy these more advantageous conditions whilst they remain in the employ of the council concerned.

It is intended that the regulations will provide for 13 weeks long service leave after each 10 years of continuous service. It is intended also to provide for *pro rata* long service leave for a person who leaves local government after the initial 10-year qualifying period or after the first seven years of continuous service if the employee's services are terminated by death or retirement at age 65.

I am pleased to say that this standard scheme has been agreed to by the Local Government Association and the Country Shire Council's Association as well as the Municipal Officers' Association which is the industrial body representing local government officers.

It is very pleasing to me that the associations of local government have acknowledged the advantages to local government of encouraging employees to become part of a career service.

The Bill deals also with another important matter of principle.

The Local Government Act presently obliges a council to impose a rate each year which is sufficient to balance the budget. In other words, a council may not budget for either a surplus or a deficit.

The requirement that councils adopt balanced budgets is soundly based. It ensures that the impost on ratepayers in a particular year will be no more and no less than is necessary for the works and operations of the council for that year.

Moreover, the prohibition on deficit budgeting safeguards against the financial instability which might occur if the position were otherwise.

Whilst I believe that the principle of balanced budgeting should be preserved, the need for some flexibility to be written into the Act has become obvious.

In recent years, a few councils have found themselves in a situation where it was impossible to prepare a realistic budget which was in balance.

In these circumstances, it is of course highly undesirable that councils should cover this problem by adopting a budget containing unrealistic revenue or expenditure items but, under the present provisions of the Act, a few councils have on occasions had little alternative.

The Bill therefore proposes that, in special circumstances, a council may impose a rate which will yield less than the amount required to

balance the budget. This action will be subject to fairly stringent controls to ensure that the practice of deficit budgeting is not encouraged and that councils take all possible steps to recover from any financial difficulties.

Other amendments contained in this Bill are not so much related to new matters of principle. They are intended to remove anomalies which have come to light in the existing provisions of the Local Government Act and to meet the need for refinement in certain municipal procedures.

These matters cover—

- (1) The appointment of multiple deputies for a member of a council committee.
- (2) The continuation in office of a mayor or president who is elected by the council, until such time as his successor is so elected.
- (3) The inclusion of the Australian Postal Commission and the Australian Telecommunications Commission, in place of the Postmaster-General's Department, amongst the authorities which must be served with notice of intention to close a private street.
- (4) The correction of an incorrect cross-reference in provisions relating to building control, and the up-dating of the 27th schedule to the Act and a consequential amendment relating to audit fees.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Davies.

DOG ACT AMENDMENT BILL

Second Reading

MR RUSHTON (Dale—Minister for Local Government) [5.20 p.m.]: I move—

That the Bill be now read a second time.

The provisions of the new Dog Act which was enacted last year, require dogs to be registered individually with a municipal council. The only exemptions from the registration requirements are dogs under the age of three months, those kept by the Royal Society for the Prevention of Cruelty to Animals, the Dogs Refuge Home, veterinary surgeons, and the Police Force.

The previous Dog Act provided a concessional fee for the registration of dogs kept in kennel establishments in lieu of the individual registration of those dogs.

This concession was not included in the new Dog Act, and therefore, as the law stands at the moment, the owners of kennel establishments must register each of their dogs separately.

It is considered that the individual registration of dogs kept in licensed kennels would place an unreasonable financial burden on a kennel owner and also a significant administrative work load on municipal councils.

This Bill provides for the Dog Act to be amended to permit the regulations to prescribe a concessional fee for the registration of dogs kept in licensed kennel establishments in lieu of the separate registration of those dogs.

As kennel owners effecting registration under this provision will not be issued with registration discs for their dogs, the Bill provides also for such persons to be exempted from the requirement that a dog must have a valid registration disc attached to its collar whenever it is in a place to which the public has access.

The proposed concessional kennel registration fee will be optional, so that kennel owners who would be disadvantaged by the fee—initially it is intended to prescribe a fee of \$50 per annum—can elect to register their dogs separately at the normal registration rate.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Davies.

SOLAR ENERGY RESEARCH BILL

Returned

Bill returned from the Council with an amendment.

COMMUNITY WELFARE ACT AMENDMENT BILL

Second Reading

MR RIDGE (Kimberley—Minister for Community Welfare) [5.24 p.m.]: I move—

That the Bill be now read a second time. Prior to the 1977 State election, in his announcement of the basic commitments of the Liberal Party, the Premier (Sir Charles Court) stated—

Our third commitment is to improve the ways in which Government and people work together in building and improving our many communities and caring for the needy.

In furthering this intention, advice was given in the Governor's Speech at the opening of the 1977 session of Parliament that the Government would amend the Community Welfare Act to establish advisory committees for increased community involvement in welfare work.

I now have pleasure in presenting for Parliament's consideration a Bill that will enable the Government to make an important move towards the implementation of this undertaking.

Basically the Bill is a simple one.

Members would be aware that the Community Welfare Act prescribes wide powers and functions for the Department for Community Welfare and enables the department to work towards improving the general well-being of individuals and groups in the community. In section 10 of the Act the main functions of the department are spelled out. The Act requires the officers of the department to carry out these functions. In some ways it might be concluded from the present Act that delivering welfare services is the task of Government officers only for the Act makes no reference to the important role that individuals and groups from the non-Government sector can play in the welfare field.

I am informed that this omission was deliberate and that it was planned first to consolidate the new department after the passing of the Community Welfare Act in 1972, and then, once it had settled down, it was intended to examine ways in which the delivery base of welfare could be broadened in order to give more emphasis to the important participation of the private sector. The time for that change is now overdue.

For several years now the department has been allowing increasingly for a greater participation of private individuals and welfare agencies in all phases of welfare work. In anticipation of the forthcoming changes to the Act, deliberate steps have been taken to include representatives from the private field in planning the provision of new services and in examining the operation and effectiveness of existing programmes.

All over Australia and elsewhere in the world there is a movement towards spreading the base of welfare and reducing the barriers between those that provide the services and those that use them. In this process the community comes to play a greater role in contributing towards the planning for services and in sharing in their delivery.

The community should not just be the passive recipient of whatever is decided by Government officers, however well trained they are and however well intentioned their actions are. The community—and by that I mean community groups, organisations, and individuals—must have a real role to play in evaluating what is delivered and also in undertaking some functions on behalf of Government.

In no State in Australia is welfare service the sole prerogative of Government. There is a varying degree of shared responsibility between the Government's responsibility and the field catered for by private welfare services.

I have mentioned above that in the last few years a deliberate effort has been made to ensure that people from the private sector are drawn in on the work of the Department for Community Welfare. Already a number of advisory committees are assisting in the review of current legislation, and there are management committees taking a major responsibility for providing child care services, particularly in the residential field.

The amendments to the Community Welfare Act will now enable proper legal recognition of these developments and provide a basis in the Act for a continued partnership between the principal Government department responsible for welfare services and the many agencies, groups, and individuals whose contribution is vital to the development of an effective community welfare service throughout the State.

In essence, this legislation to amend the Community Welfare Act aims at increasing community involvement in welfare matters. It will allow the Minister to form committees and similar bodies, and encourage community representation to guide and advise the Government on welfare matters, and to participate actively in community-based programmes.

I turn now to the provisions of the amending Bill and I will broadly explain their intention.

Earlier, I referred to the functions of the department as described in section 10 of the principal Act. The functions cover a wide range of methods and measures to do with the sort of welfare services that are needed in today's society. Section 10 (c) particularly refers to the department's involvement with outside bodies. It reads as follows—

To co-ordinate, assist and encourage the provision of social welfare services to the community and for that purpose to confer and collaborate with other bodies and instrumentalities who offer or may offer, a social welfare service.

Section 10 (g) speaks also of the need to encourage the greatest possible degree of service at the local level and the need to emphasise preventive measures.

In order that the intentions of these two sections in particular may be implemented in the most effective manner and with an official recognition of the equal partnership of the community bodies,

it is now necessary to provide some machinery by which the non-departmental welfare expertise may be used.

Firstly the Bill will add a provision to section 20 of the principal Act that will allow the director to delegate all or any of his powers to various kinds of community bodies. Any such arrangement must naturally be approved by the Minister. This will thereby enable the department to draw in the private sector in a variety of ways to assist in the implementation of the functions of the department as set out in section 10 of the principal Act.

The kinds of tasks that private bodies could undertake will range from the purely advisory, to consultative, through to the managerial. In the former two—advisory and consultative—the department and the Minister will be seeking mostly to make better use of the knowledge and ideas of people in the community interested in welfare. In the latter—managerial—privately organised welfare services will be actually providing a service to the community on behalf of the department.

It is necessary in these circumstances to ensure that the services are properly delivered within the terms and conditions agreed upon and that accountability is not lost sight of.

Clause 5, therefore, includes also provision for the application of penalties where bodies have failed to carry out properly a service knowingly and intentionally.

It is not considered that this provision would be used in any but the most extreme circumstances where outright malpractice has occurred. However, as such services are likely to be conducted largely through the use of public funds made available under contractual arrangements with the department, there needs to be some avenue of legal recourse if things go wrong, just as there is when the service is delivered solely by a Government officer and default of some kind occurs; there the penalty provisions of the Public Service Act may be used.

In clause 6 of the amending Bill there is a description of the method of officially recognising the bodies with whom arrangements are to be made when boards, committees or councils are set up. As indicated this is to be done by the Governor, through Order-in-Council and the matter is to be published in the *Government Gazette* where full details of the arrangement are to be given.

The clause also points out that the boards, committees and councils are responsible to the Minister for the way they undertake their tasks.

As an example, members would be aware that earlier this year the Government conducted an inquiry into the problems of the residential child care institutions. One of the outcomes of that inquiry was that an interim advisory committee was set up to advise the Minister in a continuing manner concerning the needs and problems of the private residential child care field. When this current legislation is passed it will be possible to give that committee a permanent official status and its role and contribution will be properly and fully recognised.

The usual protection of immunity covering the Minister and officers of the department where actions are conducted in good faith, is extended to members of boards, councils or committees with whom the Minister has made an arrangement. This obviously is necessary so that persons on these bodies, acting on behalf of the Minister can go about their business in confidence. It does not of course disturb any of the final liability of the Minister as the body corporate as outlined in section 6 of the principal Act.

The last part of clause 7 deals with the need for the Governor to make regulations covering a wide variety of matters that bear upon the establishment and operation of the boards, councils and committees. Things such as the structure and membership of the bodies, how the members are to be selected, when and where they conduct their meetings, how they operate, when they report, what their specific tasks are, are obviously numerous and detailed. These things are best provided for in regulations.

Let me conclude by giving some illustrations of the future use of these amendments. I have already mentioned the Advisory Committee on Residential Child Care.

I envisage that we will also seek to establish an advisory body that informs us more widely on general welfare issues other than those specifically concerned with residential care. The special problems and needs of women and particularly supporting mothers, and the welfare needs of the aged, are two such fields of welfare that could find improved expression.

The department has in recent years encouraged community groups and bodies to accept responsibility for providing locally based child care services for children who require shelter or a small group home or group foster care in their own community. Facilities of this kind have been established, particularly in country towns—Collie, Roebourne, Broome, Kalgoorlie to name a few.

At present, the department contracts with these local groups to provide the service. These management committees will obtain a clearer identity, standing, and recognition and I hope we thereby encourage a continued development of this kind of locally-based and locally-delivered welfare service.

Another example is the Community Service Training College. Members will probably know that that facility provides vocational training for staff working in the child care field. There is a substantial participation of people from the private child care field. I am therefore anxious to seek advice from those out in the community interested in the "care" side of welfare, to assist me in deciding how the college is to operate most effectively so that it best meets the needs of clients and employers and complements but does not overlap the training responsibilities of other establishments.

I would also expect that the body set up to advise me on the operation of the college would progressively become involved in management matters affecting the college so that a sufficient freedom of view develops.

There are of course many other areas of welfare such as research, special and experimental programmes, co-ordination exercises, etc., where we will get a better and more economical welfare service if we make the best use of the joint interest and responsibility of both the Government's services and private services. As the need shows itself in the future we will be able to provide a stronger recognition of the need to ensure community participation by flexible use of the provisions of the amending Bill.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Davies.

HEALTH ACT AMENDMENT BILL

Second Reading

MR RIDGE (Kimberley—Minister for Health) [5.35 p.m.]: I move—

That the Bill be now read a second time. This Bill proposes five fairly extensive amendments to the Health Act.

There is a proposal to amend certain penalty clauses related to the sale of food and drugs. Other clauses provide for the statutory recognition of the Public Health Laboratory Service and an extension of the powers of local authorities to promote medical service for the benefit of their respective districts.

Two matters which will have far reaching effect concern proposals to set up expert committees to study perinatal deaths and infant mortality and deaths from anaesthesia.

Because some of the proposals will operate only after certain appointments are made the Bill provides that these provisions would come into effect on a proclaimed date. Clause 3 of the Bill relates the proposed amendments to section 2 of the Health Act which deals with the arrangement of the various matters dealt with in that Act.

The first of the five matters to which I have referred concerns clauses 4 to 29 inclusive. These all relate to offences and penalties within part VIII of the Health Act.

Part VIII of the Health Act is concerned with the sale of food, drugs, therapeutic substances, disinfectants and pesticides. At present there are many references to penalties with a great variety of penalties.

The Food Standards Advisory Committee has reviewed this part of the Act and made comparisons with comparable legislation elsewhere. It recommends that a standard scale of penalties be introduced with higher penalties for second and third offences.

All of the amendments proposed in clauses 4 to 28 inclusive delete or amend existing references to offences and penalties. The purpose of this is to permit the insertion of a single penalty clause to which I have referred.

The types of offences created under part VIII of the Health Act include the sale of food from contaminated premises, adulteration and false description and the employment of infected persons. These are relatively serious matters but the penalties now proposed are not harsh in such circumstances. Existing penalties vary from fines of from \$40 to \$100 and in some cases provide for imprisonment up to six months.

Clause 29 sets out the standard scale of penalties which is proposed. This provides for a fine of from \$50 to \$100 for a first offence. A second offence would be subject to a fine of from \$200 to \$500. Subsequent offences could attract a fine of from \$300 to \$1 500 or imprisonment for a period not exceeding six months.

Since 1911 when the Health Act was first enacted the Public Health Department has maintained a laboratory service. This now is a large organisation employing over 300 people.

The headquarters is established at the Queen Elizabeth II Medical Centre where it operates in close association with elements of the University

of Western Australia and the Sir Charles Gairdner Hospital.

Branch laboratories are established in all major Government hospitals throughout the State. It also provides a valuable service to a large part of private medical practice and is the only service readily available to the more remote areas. The laboratory also has a forensic branch which supports our legal system.

The laboratory has a very high international standing and has been appointed as a reference laboratory by the World Health Organisation for certain aspects of its work.

Because the laboratory services the hospital system and also provides a service to a great number of patients of private practitioners it is involved in financial arrangements with the Commonwealth. For this reason alone it is necessary that it be given statutory recognition.

The Public Health Laboratory Service operates under a gentleman's agreement with the university and the Sir Charles Gairdner Hospital. Specified work areas are undertaken by these three organisations. This allows for the combined use of staff and equipment. It is proposed that this arrangement be continued.

Such an arrangement ought to be formalised but whereas the university and the hospital are created under Statute the laboratory is not.

The amendments proposed under clause 30 of this Bill would give statutory confirmation to the Public Health Laboratory Service and extend to the Minister the necessary authority to enter into arrangements with related organisations.

This would permit the Minister to regulate the financial structure of the laboratory operations and to participate in major organisational matters involving the university and the hospital services.

We come now to an amendment which reflects the very big change in the level of knowledge and outlook which has taken place since the Health Act was introduced in 1911. I refer to the amendments proposed by clauses 31 and 32.

In 1911 it was commonly accepted that most infectious diseases could be traced to bad drains, household garbage and similar insanitary conditions. This still is true in some circumstances today but our increased knowledge allows us to understand that in a number of cases the factors relating to infection are quite different.

If members refer to sections 316A to 323B of the Health Act they will note there are many references to the maintenance of infectious diseases hospitals. Local authorities were

empowered to provide such hospitals and were required to contribute towards the cost of upkeep.

The reason for this legislation was the old belief that the incidence of infectious disease could be directly related to the standard maintained by the local authority in promoting sanitary conditions in its district. The law in fact penalised local authorities on the assumption that the responsibility was theirs.

Since 1965 the Government has undertaken the responsibility of providing and maintaining hospital facilities for the treatment of infectious diseases.

Local authorities have become increasingly involved in promoting public health. They have been actively involved in immunisation campaigns and the care of infants since 1935.

In more recent years those servicing the more remote areas have expressed concern at the absence of medical and dental facilities. A number of municipalities have provided facilities both residential and otherwise to attract and hold doctors and dentists.

Recently the Government had need to ascertain the limit of legal powers under which such local authorities had acted. It was revealed that the powers were not as extensive as previously had been believed.

It therefore is necessary to clarify the matter by writing adequate power into the Act for local authorities to continue what has now become accepted practice.

A local authority will be enabled to apply its revenue including its borrowing powers to promote improved medical facilities.

Members may ask: What is the justification for the use of public funds to support private medical practice or similar facilities? The answer of course is that life is more comfortable, and higher incomes are earned in the cities.

Few doctors or dentists today are prepared to commit themselves to a lifetime of country service, and therefore they are unwilling to enter into heavy capital expenditure in country towns.

At the same time as we propose to give local authorities power to operate in these more modern areas we have taken the opportunity to repeal all of those references in the Health Act which related to a local authority's previous powers and obligations relating to the hospitalisation of infectious disease patients.

In 1960 this Parliament took the somewhat adventurous step of legislating to create an expert statutory committee to study the causes of mortality associated with childbirth.

It is very satisfying to note that in the five years preceding the formation of the Maternal Mortality Committee there were 41 recorded maternal deaths. In the first five years after the committee was formed the number dropped to 25. In the five-year period 1972 to 1976 the number dropped to 15, despite increased population. These figures probably reflect a number of factors but it surely is not unreasonable to claim that this was a valuable piece of legislation, and to note the fact that knowledge of the management of possible hazards associated with childbirth has been increased with substantial benefit.

This Bill now presents a similar proposal in relation to perinatal and infant deaths. This is contained in clauses 33 and 34 of the Bill.

In the five-year period 1972 to 1976 a total of 2 351 stillbirths and neo-natal deaths were recorded. It cannot be expected that all or even a substantial percentage of these deaths were preventable.

Nevertheless, expert medical opinion has expressed the view that a significant number of lives could be saved in the future if a parallel approach to the investigation of maternal mortality is adopted.

Clause 33 proposes that all deaths from 28 weeks gestation to one year of age should be reported to the Commissioner of Public Health.

The commissioner would exclude those cases where death obviously was not preventable by medical intervention. This would include, for example, death resulting from a traffic accident. Other deaths would be investigated by an expert.

Bearing in mind that the investigation is aimed solely at increasing our knowledge of medical science, all details recorded would be confidential to the purposes of the inquiry, and the identity of the deceased infant would be suppressed.

This would in no way interfere with the duties and powers of the Coroner. The investigator would report direct to the chairman of the committee.

Clause 34 proposes the insertion of a new part XIII B in the Health Act. It provides for the appointment of 10 persons, each having expert knowledge of some area of interest to the purposes of the committee.

The organisations to be represented are specified in the proposed section 340 AB (3). Deputies would be appointed to act in the absence of a member.

Machinery is created to call for nominations, make appointments and fill vacancies.

Members of the committee and investigators will be remunerated at rates to be determined by the Minister. The Bill provides that knowledge gained as a result of investigations may be passed on to the medical profession, but anonymity and the right to privacy is reserved.

The final two clauses of the Bill—clauses 35 and 36—bear close similarity to those which I have just explained. In this case the proposal presented is to create an expert committee to investigate anaesthetic deaths. The medical profession has long been of the opinion that a percentage of deaths which occur during or following anaesthesia are preventable.

In Western Australia we lack statistics as to the size of the problem, but if a line can be taken through the South Australian experience there could be around 40 deaths each year which are associated with anaesthesia.

The machinery which the Bill seeks to create is similar in all respects to the Maternal Mortality Committee and the proposed perinatal and infant mortality committee. Naturally the composition of the committee is adapted to deal with the problems of anaesthesia.

In relation to both the perinatal and infant mortality committee and the anaesthetic mortality committee I am able to inform members that all the bodies mentioned as nominators of members of both committees have been parties to detailed discussions. Many of the propositions embodied in the Bill are derived from their suggestions, and there is general support for both proposals.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Davies.

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE ACT AMENDMENT BILL

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Water Supplies) [5.48 p.m.]: I move—

That the Bill be now read a second time. The Bill provides proposals relating to two matters. The first of these is definitions. It is proposed that the definition of "waterworks" be expanded to more fully cover the subject.

The second matter is related to the Metropolitan Water Supply, Sewerage, and Drainage Board (Validation) Bill introduced earlier in this session. As explained at the time of presenting the Bill for that Act, certain sections of the Metropolitan

Water Supply, Sewerage, and Drainage Act, 1909-1976, have been misinterpreted, at least since the board was reconstituted in 1964, leading to a number of administrative deficiencies.

The validation Act serves to correct the inadvertent deficiencies in administrative procedures in relation to past works. It is now desired suitably to amend those provisions of the Metropolitan Water Supply, Sewerage, and Drainage Act, 1909-1976, which are clearly impractical of compliance and also to clarify, by appropriate modifications, the associated sections of the Act.

The proposed amendments to the definition are minor in nature and are designed to be more specific in describing the facilities included in that definition.

The other amendments will overcome the discrepancies between past practice and the strict requirements of the Act which led to the need for the validation Act.

This will be achieved without any significant disadvantage to ratepayers or departure from the principles embodied in the Act. Related changes to the same sections of the Act will simplify and clarify the requirements of those sections and will also abolish some requirements which it is often not possible to comply with, because of the complexity of present day water supply, sewerage, and drainage system. The amendments which are proposed will achieve the following: They will retain the power of the board to maintain, alter, and repair any works and the requirement for the board to obtain the approval of the Governor prior to the construction of any works, other than any category of reticulation or other minor works which the Governor will be empowered to exempt by order from this requirement. This latter exemption eliminates the need for submitting every minor item of work to the Governor for approval, a requirement inherent in the present Act and the prime cause of need for the validation Act.

When speaking on the validation Bill, I foreshadowed deletion of the existing requirements for preparation of an estimate, a statement showing net earnings to be obtained from the proposed works, and the ratable value of property to be benefited, and the proposed amendments will achieve this.

In a complex system such as we have today, many parts of the system have a general function which cannot be related to the supply to a particular area or to a specific financial benefit.

Sections and specifications, required by the present Act, are essentially matters of technical

relevance, rather than of concern to the public, whose main interest is in the location and general nature of the proposed works. To require preparation of this technical data before public inspection of the plans would cause significant delays to commencement of construction of services and further delays if they had to be modified as a result of objections. Elimination of this requirement is therefore proposed.

The procedure for dealing with objections would be amended by the Bill to require the board to make such alterations as are appropriate, taking account of the general public interest. When the board then submits the proposals to the Governor for approval, it will be required to indicate the nature and extent of the alterations effected. The Governor may approve the proposals, decline to approve or require that any amended proposal be readvertised and further objections invited. These arrangements are similar in principle to the present practices, but are more specific as to the duties and responsibilities of both the board and the Governor.

If the board desires to make minor deviations to proposals already approved by the Governor, it will be permitted to do so without readvertising only within prescribed limits and constraints including, normally, the consent of the owner and occupier of the land on which the works are located. The present legislation is silent on this subject.

As at present, minor works coming within the category of any order exempting them from requiring the Governor's approval before construction will also be exempt from the requirement for public review and for the Governor to approve deviations to them if they have been advertised because they form a part of larger projects which do require to be advertised.

I commend the Bill to the House.

Debate adjourned, on motion by Mr B. T. Burke.

BILLS (6): MESSAGES

Appropriations

Messages from the Deputy Governor received and read recommending appropriations for the purposes of the following Bills—

1. Chicken Meat Industry Bill.
2. Marketing of Lamb Act Amendment Bill.
3. Local Government Act Amendment Bill (No. 2).
4. Community Welfare Act Amendment Bill.
5. Health Act Amendment Bill.

6. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill.

CONSTITUTION ACTS AMENDMENT BILL

Assent

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

ACTS AMENDMENT (STUDENT GUILDS AND ASSOCIATIONS) BILL

Second Reading

Debate resumed from the 25th October.

MR PEARCE (Gosnells) [5.57 p.m.]: This is a Bill which does no credit to the Government or the House which is being asked to consider it. It would be one of the most—if not the most—unimpressive pieces of legislation the Government has introduced, and the patronising and arrogant attitude of the Government in connection with it deserves the harshest censure. The very nature of the legislation is an affront to our community.

In my first speech in the House I spoke of the forthcoming legislation on student guilds and referred to what I saw as a danger in the community. I referred to the patronising, authoritarian attitude of the Government with its, "We know what is good for the people" policy which it intends to inflict on people. In this regard the legislation before us has lived up to our worst expectations.

It has a number of quite iniquitous clauses, but one of the worst is the clause which gives a vote in guild elections to those who are not members of a guild. The Government has made membership of student guilds voluntary, not compulsory, and then it has ensured that those who choose not to be members do not lose their voting rights.

The Bill also puts restrictions on the structure of student guilds over and above those currently contained in the Statutes governing guilds. The Guild of Undergraduates of the University of WA has been operating for many years quite successfully, without complaints being made against it. In addition the Bill contains a number of other iniquitous provisions, and no good reason has been advanced for the moves proposed.

The very earliest Press statement on this matter—and the Minister's second reading speech adverts to this—was a Government commitment to make membership of guilds voluntary. As far as I am aware that commitment was made subsequent to the election and not prior to it, and it was referred to in a letter to the Guild of Undergraduates of the University of WA, on the 13th

April, 1977. The Minister gave this as a reason for the legislation. It is the only reason I have been able to discover. The letter reads as follows—

Complaints have, however, been made by students that they have—under threat of loss of student status—been required by Statute to contribute to funds, some of which are used for various political and other ends contrary to their wishes.

The Government's policy is to ensure that no student is compelled to support such other activities or causes without direct approval.

That is what the Minister wrote to the guild. In other words, the Minister was saying the Government was acting on behalf of all those students complaining desperately about the way the guilds were spending their money. It had to step in to support the oppressed minority.

Subsequent to that, I asked the Minister a question as to the nature of these complaints and how many there had been. I asked him also to table any letters which he had received. In fact, he had not received any letters which he could table. The Minister went so far as to say that at least as far as the structure of the guild was concerned, he was not aware of any complaints except complaints made in a general sense.

A petition has been presented and all sorts of activities have taken place on the university campus. The Minister's statement shows his ignorance, and the ignorance of the Government, of the true situation of the minority of students, or, as the Minister suggested, the majority of students who were being put down by the student organisation.

We all know the reason for this complicated Bill. It is designed to prevent the various student guilds of Western Australia from being affiliated with the national body, the Australian Union of Students. There has been a debate on this subject in the right-wing press. *The Bulletin* has been particularly bad. I notice it had to apologise for its last series of articles on AUS Travel, because they were so inaccurate and misleading.

Mr MacKinnon: They said AUS Travel went broke.

Mr PEARCE: The honourable member must have read the particular article to know how broke they were. The writers of that article had to apologise for what was said in it, because they went so far as to suggest that there had been misappropriation or misallocation of funds which turned out not to be the case.

The only difference between AUS Travel and ordinary travel associations is AUS Travel receives an affinity group allowance which is larger than that normally allowed for affinity group travelling in Australia.

It has been alleged that there is a power struggle between Maoist extreme leftists and other factions in the Australian Union of Students. The suggestion has been made, in terms of vague and wild accusations, that student money has been compulsorily collected around Australia and has been allocated to minority political groups. That is to say, students have been taxed unfairly and their money has been used for political purposes of which they would not approve, and the Government has had to step in to protect the majority of students from this type of action. For the Government and the Minister to pay credence to that type of argument illustrates how little they know of the way in which student unions operate, the way in which they spend their money, and in fact it shows the Minister has very little idea of what goes on inside a tertiary institution.

The depth of the Government's ignorance and its unreliable source of information was illustrated at question time. A Dorothy Clarko-type question was asked, which was whether or not the AUS was planning to bring a group of students out to Australia in order to convert the students of Australia to a PLO line of thinking. It was even implied that AUS had a well-known history of anti-Semitic activities. In answer to the question the Minister said he was aware that the proposed visit was to take place. When I pressed him on that the next day, he said he thought he was made aware, because he read about it in an Eastern States newspaper which he thought, but was not sure, was *The Australian*.

As a result of two phone calls, one to an individual inside the State and one to an individual outside the State, occupying a total of 10 minutes of my time. I was able to obtain very reliable information on that subject, which I presented to the House.

What resources do the Minister and the Government have at their disposal to find out the information I was able to obtain so easily?

Mr Davies: Didn't he answer that in reply to a Dorothy Dix type of question? It was a set-up.

Mr PEARCE: Yes; it was a set-up.

Mr Clarko: Would you be prepared to say AUS is just a teeny bit in line with PLO thinking?

Mr Davies: That is a regular Dorothy Dix.

Mr PEARCE: Dorothy Clarko; the member does it all the time.

Mr Clarko: You should know by now that a member does not use another member's name in the House.

Mr Davies: He was using a *nom de plume*.

Mr PEARCE: The member embarrassed his own Minister. In fact, the next day he had the Press saying that the Minister had misled the House on this matter.

Mr P. V. Jones: You indicated it was a member of the general Union of Palestinian Students.

Mr PEARCE: Of course I did.

Mr P. V. Jones: That particular body is a corporate member of the PLO.

Mr PEARCE: The PLO is not a corporate body. The point was that no visit was planned and in fact neither the member for Karrinyup nor the Minister had any idea what he was talking about on this particular matter.

Mr Davies: They were mischief making.

Mr PEARCE: Yes; they were mischief making.

Mr Clarko: Are you pro the PLO?

Mr PEARCE: The group which over the years has been responsible for union bashing and teacher bashing, now turns to student organisation bashing. The bashers are right at it.

Mr Clarko: What do you stand for yourself? Are you pro the PLO?

Mr PEARCE: Of course I am not. What a stupid question. The point I am making is the inadequacy of the member's knowledge and the Minister's knowledge about what is taking place in the Australian Union of Students. They have no idea at all. The attitude which has been displayed by the member and the Minister towards student organisations illustrates the whole tenor of the legislation which is before the House. I raise that as a side issue because it is the only time in the course of this Parliament that the Government has raised this particular matter of AUS affiliation and shown so clearly its ignorance of the situation.

In reply to a question, the Minister referred to the use of compulsorily collected student funds to finance this trip. I think that quite clearly demonstrates how little the Government knows about the situation.

Mr Clarko: Don't you think the AUS is likely to give money to the PLO?

Mr PEARCE: I have the AUS budget here and I will lend it to the honourable member in order that he may peruse it. He will find there is no allocation of funds for the PLO.

Mr Clarko: There is a donation to the Greg Weir campaign; that is how accurate your information is when you say I do not know what is in it. There is a donation to the Greg Weir campaign.

Mr PEARCE: How much is the donation to the PLO? Of course, there is no donation to that organisation.

Mr Davies: You are mischief making.

Mr PEARCE: The member for Karrinyup has no knowledge of this particular matter.

Mr Clarko: You said that a moment ago and I proved you wrong.

Mr PEARCE: The member did not prove me to be wrong.

Mr Clarko: I proved it; Greg Weir is right on the top of the list.

Mr Davies: What does that prove?

Mr Clarko: Did you not know that?

Mr PEARCE: No donation has been made by the AUS to Weir.

Mr Clarko: It is allocated in the 1977 budget.

Mr PEARCE: That is not true. There is no allocation to Weir in the budget.

The SPEAKER: Order! There are far too many interjections. Would the member direct his remarks to the Chair and we will make some progress.

Mr PEARCE: I believe this is a particularly repressive piece of legislation produced by a Government of meddlers who are poking their noses in where no-one wants them. Who has asked the Government to move into properly constituted and well operated student organisations and make changes? Who wants the legislation the Government is putting forward? This is exactly the situation which confronted us when we saw the Government working on the pre-primary issue.

Mr Davies: Sir Charles Court wants it.

Mr PEARCE: We are told that this is the policy of the Government and that is it. No-one is consulted about the situation. Neither the student organisations nor the tertiary organisations was consulted on this matter, in exactly the same manner in which the pre-primary boards were not consulted. Then we have the settling-in process where letters are sent out to the people who will be so desperately affected by the legislation, asking them to co-operate in their own suicide.

Of course, the whole principle of the issue is never reached. The organisations are not given a chance to argue the substance of the proposal; but they are asked to make statements as to how their demise will be expedited. This happened in the pre-primary board issue and the identical situation is occurring in regard to student organisations.

I would like to make another point and I shall refer to it again in the Committee stage. It is this: When the organisations asked for amendments to be made to the way in which the legislation was to operate; when they sought significant amendments to allow their operations to continue as they had been in the past; we found the Government refused to accept those amendments. I shall move those amendments myself in the Committee stage to enable the Government publicly to reject what it has so far endeavoured to reject privately, and I imagine members of the Government hoped that few people would find out about it.

Why is the Government doing this? What are the reasons? Where are the vast number of complaints it has received? If the Minister intends to speak in reply to this matter I invite him to table some of the complaints and indicate the nature of the desire of students in student organisations for the type of legislation the Government is putting forward. All of the student guilds have passed motions condemning the Government's takeover moves.

You will remember, Mr Acting Speaker (Mr Crane), that several hundred students came to Parliament House on opening day and produced a petition which they gave to the Minister. Despite two questions I have asked in regard to the matter, that petition is not yet on the Table of the House.

Mr P. V. Jones: That is right, because it has not been presented in the proper manner. The students have not put their petition in order. They have been asked to do so, but, as yet, they have not done this.

Mr PEARCE: I am sure the Minister really chased them up.

Mr P. V. Jones: They are the petitioners.

Mr PEARCE: The Minister would not even speak to the students at Parliament House. He smiled, took the petition, and walked away. If ever he had an opportunity to present the Government's point of view to the people who were affected by it, that was it. I invited the Minister to come down to the university and discuss the

proposals with the students. He said I could bring up the subject in Parliament, if I wished to do so.

The Government is not even prepared to explain its actions in regard to this matter. The Minister writes letters and perhaps sees one or two people at a time.

When dealing with the tertiary institutions, I believe the Minister found a tougher nut in the tertiary students and administrations, because they were not prepared to co-operate in their own demise. The University of Western Australia Senate came out very strongly against the Governments proposals in what I thought was a very courageous stand.

Dr Dadour: We will have to change the senate, won't we?

Mr PEARCE: That is why it was a courageous act on the part of the people in the senate. Undoubtedly what the member for Subiaco just mentioned crossed their minds. The Government takes the attitude that, "If you disagree with me we will take away your jobs." That is what has happened. The Government says, "If you disagree with us we will remove you from the senate." It is the old "knife in the back" approach and, in this case, the old "knife in the front" approach.

What the Government wants is people like the member for Subiaco. If everyone was like the member for Subiaco, according to the Government, we would have a form of Utopia; but it is not a form of Utopia in which I think everyone would care to live.

The University of Western Australia Senate published a news release on the 22nd July, 1977, which canvassed the senate's views on the proposed legislation affecting student guilds and it cast a series of doubts on this legislation. In passing, it said that the guild supported the view that it should continue in the manner in which it had been operating. The news release then mentioned specific items which are as follows—

... the Senate believes that—

- (a) the onus should remain on the student to request exemption from membership and that such exemption should not confer a financial advantage, albeit that exemption should be granted on any reasonable grounds;
- (b) the Guild should continue to have the responsibility for the administration of the funds collected through compulsory charges;

- (c) the scale of charges and the distribution of funds over the Guild's activities should be determined, as at present, by the Senate after consideration of a resolution of the Guild.

What it could have said, of course, but did not, is that those statements which reflect the status quo at least in the Guild of Undergraduates give lie to the Minister's statement that membership of the guild is now not voluntary at least in some respects.

In that regard, I shall quote from statute 20. For the benefit of members who are not aware of the situation, the University Act which sets up the University of Western Australia makes provision for the senate to make statutes with regard to a number of matters and one of them is the Guild of Undergraduates. Statute 20 which does not only need to be ratified by the senate, but must be ratified also by the Convocation of the University of Western Australia went into all those procedures. Section 5 of statute 20 which deals with union membership states—

All undergraduate students enrolled for any unit or part unit of a course for a Bachelor's degree shall be ordinary members of the Guild provided that such a student may be exempted by the Vice-Chancellor from all obligations of membership, but not from payment of the Guild subscription on the grounds of conscience or any other grounds approved by the Vice-Chancellor . . .

That is to say, there is an "opt out" provision if a person does not want to be a member of the guild and applies not to be a member of the guild. When I was there, the procedure was a person would apply in writing to the president of the guild. Many people do that.

Sitting suspended from 5.15 to 7.30 p.m.

Mr PEARCE: Prior to the tea suspension I read statute 20 which relates to the membership provision of the Guild of Undergraduates. Section 5 reads—

5. All undergraduate students enrolled for any unit or part unit of a course for a Bachelor's degree shall be ordinary members of the Guild provided that such a student may be exempted by the Vice-Chancellor from all obligations of membership, but not from payment of the Guild subscription on the grounds of conscience or any other grounds approved by the Vice-Chancellor . . .

This is the opt-out provision of guild membership which applies at the present time. In fact numbers of people have already taken advantage

of that provision. People from certain religious groups who on grounds of conscience cannot belong to organisations such as this have been exempted from membership of the guild in the past.

So for the Government to argue that membership of student organisations is compulsory is not strictly accurate. What the Government proposes to substitute for it is not voluntary membership as opposed to compulsory membership but opt-in membership rather than opt-out membership. That is to say, the Government wants to make it voluntary by putting the onus on people to join rather than to opt out. It has not been able to overcome the problem of financing student organisations. So although it is not compulsory to join the student organisation, it is compulsory to pay the vast bulk of the student organisation fee.

I believe the Government has been led into this strange Bill by its determination to interfere with student organisations, prevent their affiliation with the Australian Union of Students, and put some restrictions on the way student organisations spend, democratically by vote, the money they raise in the form of taxation they have. In its efforts to interfere with this the Government has been forced to put forward this strange hybrid of a Bill, and I will deal with some of the provisions of it very briefly.

Before I do so, I want to hammer home the point that very few people, if any, in the tertiary institutions want this Bill. The Murdoch University called all students to vote in a referendum on the Government's Bill. I presume the Government has received the report on the referendum, dated the 16th August, 1977. By a margin which varied somewhat but ran out at about 4½ to one, the students were very much opposed to the Government's recommendations and its proposed interference. In fact, proposition (7) dealt specifically with the way student organisations should determine how their funds are spent. It read—

That bodies outside the University shall determine the structure, finances, functions, and membership of student organisations.

That attracted 44 "Yes" votes and 497 "No" votes—the greatest single majority in that referendum.

Mr Hassell: It was a loaded question.

Mr PEARCE: It is to do with bodies outside the university—which includes the Government—determining the functions, finances, structure, and membership of student organisations. That is precisely what this Bill sets out to do. I

do not think it is a loaded question in that sense because student bodies, by large votes, do not want outside interference.

Mr Hassell: Should all the statutes relating to student guilds be repealed? That is the logic of your argument.

Mr PEARCE: It is not, and the member for Cottesloe ought to know better. The statutes of student organisations are in the first instance decided by the student organisations themselves.

Mr Hassell: No they are not. They are created by Statute. They are statutory bodies.

Mr PEARCE: The original setting up of them may be by Statute.

Mr Hassell: That is outside interference within your definition.

Mr PEARCE: It is not outside interference in that sense at all. In that sense, one could say the Australian Government—or certainly the Western Australian Government—is set up in the first instance through a superior Government; that is, the British Government. That does not mean we would accept at this point of time, well after our initial founding, interference from an outside Parliament. I would not accept it and I hope the member for Cottesloe would not. The parallel between student government and general government can be easily made. If a British Government were to set up Governments and constitutions inside Australia—which in the States certainly is what happened—after a point we would expect that outside Government to take no further part. Statute 20 has been amended a number of times since it was originally established, and the statute had to be established before the student organisation could come into existence. Since the student organisation has been running it has made amendments to the statute.

Mr Hassell: If the guilds wanted to cut themselves off from statutory existence they could have all the legislation repealed and set themselves up as independent organisations, like any other association, under the Associations Incorporation Act. But they want the benefit of statutory control and statutory existence. If, as you say, you are moving to protect the rights of individuals, you of all people should not be suggesting the rights of individuals are determined by a simple majority vote.

Mr PEARCE: I have never argued that the rights of individuals are determined by a simple majority vote. If the member for Cottesloe were sincere in his argument he would be moving to

repeal the Statute of Westminster for exactly the same reason.

Mr Hassell: That is completely irrelevant.

Mr PEARCE: It is not. Here is a Government which raises taxes from the people and, indeed, from me, and uses them for purposes of which I do not approve. I do not like the way the Government spends some of my money and I have said so previously in this House. But I accept that, because the Government has gone to the people and got a mandate for spending my money in at least some of the ways of which I do not approve. If the Government were consistent in its argument, it would give me an opportunity to opt out from paying my taxes.

Mr Hassell: Are you putting student guilds on the level of the Government?

Mr PEARCE: In terms of the area in which they operate, yes.

Mr Hassell: Now we know.

Mr PEARCE: I do not know what is strange about that.

Mr Hassell: I suppose you put other unions on that level, too.

Mr PEARCE: With regard to their own internal organisation, of course I do.

Mr Sodeman: If they go outside their internal organisation they are intruding.

Mr PEARCE: If an organisation raises funds internally, the expenditure of those funds and all the decisions it makes are to be by democratic process within the organisation. Even on the AUS affiliation—which is causing so much concern on Government benches, and I think is dishonestly not being put forward as one of the major reasons for the legislation—the whole question has been the subject of a referendum on all tertiary institution campuses in the State; and by a large majority—not a vote or two but between 60 and 90 per cent—they have voted in favour of AUS affiliation. Yet here is a Government stepping in to ride over the opinion of between 60 and 90 per cent of students. What kind of protection of the rights of people is it when the Government is prepared to step in and try to subvert the majority opinion of between 60 and 90 per cent of the students in the organisation?

Mr Hassell: Does this legislation stop the 60 per cent you are talking about paying the AUS affiliation fee? Does it do that?

Mr PEARCE: No.

Mr Hassell: That is the answer.

Mr PEARCE: It is not the answer. Let me run over again, for the member for Cottesloe, who ought to know better, the steps the Government has gone through to produce the ridiculous legislation we have here. It has started off by saying, "How do we stop the AUS affiliation?" The member for Subiaco quite rightly—if arrogantly and cynically—pointed out the motivation involved in that. Then the Government had to say, "We have to provide an opportunity for people to opt out of membership even more easily than previously."

But a significant percentage of university buildings and finances are controlled by the Guild of Undergraduates. The guild has raised funds. It has a building fund. Most of the students' fees go into that fund, and have done so since the inception of the University of Western Australia campus. The guild building, the university sports centre, and all those things were built with large loans costing hundreds of thousands of dollars which students have been paying off—the guild building and the sports centre since 1967 or 1968, and the Hackett building since the 1930s or 1940s. Hundreds of thousands of the students' dollars have gone into those things and the period of the loans is still running.

The guild asks: What is to happen to those loans? They still have to be paid off. If people are given voluntary guild membership, they still have to pay the fee. The Bill we have before us sets up a compulsory fee. Let the Government point out where there is any voluntary nature in the services and amenities fee. That is a compulsory fee under the legislation. People are not being relieved of that obligation. If one turns up at the university and declines to pay the \$72 next year, one will get short shrift; one will find oneself at all kinds of academic disadvantages.

The Act makes provision for a compulsory fee. What are we doing with that compulsory fee if not giving it to the student organisation? It is given to the tertiary institution administration. What does the administration do with it? Either it has to hire people to administer the fee and provide the benefits and services which are currently provided by the student organisation at great cost, or alternatively the fee must be handed to the student organisation. I pointed out in my maiden speech the ridiculous extent to which the Government would be led.

So what is to happen to the fee the administration compulsorily collects? It compulsorily hands it over to the student organisation. Here is the rub: not everybody is necessarily a member of the student organisation, because membership is voluntary. How do those people get a say in

how their money is spent? We give them a vote in the student organisation's elections whether or not they are members. What do members on the other side think about the iniquity of giving the right to vote in an organisation to people who are not members of it? I wonder whether they would give me a vote in Liberal Party preselections. I am not a member of their organisation, but I have heard no suggestion that I should get a vote in the Liberal Party Caucus or preselections.

Where else in Australia or any other democratic country is there a suggestion that people should be given by Statute of the State a vote in an organisation to which they opt not to belong?

It is an incredible piece of legislation which the Government is forced to introduce, having set this up under foolish premises with regard to student organisations, in order to protect them from takeover by the people it is setting itself up to stop. It is a stupid and unthought-out piece of legislation.

Moving on from that, we find if we give the money to the student organisation something could always go wrong. It could elect people of whom the member for Subiaco, the Minister, and others would not approve; so we cannot let the student organisation spend the money the way it decides. We must place further limitations on it so that the Government can check whether or not it is spending the money rightly.

We had that arrogant implication in the Minister's second reading speech—one of the most arrogant speeches presented in this Parliament—when he said, "We are looking to the tertiary institution administrations to supervise the spending of the fee, and if they do not do it properly or if they get away with too much the Government may have to step in and decide the level of fees." That is to say, "Watch out, Senate, big brother Jones is looking over your shoulder." That was a most unfortunate statement from the Minister, which is not enshrined in the Bill but is a clear threat to the administration of tertiary institutions: "Do the right thing or the Government will get you."

In his foolish interjection the member for Subiaco clearly summed up the organisation that is involved in this legislation. The way in which the Government has approached the limitation on expenditure is to write into the legislation several paragraphs which limit the ways in which the guilds may spend their money.

If one looks at the sorts of things the guilds can spend their money on one would search in vain for a word or a provision which would give the

student organisations in educational institutions the right to spend the money on educational purposes. They may give their money to football clubs, to dart clubs, or even to drinking clubs, but not for educational purposes. What do members opposite think tertiary institutions and educational institutions are all about?

No-one can accuse members opposite of being particularly concerned with education, or of having demonstrated in this Parliament any understanding of educational processes. One would think that at least they would have understood that educational institutions were about education, and the ability of student organisations to spend money for their prime purposes ought to be the first consideration of members opposite.

I am informed that the student organisations approached the Government and asked it to write the word "educational" into the sections of the Act dealing with the areas in which student organisations may spend their money. However, the Government was not prepared to do that. I should like to hear from the Minister, or anybody else opposite who is substituting for him, by way of interjection, justification for the reason.

Mr P. V. Jones: That is really true! You can tell us about that.

Mr PEARCE: The Minister can tell us about that.

Mr P. V. Jones: You are making the assertion.

Mr PEARCE: I have heard that from the people who have consulted the Minister. I will give the Minister the opportunity later on in the debate to deny that. I assert it is true. If the Minister wishes to deny it he can tell us.

Mr P. V. Jones: You are making the claim.

Mr H. D. Evans: Let the Minister deny it.

Mr Old: Do not be so coy. Tell us about it.

Mr PEARCE: We have a Government of meddlers who are desirous of stamping out dissent. They wish to stamp out dissent from the people who do not agree. The Government has found it easier to settle on the student unions rather than the other types of unions, because the setting up of tertiary institutions lies within the Acts of this Parliament, so the Government can fiddle around quite happily.

When I gave the Minister the opportunity to table the complaints upon which this legislation is based, he not only failed to take that opportunity, but also implied by his answer that was not the case. This is a very politically biased Bill which is designed to stamp out political dissent

against this Government from students in tertiary and other educational institutions where such dissent is firmly based.

Members opposite have a Liberal Club at the university which receives money from the Guild of Undergraduates for publications and other purposes. It is no secret that that club at the university has been involved in a number of violent incidents on the university campuses. It was involved in a brawl at a women's gathering, as a result of which several members of the Liberal club were fined for the offences they committed in attempting to disrupt the women's gathering. These half-dozen thugs are the people who, in fact, are making complaints to the Minister and to their cohorts on the back benches opposite. These are the complaints about the political bias within the student organisations. I assume that is the reason the Minister has failed to identify the areas from which these complaints have been received.

This is a particularly iniquitous piece of legislation. It sets out to interfere with student organisations which are run democratically. The vast majority of students at the University of WA, the Murdoch University, the Institute of Technology, the teachers' colleges, and the colleges of advanced education are opposed to this legislation; none but a handful of students want it.

The Bill does not set out to achieve the purpose which the Minister says it seeks to achieve. It seeks to achieve the Government's purpose through very bad principles; that is, to give a vote to people who are not even members of those organisations. It sets out to give the Government the opportunity to overview the administration of these institutions, and to control the expenditure of the students' funds—which funds are provided and raised by the students, and the expenditure of which is decided by them. The Government wants the right to overview, and the right to decide what the student organisations do with the money. That seems to be unfair.

In essence what the Government is seeking to do is to break the affiliation with the AUS. If the Government could adduce clear evidence that there was bad political bias on campuses or that there was terrorism which required Government intervention, maybe we could accept the Bill. However, on the occasions when the Government has had the opportunity to demonstrate its knowledge in these affairs it failed badly. I instance the occasion when a Dorothy Dix question was asked and answered. It was a misleading answer relating to the visit by members of the Palestinian Liberation Organisation, which

in fact did not take place. The member for Karrinyup woefully misunderstood the relationship of the AUS to the PLO.

The suggestion of the member for Karrinyup when referring to the AUS budget was that money was allocated to Weir. But no money was given to him at all. The money was given for a company to highlight his plight through the repressive intervention of the Queensland Government. He said the item appeared on the top of the budget paper; but in fact it appears at page 6 of the budget paper. It shows \$500 was given to the campaign to highlight the position. I was aware of the expenditure, but not where it appeared in the paper. Not a dollar of it went to Weir.

The Government seems to be able to pick on a fact and to construe it for its political advantage. This piece of legislation is particularly political. It sets out to crush what the Government regards as potential areas of dissent or dissatisfaction to hide its own unfortunate performance in the educational area. It is a Government of meddlers who set out to tell the people what is good for them and what needs to be done.

Mr Hassell: It sets out to protect the people.

Mr PEARCE: How much would this Government protect me if I did not want to contribute to its expenditure? It is an essence of democracy that in a pluralistic society there is room for differing views.

Mr Hassell: And voluntary membership of organisations.

Mr PEARCE: Members who are making such foolish interjections clearly have not read the Act. If that is the desire of the Government, a simple amendment to section 5 would suffice.

Mr Shalders: Would you support that amendment?

Mr PEARCE: I would support a provision which was not so restrictive. Why has not the Government chosen to follow that path? With regard to the finances of student organisations and the ownership of buildings, the facts are not as simple as the member for Cottesloe has made out by proposing voluntary membership. The Government has produced a Bill of many pages to satisfy its purposes in this regard. No-one can doubt the political motivation of the Government in this instance. It is a remarkable act of hypocrisy of the Government to pretend that what it is setting out to do is to settle political matters in universities as though that were a desirable thing.

In fact, what the Government is after is not to stop political activities within student organisations, but to stop political activities with which

it does not agree. The achievement of the greatest good for the greatest number is not necessarily to be found within the *ad hoc* policies of members opposite.

MR CLARKO (Karrinyup) [7.55 p.m.]: The purpose of the Bill is to make tertiary student union membership voluntary. That is the basic principle. We have listened to the comments of the member for Gosnells who, in his normal abusive style, began by claiming that the speech of the Minister was the most arrogant he had heard. Then he made a cheap dig at the member for Murray that he had never attended a tertiary institution. It does not become him to do this.

Mr Jamieson: Members are not all M.A.C.E.s like you.

Mr CLARKO: I do not know the relevance of that remark. If the Leader of the Opposition knows anything about this Bill he should get up and tell us.

Mr Jamieson: I shall have my little say.

Mr CLARKO: The principle of the Bill is to bring about voluntary student membership. The aim is to ensure that any person who decides not to belong to a student union will not be disadvantaged. I reject totally the suggestion that it is fair and proper for students to belong to student unions compulsorily. I believe in the Australian attitude of giving people a fair go. It is not fair to say that if people do not wish to belong to a union they must pay an equivalent sum of money, especially when that money is taken by the university authority and given to the body to which they do not wish to belong.

Mr Pearce: Tell us about the compulsory fee to be levied.

Mr CLARKO: Obviously the sense of a fair go of the member for Gosnells is different from the Australian sense of a fair go. Whenever he comes up against a logical argument he uses the platitude, "You have not read the Bill." That is one of the remarks he frequently makes. The other is, "Why do you not stand up and tell us."

Today the member for Gosnells seems to have discovered the Dorothy Dix type of question. He is not likely to be sitting on this side of the House, but if one day he does I would like to see whether he would use the Dorothy Dix type of question.

Mr Pearce: If I am not slaughtered more than that I am grateful!

Mr CLARKO: We have the situation where he continually makes such statements, and asserts that no reasons have been advanced for

legislation. As members of the Government we believe in voluntary membership. The weak and abject argument of the member for Gosnells that people cannot opt out of the payment of taxes is ridiculous; it is the type of argument that is advanced by a 10-year-old. It is true that everybody is compelled to pay taxes; but it is also true that our side of politics endorses the compulsory system only when it is essential.

If people can opt out of the compulsory payment of taxes which party would suffer most? I suggest it is the political party to which the member for Gosnells belongs, because it is the party which imposes high taxes.

We live in a society in which we understand that certain things need to be done; we accept that when we travel from country to country we have to be vaccinated; and we accept that we may not exceed a certain speed limit when we are driving. To bring up the argument that the payment of taxes is compulsory does the member for Gosnells no credit. Let me draw attention to his classic boo-boo, when he said this promise was made subsequent to the 1977 election. He should read the printed policy speech of our party.

Mr Pearce: Read it out.

Mr CLARKO: I will read it out if the member for Gosnells wants me to do so.

Mr Pearce: I had to read you your policy on pre-primaries the other week because you didn't know it. You denied you said you would lower the age at which children enter school.

Mr CLARKO: I cannot find the policy, but I have it here somewhere. Here it is.

Mr Pearce: The one you are holding up is not your policy; it comes from a little book.

Mr CLARKO: This is an extract. Where was the member for Gosnells when he was at university? Was he in the coffee shop all the time? This is an extract from our policy, and it says—

We will make membership of student guilds at tertiary institutions voluntary, and remove compulsion.

The member for Gosnells said at about 6.00 p.m. that this was not in our policy speech and that we dreamt it up afterwards. That just proves how totally inaccurate he was. That is not the only inaccurate comment he made in his speech, but I will not spend all evening worrying about the minutiae that he puts in front of us.

So here we have a situation in which he says it is a good thing that if a student says he will not belong to the union he must pay a fee which goes to the guild to be used as the guild wishes.

But what happens, of course, is that in the past the students who decided not to contribute to the union were threatened and, I understand, at times denied the right to sit for examinations in some cases.

At a teachers' college not far from my electorate students are advised that if they do not contribute the fee they will not be able to sit for examinations. I have with me two letters written to students by the University of Western Australia. One is dated the 10th March, and it was written by the Registrar of the UWA, who says—

Dear Sir/Madam,

Student Charges 1977

The following is an extract from the Student Charges Information sheet issued with the 1977 enrolment material—

"Time of payment—The total charges are due and payable on lodgment of the enrolment form and those not paid by 28th February, 1977, will incur a late charge of \$10, unless prior arrangements have been made for deferred payment.

If all charges due are not paid by 1st April, 1977, or by a deferred date, a student's enrolment may be cancelled."

According to our records your charges are outstanding. You are requested to pay them (including the late charge of \$10) without delay.

Then it goes on to state that the registrar, acting under certain statutes, may, if the fee is not paid by a certain time, deny the student attendance at the university. On the 28th April, just one month later, the university again wrote as follows—

Dear Sir/Madam,

Student Charges—1977

Is this not coercion? Is this what a university is all about? Rational thinking! It goes on to say—

On 10th March 1977 you were informed that according to our records students charges due for 1977 were outstanding and that if payment were not made by 1st April 1977, your enrolment would likely be cancelled... the Registrar... has suspended your rights and privileges in the University. Your enrolment has therefore been cancelled with effect from 27th April 1977. Consequently you may not attend any classes nor use the Library or other facilities of the University.

In 1984 the university will not write letters worse than that, which is what the member for Gosnells says should happen if students have to belong to the union.

Mr Pearce: What happens if someone does not pay your compulsory fee?

Mr Sodeman: What compulsory fee?

Mr Pearce: The students' services and amenities fee. The Minister hasn't read the Act.

Mr P. V. Jones: Which Minister?

Mr CLARKO: I find coercion of this sort is complete anathema to me. It might be interesting for members opposite to realise that the United Nations Declaration of Human Rights states most specifically that no person should be compelled to belong to an organisation against his wishes. That is a fundamental part of the Universal Declaration of Human Rights, in which I believe emphatically and totally. The member for Gosnells does not believe in that declaration; he does not believe a person should be able freely to decide not to belong to an association. The member for Gosnells supports group force, or something in the nature of terrorism. This is an international declaration that I am talking about.

Mr Pearce: Tell us about the compulsory fee.

Several members interjected.

Mr CLARKO: I invite the member for Yilgarn-Dundas to consult the Declaration of Human Rights to which I have referred, and he will see that the relevant section explicitly states two things. Firstly it states that people should be free to belong to unions and organisations, and then it states that nobody should be compelled to belong to one. That is the essence of the particular section of the declaration to which I am referring. We often hear from members opposite how Australia has signed international labour agreements and that, because we have signed them, we should stick by them. Why don't members opposite stick by the Universal Declaration of Human Rights?

Members of the Opposition are great ones for saying that we should take a certain line in regard to South Africa and Rhodesia, again because there are certain international agreements. I say to them: Read the Declaration of Human Rights. It is true that some money will be compulsorily collected from students under this services and amenities fee, but because it is compulsorily collected it is essential that this particular money is spent only on items which are clearly essential to

the needs of the students. It should be spent on matters from which students will gain full benefit. It should not be spent on left-wing items—

Mr Pearce: Left wing! What about the right wing?

Mr CLARKO: —nor should it be spent on items to the far right.

Mr Pearce: That is one of the things that you disagree with.

Mr CLARKO: These funds should not be spent on matters relating to political protests. Nobody should be compelled to pay fees for that. If a voluntarily formed Guild of Undergraduates of the UWA wishes to spend money on ratbag causes, let it do so with money collected from its voluntary membership. It is the right of those people to do that; it is their democratic right to do that in this country. Of course, certain countries which they support would not allow them to do that.

Mr Pearce: Which countries?

Mr CLARKO: I was unable to ascertain from the member for Gosnells whether or not he supports the PLO.

Mr Pearce: I do not support the PLO. I have not spent a bean on it. Tell us about the compulsory fee.

Mr CLARKO: One of the things which I think it is important that we appreciate is that it is very difficult to lay down what the areas of expenditure should be, and specifically to include and to exclude certain areas. There are some things that Governments have begun to provide in tertiary institutions which a few years ago were not provided. For example in teachers' colleges Governments now provide nearly all of the capital for building and so on, whereas on the other hand the UWA had to provide most things for itself. Many more things were provided by the Government for Murdoch University than were provided at the older institutions.

Therefore, the Government has decided not to lay down a fixed list of items on which the money should be spent; instead it has given—perhaps some would say too generously—an opportunity for the money to be applied—and I quote from the Bill—"solely for the purposes of the provision of amenities or services for students or the development of cultural, social, sporting or recreational activities directly related to the University . . ." If "cultural, social, sporting or recreational activities" is not a fairly expansive list, I do not know what is.

Mr Grill: What is wrong with "educational"?

Mr CLARKO: I want to say very clearly that time will tell which included items are appropriate, just as it will tell which excluded items are appropriate.

Mr Pearce: Time will tell!

Mr CLARKO: It will never tell the member for Gosnells.

Several members interjected.

Mr CLARKO: What happened in February, 1977?

The SPEAKER: Order! There are far too many interjections. The member for Karrinyup.

Mr CLARKO: Mr Speaker, the money from this services and amenities fee will be transmitted in toto to the university student bodies. I think many people would say this money should be administered by the institution authorities themselves as this would be a more accurate way to ensure it is spent in areas in which it is appropriate to spend fees which have been compulsorily collected from students; because the compulsory collection of fees causes a great deal of concern to us. It appears the compulsory collection of fees does not cause concern to members opposite. It seems they would compel everybody to do everything.

Mr Pearce: We let people decide for themselves.

Mr CLARKO: Therefore the Government has decided that students may administer the funds which are compulsorily collected. This, of course, puts an extra onus of responsibility on the students to administer the funds properly. I think it has already been suggested that this matter will be looked at next year to see how it works. The Government, therefore, has accepted the desire of university students to administer these funds.

Mr Pearce: They couldn't find anyone else to do it. The administrations don't want to do it.

Mr CLARKO: I hate to use that little cliché about the member for Gosnells making his speeches sitting down. He had his time, and no doubt he will have more to say when we are in Committee.

Mr O'Connor: You have obviously hurt him.

Mr Pearce: I am not hurt at all. For heaven's sake—hurt by the member for Karrinyup!

Mr O'Connor: You are squealing so loudly that I thought you must have been hurt.

Mr CLARKO: It is essential to appreciate that this services and amenities fee should be significantly below the current fees paid by students. For example, at present full-time students

at the University of Western Australia pay a fee of \$65, and then they pay various faculty fees on top of that. However, if by some piece of logic the guild and the institutional authorities in some sort of unholy alliance—

Mr Pearce: What is unholy about it?

Mr CLARKO: —come up with a situation in which the difference between the present guild fee and the new service and amenities fee is only \$1, and it costs \$1 to join the student guild, then the situation will be completely in juxtaposition to the spirit of this legislation, and no doubt the students will understand that they are not doing the right thing.

It is also important to realise that the different institutions have different levels of commitment. As I pointed out, if one looks at the scale of fees at various institutions one will find that the fees at teachers' colleges tend to be very low—from about \$15—rising to about \$40 at WAIT and Murdoch, and then rising to a total of about \$70 at the University of Western Australia. Therefore, it would seem to me to be essential that the new services and amenities fee be markedly different from institution to institution, depending upon the particular requirements of each institution and on the essential items that need to be funded from the fee.

I repeat that the main thrust of this legislation is to reduce compulsion, because we do not think it is a desirable thing. I think the argument which tries to assert that it is the students' money does not stand at all, because it is compulsorily acquired money. Let us see what happens if there is a marked difference between the fees of the various institutions.

Let us see how many students will join the guild. If the guild is well administered, it will have a significant number of members. I think this Bill will actually be an aid to improved student unionism, because as the unions will be voluntary they will have to do a better job, which I am sure they are capable of doing.

Mr Pearce: I am sure they are doing it now.

Mr CLARKO: If we consider the present situation and look at the 1976 budget of the UWA, we will see that of a sum of \$293 000, an amount of \$252 000 was spent on what was called "administration". No doubt that would include services as well. An amount of only \$25 000 was spent on activities and projects, and some \$16 000 was put aside for provisions and reserves.

Mr Pearce: That is only a fraction. What about the complete cost?

Mr CLARKO: When we consider that we see how Parkinson's law is operating very healthily at the UWA, because what should really happen with student fees is that they should be spent mainly and directly on activities and projects that are for the benefit of the students.

What has happened is that they have locked themselves out. That is, we have the old Whitlam situation of spending more and more money and employing more and more administrators until eventually the body is paying mainly for the wages of the people it employs, and only a small amount of money is directed to the purpose for which the body was established.

If we look at the activities and projects laid down in the 1976 Budget we will see that the sum of \$8 800 was spent on student publications. That is not a large sum per head because I have been told that there are about 8 000 members of the guild of the University of Western Australia. One of the reasons that members opposite are happy to see publications such as *Pelican* being supported by compulsorily collected student fees is that it promotes their ideas on every page. Members opposite can read *The Western Sun*, can switch to *Pelican* for a little light relief and can then go back to *The Western Sun*.

There is no reason that a voluntary student body should not produce a newspaper such as *Pelican* in whichever way the editorial staff wishes to produce it. If they want to represent matters of the far left or of the far right, as far as I am concerned they should be allowed to do so. But I do not think that month after month they should turn out some extreme left stuff which no doubt is quite pleasingly received by people on the extreme left but is not pleasingly received by people who do not share that political viewpoint.

Mr Pearce: If they do not agree with you, cut off their funds?

Mr CLARKO: I said previously that it should be voluntary and when it is voluntary they can do what they like. The member for Gosnells is wedded to compulsion.

Mr Pearce: You are asking for a compulsory fee.

Mr CLARKO: I do not criticise members opposite because the only way they can do things is to compel people to do them. That is their undemocratic Labor style of doing things. Good luck to them.

Mr Pearce interjected.

The SPEAKER: Order! I suggest that the member for Karrinyup should address his remarks to the Chair and I ask the member for Gosnells to

restrain himself as far as interjections are concerned. I point out that he had unlimited time to address his remarks to the House as the lead speaker for the Opposition and will have a further opportunity in the Committee stage.

Mr CLARKO: I have shown quite clearly previously that the AUS is not my reason for supporting this Bill. The fact that AUS supports raibag causes is probably its own business, except for the fact that it is based on compulsion. If in the new situation we have a voluntary union, and that body decides to belong to AUS, and then AUS carries on merrily, that is its business; I am not opposed to that. But at present it is compulsorily collecting fees.

The member for Gosnells denied this, but let us consider the items which were proposed to be funded in 1977 by AUS; and I assume they were funded. The first one on the list was the Greg Weir Campaign for a homosexual Queensland teacher. It gave \$500 to that. It also gave \$3 100 to a homosexual research project. If that is their particular bent and interest, that is their business but I do not believe a person should be compelled to contribute to this sort of thing.

The AUS also made money available to the Marxist/Feminist Conference. Money was also made available to the Racism and Feminism Conference. Although I do not know what it means the AUS also contributed \$1 250 to Queensland Acts. It allocated \$500 to the Stop Omega campaign and also made money available for films and regional projects for the anti-uranium campaign. It gave \$1 000 to the East Timor Campaign; \$500 to the Pacific Peoples' Action Front; \$2 000 to Thai students; \$3 000 for anti-apartheid activities; \$1 000 to the Anti-ASEAN Campaign; \$500 to the Squatters Campaign—I wonder whether they are the ones on our coastline—\$1 000 for a Middle East tour and \$40 000 for black affairs.

I can understand why the member opposite says he wants compulsory fees to go to AUS. It is because he believes in all those things. I am opposed to every one of them and as far as I am concerned compulsorily collected money going to that sort of thing is quite evil.

Mr Pearce: Membership of AUS is not compulsory. No institution is compelled to belong to AUS. Some of them opt out.

Mr CLARKO: What about the OSS, the overseas students? They made a large contribution to that body too. Here is their newspaper—*New Youth* Volume 1, No. 5, October 1977, the

official voice of the united OSS (UWA) and OSS (WAIT). It says—

Let's have no dream of freedom, justice and democracy in Malaysia any more. It is fascist!

If we turn the page and read the editorial we will see that it is couched in very liberal terms, using liberal in the broadest political sense. It uses phrases such as "sustaining of multinationals and local bourgeoisie". We read that sort of stuff all over the place when reading communist journals! It continues—

But the contention for bourgeois class interests and the dependence on multinational companies do not and would not and could not allow the elimination of poverty because the practice of capitalism is basically based on exploitation . . .

It may be that in our universities there are a couple of people who are anti-communist and their money is being compulsorily shoved into this magazine. I do not know whether this publication is communist, Marxist, socialist, or whatever slice of the Communist Party we have today. Another article is headed—

Theme: Promote unity through struggle, consolidate and further develop the student movement to oppose imperialism and support national liberation struggles.

In this article they say—

The work and orientation of the movement has progressed beyond a sole preoccupation with 'student welfare' matters, beyond identification of the problems and general calls for human rights, to actually joining in the march towards a solution. That solution is the national liberation of the overseas students' homelands by overthrowing imperialism and the neo-colonial regimes . . .

We can pick up this sort of stuff in any ordinary magazines around the place as long as it is a communist one and is compulsorily contributed to.

To return to Perth, the president of the WAIT Student Guild (Mr Wayne Carter) is reported in *The West Australian* of the 18th June, 1977, as saying—

If only a small number of students remained guild members, the guild would most probably lose the support of moderates—

They are moderates supporting the Greg Weir campaign and all those sorts of things! Armed

revolution—that is being moderate! He continued—

—and become a much more left-wing organisation.

Heaven forbid! I do not think that is possible. He continued—

There will also be definitely less money available for protest campaigns . . .

That would be most unfortunate, would it not? It would be a terrible thing if we had much less money for protest campaigns!

Mr Pearce: Don't you like protests? What an arrogant person you are.

Mr CLARKO: Cheap abuse! With respect, I think the member is an embarrassment to his tertiary lecturers. Why does he not try rational argument, not abuse?

The edition of *Pelican* for the 20th October, 1977, contained a letter which criticised the Minister for Education. It is written by a man called Paul Newhouse and he said—

From my point of view University should be a preparatory place for all aspects of our future lives. It should also be a centre of radical thinking . . .

That is his viewpoint. I do not mind if he persists with that view as long as he does it on the basis of voluntarism. I am not trying to shut him up like the member for Gosnells is trying to shut me up. He has been talking all through this speech and, having a soft voice, I am having great difficulty in making myself heard; he is trying to talk me down.

It needs to be said that it is a fundamental of democratic society in which Australians, including people who vote Labor but do not belong to the Labor party, believe that people should not be compelled to do anything unless it is essential. I have already mentioned some of the things which are essential, but it is not essential that one be compelled to belong to a student body.

I belonged to the Teachers' Union. About 97 per cent of teachers belong to the union. One of the research officers of the union once said to me that only six teachers refused point blank to belong to the union and the only other people not in the union were people moving between jobs.

Mr Grill: Can I ask you a question? What organisation do you know of where you can have a vote in the say of who will be the office bearers of the organisation—

Mr CLARKO: Rather than answer the question specifically I shall make this comment to the member. I did not draft the Bill but I assume

the reason this provision was put in was that there is going to be a services and amenities fee.

Mr Pearce: A compulsory fee.

Mr CLARKO: That is right, a compulsory fee.

Mr Pearce: What happened to your being against compulsion?

Mr CLARKO: What was the member studying there? He has a mind which is about as broad as the blade of an axeman's prize axe.

Mr Pearce: What happened to your opposition to compulsion?

Mr CLARKO: I am trying to answer the member for Yilgarn-Dundas. In this fee there will be quite a number of dollars which will help to pay off the \$240 000 for the buildings which will be administered by the guild. The reason they have been given a vote is that quite a number of things will be funded out of the fee which will be compulsorily collected. There would be no need to give them a vote if there were no services and amenities fee, and, as far as I am concerned, that would be much more desirable.

Mr Grill: Can you name any other organisation?

Mr CLARKO: Can the member advance the name of any organisation in which a person is compelled to pay funds for something to which he will not have any rights, because that is comparable? Can the member agree with that?

Mr Grill: Can you name any organisation?

Mr CLARKO: I cannot nominate any organisation.

Mr Grill: Can you name any other organisation?

Mr CLARKO: I said, "No", and I ask the member to answer my question fairly.

Mr Pearce: You answer his first.

Mr Watt: He has, several times.

Mr CLARKO: I said it, I think, three times.

Mr Grill: You would agree it is something of an anomaly.

Mr CLARKO: An anomaly exists in the fact that a services and amenities fee has been paid. The perfect situation would be if no fee were paid. They have been forced to pay this fee and the people who are going to administer the buildings which have been paid for by the funds will have that part in it. I think that is fair.

I conclude on this note. This is one of the finest pieces of legislation that has been brought forward. It contains things which still need to be worked out, which is why it is an excellent piece of legislation. We have not said in the

typical socialist style, "Here is the clear dichotomy, here is the black and the white." What we have said is, "Here is the opportunity for the university students to have this compulsorily collected fee to administer themselves." Here is the opportunity to show how voluntary student guilds can work. It can work well and I am sure that if it is allowed to run without interference from people for their own narrow political ends, it will do so. Let us hope it will run without interference from the minority political groups which the member for Gosnells talked about, which exist on the campus, and which are in no way representative of the students. If one looks at the campus meetings the percentage of such students is very small.

This is first-class legislation and I hope everyone allows it to have the opportunity to run its way so that the fine principle of voluntary membership of associations is allowed to prevail.

MR WILSON (Dianella) [8.30 p.m.]: Mr Speaker, one could see the smile upon the face of the Minister for Education grow broader the longer the member for Karrinyup spoke, because at least one has to admit the member for Karrinyup, for all his rambling statements, made a better fist of trying to provide a reason for the introduction of this legislation than the Minister did in his second reading speech. One gained the impression from his second reading speech, if one bothered to listen to it at all or read it later, that the Minister was rather half-hearted about the whole matter. Obviously he has been a little encouraged by the nature of the interjections from members opposite and by the speech of the member for Karrinyup.

Obviously the member for Karrinyup has thought a little about the matter and has tried in his mind to give the legislation some sort of respectability by delving in all sorts of directions and looking for reasons for this legislation for which the Minister himself could not find any reasons.

I do not need to say that off my own bat. I can quote from very respectable authorities which hold the same view. For instance, I would like to quote from a letter written by the Acting Vice-Chancellor of the University of Western Australia to the President of the Guild of Undergraduates in which he quite explicitly says as follows—

We must all be extremely concerned by the Government proposals. What is particularly disturbing is that such drastic legislation should be suggested without any statement of the reasons for it.

The reasons for it are what we are looking for. We have not been given the reasons for it. We have been told in a very negative way by the member for Karrinyup that the AUS is not his reason for supporting the Bill. That is a very strange way of putting it; but the member for Karrinyup has quite explicitly said that the AUS is not his reason for supporting the Bill.

Of course, the member for Karrinyup went on to quote *ad infinitum* all the rubbish he could obtain from the newspapers he picked up around the place in order to put the AUS and students attending universities in the very poorest light, following his statement that the AUS is not his reason for supporting the Bill. He complained that the member for Gosnells was not rational. How could one be more irrational than the member for Karrinyup when he made that statement and then took up a great deal of the time of the House throwing mud at the various student causes.

Of course, the other point he made, with a great rallying cry prompted by the member for Cottesloe, was that the real reason for supporting the Bill is that he supports "voluntaryism". That is a new word in the English language. I like the term "voluntaryism". I wholeheartedly approve of that term. It is strange that we are suddenly told in the Liberal Party policy statement in February, 1977, that it believes in voluntaryism, because, after all, this provision has been there for a long time. It has been there through the course of other Liberal Governments. Other Liberal Governments have not found the need to introduce legislation such as this. Other Liberal Governments have not been frightened by the compulsory element in the Statutes; but suddenly the Liberal Party at this time decides to introduce this Bill.

We can make our own interpretations of the reasons for this sudden discovery. Obviously it is a rather cheap form of political activity. These days it is common to knock students, student organisations, universities, academics, and people of that nature; so why should the Liberal Party not get on the bandwagon? It then suddenly discovers it has this high and mighty belief in voluntaryism which it believes nobody else possesses. This is the reason for the Bill.

Of course, the Minister did not deign to mention any of this in his second reading speech. It was beyond him or perhaps, as I said earlier, he is not really very keen on the legislation but the other members of Cabinet, or some other person in the Cabinet, may be really interested in it and the Minister has been pushed into it against

his will. Really that is the conclusion one can draw from the very watery second reading speech he made on this legislation.

One of the things which disturbs me about the introduction of this legislation is that the Government is expressing a lack of confidence in students in our tertiary institutions. Of course, the Government is doing that in an explicit manner; it is showing a lack of confidence in students in our community. Students are not believed to be responsible enough to be autonomous in the running of their own affairs.

Mr Hassell: You are showing your lack of confidence.

Mr WILSON: The member for Cottesloe tries to wriggle out from the implications.

Mr Hassell: You are worried that they will all join, even if it is voluntary.

Mr Pearce: Why not make the compulsory fee voluntary?

Mr WILSON: Let me say the Government is not only showing a lack of confidence in students; but, of course, it is also showing a lack of confidence in other bodies in the universities. The Government is showing a lack of confidence in organisations such as the Academic Staffs Association, the Acting Vice-Chancellor, the Faculty of Arts, and in the University Senate itself. According to the Government, none of these bodies is responsible, therefore, it must intervene and save them from themselves, because they are not capable of administering the situation in a manner which is acceptable to the Government of the day.

Of course, one would have thought it would be known to people like the member for Cottesloe and others who attend the universities that one of the things which is treasured in universities and one of the things which is instilled into university students when they enter university is the precious tradition universities have built up throughout the ages from the earliest time. That tradition is enshrined in the great British universities from which our universities obtain their tradition; that is, that universities are autonomous.

One of the results of this treasured autonomy of universities—of course the member for Karrinyup can laugh at this—

Mr Clarko: I am not laughing. You are too sensitive. I was laughing at something else.

Mr WILSON: I am too sensible; that is right.

Mr Clarko: I said, "too sensitive".

Mr WILSON: One of the reasons that universities from time immemorial have treasured the principle of autonomy is that part of the tradition

which has grown up in universities and has been accepted is the support for very high-minded causes by students and staff in universities. One constituent has written—

Mr Hassell: Support for the cause of terrorists.

Mr WILSON: You are very selective.

Mr Hassell: Yes, I am. I can make distinctions.

Mr WILSON: Neither the member for Cottesloe by way of his frequent interjections, nor the member for Karrinyup by way of his speech, has mentioned any of the other service organisations which have been supported through the ages by universities.

One of my constituents has written to me opposing this legislation and has said in that letter that the proposed legislation would mean, for instance, the end of worth-while projects like TICEP (tutoring underprivileged children).

Mr Clarko: Why would it?

Mr WILSON: One would agree with that statement.

Mr Pearce: It is educational; that is why.

Mr WILSON: This is the sort of impression this legislation leaves with people. The Government is attacking this precious and treasured autonomy of universities; it is attacking, by way of very selective attack, the other side of university life. The Government has talked about terrorism; it has talked about the extreme left; it has talked about all sorts of causes which may be used to vilify anyone else, but at the same time it has not bothered to balance those statements by mentioning there are a number of very worthwhile causes supported by university students and by other members of universities, which should be upheld. The Government has not bothered to mention those organisations.

Mr Hassell: I have not spoken yet.

Mr WILSON: The member for Cottesloe has spoken fairly frequently by way of interjection.

Sir Charles Court: Those good ones do not make the bad ones right. They do not make terrorism right.

Mr WILSON: Of course, they do not. I notice the Premier bothers to interject at this stage. He bothers to interject by saying that "those good ones do not make the bad ones right", if I quote him correctly.

Sir Charles Court: That is fair enough.

Mr WILSON: However, the point I am making, and it is a point which is obviously completely beyond the Premier and others on his side, is the

Government has not bothered to mention the "good ones". It has attempted, by means of mentioning the ones it believes to be bad—

Mr Clarko: Are you going to mention the good and the bad ones?

Mr WILSON: —and by mentioning the ones who are able to be used in a negative way to cast a slur on students at universities, to bolster up its own cause and its own case.

Mr Pearce: Mud slinging.

Sir Charles Court: You are still supporting the bad ones. You are still supporting terrorism.

Mr WILSON: I am not supporting the bad ones.

Sir Charles Court: You are supporting terrorism and communism.

Mr WILSON: I am supporting the good ones here tonight. No member on the Government side, including the Premier himself—

Several members interjected.

Sir Charles Court: Why don't you admit it?

Mr Jamieson: You are singing a fascist tune there. You are encouraging them. What can be worse than that?

The ACTING SPEAKER (Mr Watt): Order! I ask members to observe the call for order from the Chair. The member for Dianella is having difficulty making his speech and I would ask members to refrain from making frequent and excessive interjections, several at a time.

Mr WILSON: Thank you, Mr Acting Speaker. I was about to say, nobody including the Premier, that great bastion of virtue—the head of the Government—has bothered to talk in a positive manner about any of the "good ones" to use the Premier's term. One must ask the question which no-one has asked: Why has the Government put emphasis on the organisations it refers to as the "extreme left" and many of the shady activities which are involved in that situation? They are activities I would not dream of supporting myself. Let us have a positive attitude.

The Minister has given us no reasons; we have had some rather weak reasons provided by the member for Karrinyup and other members opposite by way of interjection; but we have not heard any really positive reasons as to why this legislation should be necessary at this time.

Mr Clarko: You could not have been listening.

Mr WILSON: When these provisions have stood for so long under previous administrations—

Mr Hassell: Is the basic right to belong or not to belong not a good enough reason?

Mr WILSON: Obviously the member for Cottesloe does not bother to align himself with previous Liberal Administrations and I do not blame him for that for one moment. That is the only reason I can see for his sudden support of the need for voluntarism. Of course, as the member for Cottesloe has belonged to previous Liberal Administrations he did not bother to voice his objections.

Mr Clarko: Your previous point was better.

Mr WILSON: I will continue with that.

Mr Clarko: Well, don't stay on it for more than 20 minutes.

Mr WILSON: I will close on the note on which I began. There must be more convincing reasons given by the man who is supposedly responsible for this legislation, the Minister for Education, who, as I say, has shown no real conviction about the reasons for introducing the measure; he has shown no real heart for it; he has had to depend on others to try to bolster up arguments which do not hold water. We would need to be convinced there is some really substantial reason for this legislation being introduced at this time before we could think of even beginning to understand why it is necessary, or before we thought about supporting it in any manner whatsoever.

MR MacKINNON (Murdoch) [8.45 p.m.]: I support the Bill, and I support it as one person in this House—as well as many others—who have experienced the benefits of the university campus in this State, and also the benefits of the guild and the facilities that it provides.

I rise also to give my reasons for supporting the Bill, and to point to a few instances where the Opposition lacks credibility—in fact, it lacks credibility in just about every argument its speakers have put forward today.

I will refer to these matters firstly. When we examine what the member for Gosnells said, he implied that the Government gave no notice to any institution or any body that this Government intended to introduce this legislation. Supposedly the Government came along and said, "Here it is; that is it," and that is all.

Mr Pearce: That is what happened. Did you ask them about it?

Mr MacKINNON: I will quote from page 29 of the Liberal Party's policy for 1977-1980.

Mr Pearce: How about consultation before that?

Mr MacKINNON: Under the heading, "Students' Rights" the policy document reads—

We will make membership of student guilds at tertiary institutions voluntary, and remove compulsion.

We also said—

An amendment of the law will be made in the next session of Parliament.

Members can see that this is a Government which does not go back on its word.

Mr Pearce: What consultation was there?

Mr MacKINNON: This Government gave the people notice of what it intended to do. Once the election was over, the Minister proceeded with consultation—

Mr Pearce: Ah—after the decision was made!

Mr MacKINNON: —with all the institutions.

Mr Pearce: That just confirms everything I said.

Mr Clarko: That is wrong; it is not true. There were discussions beforehand.

Several members interjected.

The ACTING SPEAKER (Mr Watt): Order!

Mr MacKINNON: I feel less than well this evening, and I feel worse every time the member for Gosnells interjects.

I would like to give two reasons for supporting the Bill.

Mr Pearce: Stick to what you are doing.

Mr MacKINNON: The first reason is that the Bill will give students freedom of choice, and I would like to quote from the Minister's second reading speech where he said—

Freedom of choice by students in these matters is a basic right—

Mr Pearce: Tell me about the compulsory freedom of choice.

Mr MacKINNON: To continue—

—and should be made in the secure knowledge that funds are not directed outside the institutions for various purposes, without the knowledge and approval of the subscribing students.

Mr Pearce: What if they choose to send them outside? That is a contradiction.

Mr MacKINNON: For my money that is a very good reason.

Mr Pearce: A lousy reason.

Mr MacKINNON: Secondly, I will be supporting the legislation because if the Guild of Undergraduates and other similar bodies can

afford to give money to organisations such as the Australian Union of Students without the support of the majority of the students—

Mr Pearce: That is untrue. A referendum was held at the University of WA last year on that point.

Mr MacKINNON: I am glad the member for Gosnells brought that up. A referendum was held in July, 1976—

Mr Pearce: That is last year.

Mr MacKINNON: —and 7 700 students were eligible to vote to say whether or not the Guild of Undergraduates of the University of WA would support membership of the Australian Union of Students. Of that number only 1 500 voted. Of the students who voted, 63 per cent favoured such a motion. So that gives us a figure of 945 or 12.27 per cent of the total student population who supported the subscription to the activities of the AUS.

Mr Pearce: How many opposed it?

Mr MacKINNON: The member for Gosnells is saying that the other 88 per cent of the students should be compelled to pay \$2.50 of their membership to a body—and I would like the member for Dianella to listen to this—

Mr Pearce: What a twist! You are saying you are an authority.

Mr MacKINNON: I am quoting from *The Bulletin* of the 16th April, of this year, and in particular, from a letter written by Michael Danby, the immediate past president, students' representative council, the University of Melbourne.

Mr Pearce: He is a member of the ALP. You know that he is a Labor man.

Mr MacKINNON: He has done a lot to expose the AUS.

Mr Pearce: I know what he had to say.

Sir Charles Court: Keep quiet for a minute.

Mr MacKINNON: He had this to say—

AUS support for extremists in the PLO and opposition to the Irish Women's Peace Movement (because it doesn't have a revolutionary anti-capitalist perspective), its ban on pro-Christian material in the national student newspaper (NATU), and its opposition to liberal democracy, freedom of speech and parliamentary democracy are all more serious indicators that AUS's claim to be the democratic representatives of Australian students is no more than a sham.

The fact that every student on the campus of Western Australia is compelled to pay \$2.50 to such an organisation is to be condemned—

Mr Pearce: They are not compelled to pay that at all.

Mr MacKINNON: I would like to refer to another point raised by the member for Gosnells.

Mr Pearce: Stick to that point; you have not answered that point yet.

Mr MacKINNON: I do not want particularly to answer interjections.

Mr Pearce: Talk to the Bill then.

Mr MacKINNON: Who asked the Government to legislate?

Mr Pearce: A good question.

Mr MacKINNON: It sounds very much to me as though the Opposition here is very much like the Opposition leader in Canberra. He makes a decision one week to appoint an Opposition front-bench as Minister for foreign affairs and the next week, because of public pressure or Cabinet pressure—I am sorry, not Cabinet pressure; back-bench pressure—he changes his mind. He does not have the courage of his convictions. He does not know where to go.

This Government makes a policy decision, and it carries that decision out because after stating its policy, quite clearly it received the support of the people.

Several members interjected.

The ACTING SPEAKER (Mr Watt): Order! I would ask the member for Gosnells to extend to the member for Murdoch the same courtesy that was accorded to him when he made his speech. The member for Murdoch has shown obviously that he would prefer to ignore the interjections, and yet they are coming so rapidly that it is almost impossible for him to be heard. The member for Murdoch.

Mr MacKINNON: Thank you, Mr Acting Speaker. The member for Dianella would have us believe that because a Statute has been around for a long time we should not change it. That is the direct implication of what he said. His point was that we should not alter something because it has not been altered by previous Governments. What a ridiculous argument. I would like also to refute another point—

Mr Wilson: You still do not give the reason that you are altering it. Why alter it at this stage?

Mr MacKINNON: I would like to defend the University Liberal Club members.

Mr Pearce: They got money from the guild. It gave them \$500 this year.

Mr MacKINNON: I am not denying the fact that they were given money. However, I wish to refute the allegations made against the club and its members by the member for Gosnells. He makes similar allegations often. Approximately 50 people were milling around outside the feminists' meeting he was talking about. Six people were charged.

Mr Pearce: Five of them members of the Liberal Club.

Mr MacKINNON: They were charged on the complaints of the feminists at that meeting. Three of these people were members of the University Liberal Club. One charge was dropped, one person has since appealed and the appeal was upheld, and the other person was cautioned. In fact, this person is appealing against the caution at the moment. So much for the credibility—

Mr Wilson: What has that to do with the Bill? Several members interjected.

Mr MacKINNON: It has plenty to do with the Opposition's criticism of the Bill, especially as that criticism is not factual.

Mr Pearce: It is factual; you just admitted it.

Mr Jamieson: They should not have been charged; any charges should have been for civil offences.

Mr MacKINNON: In his speech the member for Gosnells said also that Murdoch University is to be changed by this legislation. I would remind him that the only major change in relation to Murdoch University is that membership of the student body at that university will now be restricted to students rather than as it is now where any member of the public can belong to that organisation. To my mind that is a sensible amendment.

Mr Pearce: Have you seen the referendum result at Murdoch?

Mr MacKINNON: The member for Gosnells said also that educational expenditure is to be prohibited under this Bill. We know about the member for Gosnells' lack of credibility, and to illustrate this I will quote from page 4 of the Bill which says—

... that those moneys are applied solely for the purposes of the provision of amenities or services for students . . .

Mr Pearce: Get to the word "educational".

Mr MacKINNON: To continue—

... amenities or services for students . . .

Mr Pearce: I will move to add the word "educational", so you will get a chance to support that in a few minutes.

Mr MacKINNON: I would not support anything moved by the member for Gosnells, just on principle.

Mr Pearce: That is a stupid principle, isn't it? If you are in favour of education, you would support it if it were moved by the devil.

Mr MacKINNON: The member for Gosnells implied also that this Government would like to make capital by knocking students. Nothing would be further from the truth, and nothing would be further from my reasons for supporting this Bill.

The Government supports student activity on campus, it supports their ability to print newspapers like *Pelican*, and it supports guilds provided the membership is voluntary. However, I am not supporting—

Several members interjected.

The ACTING SPEAKER (Mr Watt): Order! I would suggest to the member for Murdoch that he should ignore the frequent interjections from the member for Gosnells. I take exception to these interjections from the member whom I have already asked to refrain from interjecting continuously as he has been doing. The member for Murdoch.

Mr MacKINNON: Thank you, Sir. This Government is not in the habit of knocking students, and it will not make political capital out of knocking students. It would be silly to do so when probably 50 per cent of today's voting population is aged between 18 and 30 years. It is quite an absurd statement to make—

Mr Hodge: You are putting them out of work, too.

Mr MacKINNON: Members opposite have said that we lack confidence in students. I doubt that. We have complete confidence in students, and full confidence in their ability to run their own organisations. I think the Minister is correct when he said the Opposition is worried that the guild will not get members. I am fully confident that it will still retain its membership because it will run its organisation efficiently as it has done in the past. The mud slinging in this Chamber has been done by the Opposition and not by the Government. I fully support the Bill, and I support the principle that guild membership in this State should not be compulsory, and no student should lose academic benefits or rights because he is not a member of the guild.

MR SKIDMORE (Swan) [8.57 p.m.]: I rise to enter the debate tonight because I find myself in the position of having to defend another section of tertiary education which seems to have been badly neglected by speakers in the debate.

The Bill before the House actually deals with four Acts of Parliament; namely, the University of Western Australia Act, the Murdoch University Act, the Western Australian Institute of Technology Act, and the Teacher Education Act. The institutions covered by this last Act are obviously the poor cousins of the other institutions. The Teacher Education Act covers all the colleges of advanced education.

Certainly I do not want to indulge in what members of the Government side have interpreted as being nothing but a sloppy mash put up by members on this side of the House. I want to look at and attempt to alleviate some of the problems associated with the rather democratic system of election of office bearers of student organisations.

I find it incredible that this Bill could be said to be even a half-way measure towards giving some rights to students under certain circumstances. The Government talks about the freedom of expression and the freedom for students to do certain things. The Government talks about the freedom of choice to run an organisation, and yet, as the member for Gosnells so correctly said, the Government then takes away that freedom of choice and says, "Whether you like it or not, you will now subscribe to a fund. Subscription will not be voluntary; you will subscribe whether you like it or not." Even the spending of the money in this fund will not be undertaken in a democratic fashion. The Government has decreed that the money will not be spent in a democratic fashion.

Before developing my argument any further along those lines, I would like to look at some of the statements made by the Minister in his second reading speech. We were told that any student who chooses not to become a member of a student body would not be refused academic benefit, right, or privilege, or that these rights or privileges would be withheld from any student.

At no time during his speech did the Minister give any validity to his base claim that academic rights or benefits have been withheld from students.

Mr P. V. Jones: The member for Karrinyup read a letter.

Mr SKIDMORE: Let us have a look at the tertiary institutions I have referred to earlier—the colleges of advanced education.

Mr P. V. Jones: We have one there too.

Mr SKIDMORE: I will refer to the Mt. Lawley college. Can the Minister tell me what academic benefits have been denied to student members of that council? Perhaps the Minister would like to tell me whether any student members of that council have been denied access to academic buildings. Has that particular student council been found to be spending money in inappropriate directions? Has it spent money needlessly? The question of needless spending is one of value-judgment. I believe I have a right as a member of an organisation to vote on how the money held by the organisation should be spent. I do not quarrel with the Liberal Party if it spends its money unwisely or in a way I think is wrong; it has nothing to do with me.

However, under this legislation we will have second-class membership of these guilds and councils; they will be required to do one thing, and one thing only. It is contrary to the principles of the Universal Declaration of Human Rights, which I understand the Australian Government has ratified.

The Minister did not state in his second reading speech whether academic benefits had been denied to student members. I hope he can tell me where they have been denied in the Mt. Lawley College of Advanced Education. I will be most surprised if the Minister can give me such an example, because I have sat on the tribunal of that college hearing arguments put forward by students on various issues, and on not one occasion did the issue involve the activities of the student council.

I refute the reasons advanced by the Minister for introducing this Bill. The Government virtually is saying that because one organisation spent money in a way the Government did not see fit, all organisations must conform to the Government's thinking. The Guild of Undergraduates at the University of WA committed the grievous sin of voting at a democratically held meeting to spend money in a certain direction. The Government has gone on as if this were some evil thing, when the decision was taken by way of a properly held referendum.

The member for Murdoch advanced a specious argument to support his case. I wonder whether the logic he displays is the same logic adopted by the Minister as the criteria for bringing forward this legislation. The member for Murdoch said that, as 12.5 per cent of the total students polled voted "Yes", logically, 87.5 per cent voted "No". Is there anything wrong with the logic of maintaining that the 87.5 per cent who did not vote

were satisfied with the situation? Of course there is; it is no more logical than the proposition put forward by the member for Murdoch.

In considering the result of the referendum, one can look only at the total number of students who voted, and the overwhelming result was that the great mass of students were satisfied with the way their money was being spent, and it is quite fallacious for members opposite to say otherwise.

I should like to discuss now the rather unusual sort of membership which will be foisted upon the student council at the Mt. Lawley College of Advanced Education if this amending Bill becomes law. The Minister stated in his second reading speech as follows—

The legislation also provides that all enrolled students will be entitled to vote for the president of the student body and members of the student council, but will be unable to participate in the activities of the student body without subscribing the additional funds required for membership of the student body.

Let us have a look at the democratic process of the election of office bearers which will result from the Government's proposal. I could easily stroll around the campus and enjoin some 300 people who were not members of the student council to vote for a particular person to represent them on that organisation. If the apathy shown by students at the referendum at the University of WA is any guide, that would be enough to ensure the election of a certain person by non-member students. Those students could then go away and do nothing else for the student council, other than to sit back with reflective pride with what they achieved. They would not even be concerned about whether they had helped to vote in a good executive or a bad executive.

This legislation will allow for the manipulation of officers of such organisations by people who are not even members of those organisations. Does that represent freedom of choice? What about the people who voluntarily become members of the student council? Should they suffer the indignity of being voted out of office by a non-member—a person who has not even subscribed to the organisation? These people may have made a significant contribution to the organisation over a period of years, as president, secretary or whatever, yet they can be voted out of office by non-members.

Mr MacKinnon: He is spending their money.

Mr SKIDMORE: Of course he is, and if the students are so concerned, let them exercise their freedom of choice and join the organisation.

There is no democracy in the system proposed by the Government; it is a dictatorship which we could well do without in this country.

As far as I can see, there is no justification or logic for this proposal. I can well understand that the legislation was prompted partly because of the activities at the Mt. Lawley College of Advanced Education, when the board accepted a preferential system for the Academic Staffs Association's award. The Minister became terribly up-tight when the college board informed the Industrial Commission it accepted the preference clause in the award, contrary to a decision made by the other colleges to oppose it.

For the benefit of members opposite who do not know the history of this matter, at that time the colleges were autonomous, and had the right to determine their own affairs in their own way; they were not subservient to anybody. However, when the Academic Staff Association at the Mt. Lawley College of Advanced Education put forward the suggestion for a preference clause, the college board saw the value in the proposition that all students should be in the union, so that the organisation could be controlled to the extent that everybody would be playing his part, conscious of his responsibility. The board said, "It is a darned good idea", and accepted it. I can almost visualise the then Minister representing the Minister for Education (Mr Grayden) getting up-tight about this matter. He moved very quickly to overcome the problem, and took away the autonomy previously held by the colleges.

Here tonight we have the same situation, where ministerial control will change the democratic processes which exist in colleges of advanced education. Let us not be deluded by the Minister in this regard; there is no such thing as encouraging voluntary membership. The prerequisite of voluntary membership is that the fee payable is on a voluntary basis. If I wish to join a tennis club whose annual subscription is \$20, and I pay that amount, but I do not wish to pay the tennis ball fee of \$10 a year, I have the right to ignore that levy only by not remaining a member of that club. I cannot join the club and then decide I will not pay the ball levy.

However, under this legislation that principle goes out the door, because there is no voluntary membership of the student council. The prerequisite is to pay an enrolment fee. Before a student does anything, he pays a fee to cover educational needs and the maintenance of recreational and other facilities provided by the council. He pays that fee before he can be a voluntary member of the student council.

According to members opposite, the fact that I am compelled by this legislation to pay a fee is a voluntary thing; I do not have to pay to become a member. Of course I do! Everybody must pay; it is a prerequisite. Therefore, there is no such thing as voluntary membership of the student councils.

I believe this is a dishonest piece of legislation; it is not practical of implementation. It raises the very vexatious question of the control of these organisations by an outside body. Heaven forbid that the Minister for Labour and Industry should suggest to me that the trade union movement could operate along similar lines. The first thing he would do would be to have the entire Liberal Party vote me out of office as the President of the Federated Millers' Union; he would then go back to my organisation, saying I did nothing about it.

Government members: Hear, hear!

Mr SKIDMORE: I have news for members opposite: The membership of that union are not going to vote me out of office; I have every confidence in them. The trouble with members opposite is that they believe that all people are as devious and dishonest and as unable to manage their own affairs as they are. That is the judgment they place upon students who become members of these councils and guilds. Because members opposite believe they should spend money in a certain direction, they are prepared to legislate to force them to their own particular view.

Whether or not I agree with everything the organisation has done is not the point; the point is that their democratic right should be upheld and protected.

I am whole-heartedly against this amending legislation and everything it seeks to do. It will not give voluntary membership to students to join the various organisations, because the prerequisite to joining the guild or the council is the paying of a fee. If it were voluntary, obviously if a student did not want to pay a fee, he would not; it would cost him nothing. He could wander around the campus without any financial responsibility at all.

Mr P. V. Jones: That is not right, you know.

Mr SKIDMORE: What would happen if I attended the Mt. Lawley College of Advanced Education and did not wish to join the guild?

Mr P. V. Jones: I shall tell you when I speak.

Mr SKIDMORE: I shall be very happy to listen to the Minister. This Government has a propensity at all times to make the claim that it and

it alone has the right to determine how any organisation in this State will spend its money. It goes about its nefarious task of gradually bringing everybody to his knees by saying, first of all, that this will happen in relation to the student guilds. Who next will be subject to the devious minds and the way in which the Government moves? Who next will be told, "You will not spend your money the way you want to spend it. We will tell you how to spend it"? My objection to that is obvious. I believe it is an interference with basic rights.

Now that the member for Murdoch has returned to the Chamber I should like to refer to the statements he made about the equality of rights and votes. When challenged by the member for Cottesloe he made a statement about equality and equal suffrage. Article 21, subsection (3) of the Universal Declaration of Human Rights says—

The will of the people shall be the basis and authority of Government.

A Government member: Does it say, "One-man-one-vote-one value"?

Mr SKIDMORE: It does. Just be patient. It continues—

This will shall be expressed in genuine and periodic elections which shall be by universal and equal suffrage.

My interpretation of that, whether or not it is valid, is that equal suffrage means the opportunity for equality of votes shall exist in those elections. Equality does not exist in this proposed system of voting because equal fees do not have to be paid. A person can get a vote without paying anything more than the mandatory amenities fee. The Article goes on to say—

. . . and shall be held by secret vote or by equivalent free voting procedures.

That is exactly what the referendum has done for the students at the university. The unfortunate part is that the Government of the day has ignored that declaration of human rights. It has now said, "There shall no longer be equal suffrage but you shall suffer according to the tenets of this Government which are that there shall no longer be equal rights".

MR DAVIES (Victoria Park) [9.18 p.m.]: This curious mish-mash of a Bill gives rise to very real concern at the action which the Government is taking in this State. The fact that it is now going to interfere unwarrantedly in the affairs of the university, although it might be only the student body at the university, must be of concern to

every single person. This is a growing tendency not only in this State but also apparently throughout Australia—in some States worse than others—and it gives us fear for the future.

No real reason has yet been advanced as to why the Government is introducing this legislation. It is very true that it has been upset with some of the actions of the student guild in the past. It is very true that some of the guild's actions have been anti-Government. It is very true that one edition of *Pelican* was banned as obscene and turned out to be something of a best seller, not amongst students of the university, but amongst the public at large who wanted to get their hands on it.

It seems that because these things happen—and there are some things which we might not all support—the Government thinks it can be heavy handed enough to say, "We shall interfere; we will tell you what to do." This is unwarranted interference.

We cannot always be happy about everything that everyone does at all times. Yet the Government is trying to legislate to provide that the things it wants done shall be done by the student guild so that the Government shall be happy. Universities have always been looked upon as beds of radicalism. This is where we would expect and would want some new thought to come from. New thought at all times gives concern to conservatives. It might give concern to me at times which might indicate that I am a bit of a conservative. But the fact remains they should have the right to do it, they should have the right to contribute to *Pelican*, to take part in marches, and to hold up banners. The people who do those things are the people who want to do them and it does not mean that everybody else does not want to do them. It means either they do not have the capacity or they are too lazy or not interested in doing them.

Mr Clarko: They are the greatest conformists of the lot, because all they are doing is conforming with what happens in student movements elsewhere in Australia and overseas.

Mr DAVIES: That is the member's assessment of the position. What I am trying to say is that we expect to get some radical thought from universities, and I would be disappointed if we did not get it. It does not worry me in the slightest. Why does it worry all these people in the Government? Are they frightened that they are going to find some more communists under the bed? Are they frightened that one day they will wake up and find their daughters have run off with a long-haired lout, or some ridiculous situation such as that?

These kinds of things happen all the time and we cannot legislate one way or the other to prevent them. Yet from the speeches which have been made in an attempt to justify this measure this seems to be the apparent fear. It frightens me for the future of Australia when we hear this kind of attitude and this kind of thought. Hundreds and probably thousands of distinguished citizens in this city more than likely did exactly the same things at university that the Government is complaining about students doing there today. I spoke only last week to a distinguished and top Government public servant and some of the things he told me he did at university a good many years ago made my hair stand on end. I had to admire the spirit of the man; I had to admire the spirit of the students; and I had to admire their guts and nerve for doing what they did. This is what made these people top-flight public servant and citizens because they were prepared to have a go and to express themselves.

At the proper time they found out what was required of citizens in the community. I suppose anyone with any red blood in his veins kicked over the traces a bit when he was a teenager, when he was in his early 20s, and when he was perhaps a lot older than that. Some carry on like this when they get into their 50s; they wear tight denims, and try to pretend they are still teenagers.

Some people are reluctant to let that period in their life go. But there is a time when people want to do these things and the community needs these people to do these things. These are people with some thought who want to express themselves. Be it good or bad, they will go out and express themselves. They will not say, "I will not do it because I might not be accepted at church on Sunday morning", or something like that. They want the public to know that they have some different thought and in five or 10 years' time half of them would probably be sorry they ever said those things; they would probably want to hide from some of the things they said, did, and wrote, because their attitudes have changed.

Universities throughout history have been like this and this is exactly what this university is like. I hope it is exactly what the Western Australian Institute of Technology and other tertiary institutions are like because if we do not get this kind of thought and expression we might as well fold up as a country. We might just as well give it all away now because we have to have this kind of radical thought and the university is the place to express it. If we do not like it we can argue with such people. We can belong to the organisation; we can go to the meetings; we can

vote out the executive; we can exercise all the privileges that are given to us through being a member of a student organisation.

What did we find when there was a plebiscite? The member for Murdoch said that out of about 7 500 students only 1 500 bothered to vote in the plebiscite regarding the AUS. Despite the fact that many articles appeared in the newspapers, much concern was expressed through the media and at the university, and for 12 hours on three consecutive days they had the right to register their votes, out of 7 500 students only about 1 500 bothered even to go along. I suppose they were some of the radical ones; they were the ones who the member for Murdoch said voted in favour of the proposal. They are the 12 per cent who wanted to continue to belong to the AUS, and they are the 12 per cent of whom I am proud because they did what was required of them. They played their part in the organisation. They did not just pay their fees and leave the running of the organisation to the rest of their fellow students.

They accepted their responsibilities and whether they were pro or con did not matter one bit. They did what was required of them. They are the things which count.

The Government says it does not believe the paying of fees should be compulsory. We have this voluntarism, which sounds like a lazy way of saying it. The Government believes in this voluntarism and yet, on the other hand, it says there is a compulsory segment. What a contradiction to say that! The Government says, "You need not belong to the student guild but you can vote if you want to." I do not know whether it will be compulsory for them to vote; that has not been explained to us. Every student is probably going to be told, "It is compulsory for you to vote. You do not have to belong to the guild but you have to vote." I have never heard of anything like this.

A person could be a racehorse owner, could go to the races every week, could have a string of horses and stables, and could be influential in the racing field. But if he were not a member of the Turf Club he would not be able to vote for the committee or the chairman. The same kind of situation has developed here. A person will have all the privileges but will not have to pay; that person will be just as well off as the person who does not pay.

Perhaps the student guild would be better off without this kind of person. Perhaps they are the miserable kind of people who are too lousy to pay anyway and will use this as an excuse

to dodge any reasonable or decent responsibility. This may ensure the complete eroding of the student guild; that may be the result of it. I do not know. If this is the atmosphere the Government is trying to create, this will be the eventual outcome. Then what will it do? It will probably bring in legislation to make it compulsory to join.

I do not deny that the Liberal Party has made its position quite clear in its policy speech and in the Governor's Speech. To give it credit, it has said what it was going to do, but only in one form. I think it has gone too far. The Government has said, "We have had talks with organisations to explain the Government's position and to allow the organisations to explain their positions." In his introductory speech, which took seven minutes to deliver, the Minister said—

Student bodies and associations form an integral part of academic life and, in preparing the legislation, discussions have been held with representatives of the parties associated with the various tertiary institutions to ensure that the Government's intentions were understood, and in order that the Government might be aware of the financial aspects and responsibilities, and present management arrangements of student bodies.

We want a much better explanation than that. We want to know to whom the Minister spoke, the nature of the discussions, how long they took, and what propositions were put forward.

Mr O'Neil: And what he had for morning tea!

Mr DAVIES: What is the Minister yacking about?

Mr O'Neil: And what he had for morning tea.

Mr DAVIES: No, I do not want to know that. That comment shows how lightly the Government considers this very serious situation. The Government has not justified its actions, neither has it told us what organisations were approached, and what discussions took place. There is a responsibility on the Government to tell Parliament what took place. The Government has the numbers and the Bill will go through, but at least Government members should pay attention to what we have to say. However, this Parliament is treated with contempt when dealing with a major piece of legislation such as this which will affect thousands of students contributing to our tertiary education system. The Minister dealt with this measure in seven minutes; indeed, his speech covered just over one page of *Hansard*, and that is an affront to this House. We want more information.

Members opposite would have discussed this matter in the party room, and have agreed to go along with it. They do not seem to have any concern for what is to be done, or the likely consequences. That is what worries me.

Mr Clarko: What about some faith in the Government?

Mr DAVIES: I have no faith whatsoever in the Government. I gave the Government credit for announcing its attitude, but the Government did not tell us what its intention was. It said it would legislate, but it did not say it would legislate to bastardise the system so that it can be used by some, and the rest can opt out if they want to. What an odd arrangement.

I have not heard any statement in regard to this matter. The Government never said it would legislate to see that the Act became almost incomprehensible. I have to express the concern in the letters I have received from both people I know and people I do not know. I was surprised by some of the letters, and at the concern expressed, because I did not think there was much interest of this nature. However, obviously many people are interested and many people are upset that this kind of interference is to take place.

Finally, I want to talk about how the Government always claims to believe in voluntary contributions and a fair go.

Mr Clarko: I did not say, "always".

Mr DAVIES: Not always; only when it suits the Government. The Government has the numbers and it proceeds merrily along. The Government should make up its mind to have one thing or the other, and not to mix up the situation and try to be all things to all men. What is meant by "amenities fees"? Is it claimed that if a student does not play squash, he will not have to pay squash fees. Some students may not play sport of any kind, and may not use some of the other facilities which will be provided. The legislation is quite indistinct. There is no line of jurisdiction with regard to what the money will cover.

This is the worst piece of legislation I have seen. I will return to the matter of voluntary contributions. We know the attitude of the Government towards trade unions. It claims that membership of the trade unions shall not be compulsory, but that has not always been the case.

In 1966 we passed legislation to form the WA Institute of Technology. In 1968, the Act was heavily amended because of the situation in which the new institute found itself, and the way it had developed.

The Minister for Education at the time was Mr Edgar Lewis. When introducing the amending Bill, he said—

The final provision of the Bill will permit the creation of a student body. Several separate student organisations already exist and it is expected that they will affiliate with the new body which, it is proposed, will be a corporate body responsible for the overall organisation and development of student activities on the campus. It will be expected to take a leading part in student government and to be the point of contact between the students and the institute administration. In a later stage of its development it is probable that the guild will be made responsible for the control of certain institute buildings and equipment provided for extra curricular affairs; for example, the cafeteria.

Those remarks appear at page 1250 of *Hansard*, 1968-69. During the Committee debate on the same Bill—which I dealt with on behalf of the Opposition as I did with the original legislation—at page 1928 I said—

... I would like the Minister to tell me whether it will be compulsory for students to belong to the student body, and whether a line of communication will exist between the council and the student body.

Mr Lewis replied—

I can answer the honourable member quite briefly on both points. Firstly, in regard to whether membership of the student guild will be compulsory, all I can tell him is that the payment of the fee will be compulsory. Whether a student takes an active part in the activities of the guild is entirely up to the student.

That was the attitude of the Government in 1968. The Government wanted compulsory guild fees. I will mention those who were in the Government of that day: the present Premier; the Minister for Housing; the Minister for Labour and Industry; the Minister for Health; the Deputy Premier; the Minister for Industrial Development—and he spoke on the measure but did not oppose compulsory guild fees—and the Minister for Regional Development and Town Planning—and he also spoke on the measure but did not oppose compulsory guild fees. So a curious situation has now developed.

Those same members are now pretending that all along they opposed compulsory fees. How two-faced can one get? What a turnabout! Had I not mentioned that matter particularly I would have said perhaps it was not noticed in the Bill

at the time. However, I did mention it because it was of particular concern to me. The Government was mouthing objection to compulsory unionism but at the same time it was putting through a Bill to provide for compulsory guild fees at the Western Australian Institute of Technology. I mentioned it at the time but the two present Cabinet Ministers who spoke did not bother to oppose it. There are other members in this Parliament—front-benchers now—who did not oppose the provision.

Mr Mensaros: Did the member look at the debate on the Murdoch Bill?

Mr DAVIES: I did not.

Mr Mensaros: You will find the opposite there.

Mr DAVIES: That comment shows how intransigent is the Minister handling industrial affairs, and how he changes his mind. That Minister, and the Minister for Regional Development and Town Planning, have suddenly woken up and they realise they have to be careful because the students are left wingers. After all, the Minister opposite would know all about left wingers and right wingers. The Government is frightened that those people might say something to shame the Government. The Government ought to be ashamed of itself, and I oppose the Bill.

MR HARMAN (Maylands) [9.40 p.m.]: There are a number of observations I wish to make in opposing this Bill. Firstly, for many years we have had a system at our universities where the students have been able to contribute to a fund, and it has been on a compulsory basis. The student guild is able to make some decisions about what happens to some of those funds. That has never been challenged by previous Governments, and I wonder why.

In trying to determine why this Government should take some action, I feel we should examine some of the things which have happened in the past 10 or 12 years. One thing that has happened, of course, is that the student guilds have decided that some of the funds should be used to support some sort of political activity. In making that decision some of the political activities have not been in accord with the establishment in Western Australia. Herein lies the real reason the Liberal Party, supported by the National Country Party, has decided that if it is to make some sort of attack upon what the student guilds do in the form of political activity, then this Bill is one way that can be achieved. As a result, we have seen the introduction of this legislation.

During the last decade there has been a tremendous improvement in communications, and a tremendous increase in the amount of literature

which is not acceptable to the establishment. The literature is an attack upon capitalism, and upon the philosophy of capitalism and it shows up, over the years, that many imminent scientists have supported capitalism bolstered by various arguments and various promises which have now been found to be very insecure. The establishment now realises the situation and it is endeavouring to try to smash any sort of attack upon the capitalistic theories and philosophies of this age.

One way to achieve that purpose is to make sure that the students at our universities do not get any opportunity provided to them, on a plate, by which they can contribute or assist some political activity which is not in accord with the philosophies of the establishment.

I believe quite a number of members on the Government side have been to universities—some of them many years ago. They would know that not too many years ago names such as Karl Marx and Lenin were usually whispered at the University of Western Australia. However, that is not the situation today.

Quite a deal of literature has been written about those people who have a point of view different from that of the capitalistic system which is supported by the establishment in Western Australia.

Because of the increase in communication, and because of the work and research that has been done by scientists who take the opposite point of view, we find now in our universities that we have the opportunity to be exposed to both sides of the argument. Those opposite theories were not discussed a decade ago, but discussion does occur now and students are becoming aware of that fact. They are prepared to contribute to activities which are in line with the views expressed by those writers of the left; those commentators and those scientists who put forward the point of view of the left, and not the point of view of the right.

So it is fairly obvious what is happening here. The only way the Government can maintain the establishment and this particular narrow point of view which Australia has developed in the last 100 years is to make some kind of attack upon the students, and that is exactly what it is doing in this legislation.

The second comment I want to make is that the Bill shows up the hypocrisy of the Government because, if the Government is really concerned about organisations which contribute to political activities that do not meet with its approval, it must not only mount an attack on the student guilds at the various tertiary institutions but also on the companies in Western Australia, because

many of the companies operate on funds from shareholders who contribute to political parties. Some of them contribute to the Liberal Party, some to the Country Party, some to the Australian Labor Party, and some no doubt to the Communist Party, the Democratic Party, and other political parties. Some companies may contribute to causes which do not meet with my approval or the approval of the Government, but there is no suggestion at all that the Government will introduce legislation to tell companies how to distribute shareholders' funds. There is no suggestion that the Government will introduce legislation to tell trade unions how to distribute their funds when it comes to a question of funds going to a particular political activity.

Mr Davies: Do not give them ideas.

Mr HARMAN: Does this not demonstrate the hypocrisy of the Government? It knows the system in Australia is under challenge. It knows capitalism is at the crossroads. It knows if it wants the continuation of the system of privilege and inequality, with a ruling class of elitists and all the other people being commoners, it must ensure it gets to the university students because they are the leaders of tomorrow and they are the people who make informed judgments and are able to inform others. The Government must ensure it attacks them, and that is what it is doing with this Bill.

The Government can hide behind any excuses it likes, but the fundamental reasons for this Bill are twofold. Firstly, the Government knows very well that its system is under attack because of what is happening in the universities. It does not want the students to participate and make a decision in respect of their finances, and in doing so perhaps support a political party or activity which does not meet with the Government's approval. Secondly, the Bill highlights the hypocrisy of the Government because the Government is prepared to take on the students and control the activities to which they devote their funds, but it is not prepared to bring in legislation to control the finances and the use of the finances of companies and trade unions.

MR JAMIESON (Welshpool—Leader of the Opposition) [9.50 p.m.]: I promised the member for Karrinyup I would make a few remarks and I would hate to disappoint him. I find in my job that at functions I attend I am constantly in touch with people in tertiary institutions, and not one of the tertiary institutions has agreed to the interference of the Government in providing a change in the fees and operations of the various

student guilds in those institutions. If all the institutions are against it, the Government has obviously fallen by the wayside somewhere. There is something it has not taken into consideration. "Not necessarily", said the member for Karrinyup. He is right all the time.

Mr Clarko: I did not say that.

Mr JAMIESON: He is right. His political leaning is right; therefore he does not care much whether there is any sense in leftism or any other "ism" there happens to be around. Very clearly the fact is that not one of the tertiary organisations agrees, through the senior echelon of administrators, that there should be interference of the kind the Government is promoting.

The people on the campuses at the universities are traditionally very violent in their political outlook. I have watched them fairly closely since the end of the last World War. In one decade they lean towards the right and produce Snedden and people of that type. Then they lean towards the left and produce a different kind of political being. Then they swing back again. This has happened, and the less the Government interferes with the campuses the better and more healthy it is for the community.

Mr Clarko: It is a long time since it has been to the right.

Mr JAMIESON: It was not so many years ago. In the Snedden-Withers era it was extremely right, and it is going back towards the right again now. There is no doubt that it is the right-wing element which is causing problems. If the honourable member checks with the people in administration he will be told that when they were on campus the disturbances used to come from the left but now they come from the right.

It worries me that this interference by the Premier will encourage unlawful activities by right-wing people. If anyone on the other political train puts a foot wrong he is extremely wrong, but if he is on the right of the political spectrum it does not matter what he does.

In respect of other activities, I think it is high time the universities took the attitude that when disturbances occur they are matters for civil action. They should not try to interfere and judge on the campus. They are not capable of doing it. They do not have the type of inquiry agents necessary to judge whether an assault on an individual took place. Because of the complex system of appeals and counter-appeals to the senate and other bodies which administer the law on the campus, very often people who may be guilty of an offence are able to use these facilities and avoid the responsibilities they should

rightly be shouldering because of action they have taken. I hope that in the future the universities and WAIT will do the right thing and call in the police to ensure the guilty people are apprehended and dealt with in a court of law, where they should be dealt with.

Quite a lot has been said about the Bill, and all that needs to be said has been said. Having allowed an organisation to come into existence, it is stupidity at its worst to allow people who do not belong to the organisation to vote in elections for positions in the organisation. This matter has been canvassed considerably during the course of debate and I do not think it needs to be canvassed any further. I merely reiterate that it is stupidity at its worst to make this provision.

We can usually tell when the member for Karrinyup has been associated in the background with the preparation of legislation. He takes personal hurt on matters relating to education. We can see he is immediately tickled by the action of the Opposition in taking him to task for his failure to appreciate other points of view. Unfortunately, he is going extremely right; he will run into the right-hand side of the road before long and we will not have to worry about him then.

Mr Clarke: Whereas you have been left.

Mr JAMIESON: No. I have said I do not think people would be charging behind me in a revolution of the red side, nor would I be carrying the flag of the blue side. I profess and acknowledge to be bent towards socialism, and we will see how it continues to grow, even when Liberal Governments are in office, because of the legislation they put forward. If we were able to come back here in another 100 or 150 years' time, we would find very little was not of a socialist nature in this country, whether we like it or not.

A Government member interjected.

Mr JAMIESON: I have picked a few winners. We win some and lose some. It is difficult to be a prophet. I have seen the change in procedure in this Parliament during my time, and I have seen the change all over the western world. There is no doubt about the direction it is going. I must admit that the legislation which the Liberal Party—the right-wing party—imposes upon the people of this State from time to time has the effect of slowing down the process. But the general trend is towards the line of action I have mentioned. It will happen, come tomorrow, come next week, come 50 years, or come 100 years. It will be here, despite the Minister for Industrial Development and others who would hate to see it. It will come nevertheless and we will have to put up with it in the way we find it.

The systems that arise in this world are only as good as the people who administer them and work within them for the time they are allowed to exist. The administration on the campus, with its guilds and the rest of it, had been running fairly well. Only a handful of right-wing Liberal reactionaries were complaining. They are constantly writing to the newspapers and bellyaching. We see their names time and time again. They are the kind of people of whom the Government takes notice. They are the kind of people who have been sitting on the lap of the member for Karrinyup whispering silken words into his ear. They are the kind of people to whom he listens. He is not prepared to go among the people on the campus and find out what the real opinion is. Had he done that I am sure he would have been a much wiser man in respect of the legislation we have before us now.

MR P. V. JONES (Narrogin—Minister for Education) [10.00 p.m.]: We have witnessed tonight an extraordinary debate because we have had a series of speeches from the Opposition which have been trying to create the illusion that members opposite are espousing the cause of freedom; yet they are going to extraordinary lengths to oppose a Bill that provides freedom of choice to tertiary students.

Mr Pearce: What freedom of choice, with compulsory fees?

Mr P. V. JONES: It has been suggested the legislation is repressive. How can it be considered to be repressive when in fact it is providing tertiary students with a choice which they do not now enjoy? In fact far from being repressive, the legislation relieves the students of supporting institutions—namely, the guilds, councils, or whatever—if they choose not to do so.

I suppose not much legislation has ever come into this Parliament having been discussed as much as this Bill has. It was suggested that the Bill suddenly descended upon the Parliament, but in fact discussions relating to it began in 1976.

When the member for Swan suggests there is no provision for compulsion in the teachers' training institutions, let me point out it was that very aspect that brought the matter to a head, because in one of the colleges—not the one to which he referred—a student was threatened with loss of student status. In the statutes of teachers' colleges there is no conscience clause as exists in the statutes of other institutions. So whereas a waiver which provides no financial benefit exists in three of the statutes, it does not exist in the statute in

respect of teachers' education colleges. To suggest, as some members opposite have done tonight, that there is no loss of student status is to deny the statutes that exist.

Mr Pearce: Because it is not in teachers' colleges, why not take it from the rest?

Mr P. V. JONES: This question also arose in discussions which have taken place. As I indicated, this matter has been discussed for a long time. In April of this year I formed some discussion groups between the various institutions and either myself or the Chairman of the Post-Secondary Education Commission (Dr Neil), and since that time discussions have been held frequently with either the student representatives—and in each case we have heard from the office bearers of the guilds or the persons they have nominated to see us—or the administrators; and they have been a party to the preparation of the legislation. Indeed, a meeting was held, as late as the week before last, when the final form of the legislation was known. So there has been continual discussion.

Mr Pearce: How many agreed to the legislation?

Mr P. V. JONES: I am trying to indicate the suggestion that there was no discussion is not valid.

Mr Pearce: None agreed to it. That is the answer, isn't it?

Mr P. V. JONES: Similarly during all the discussions, it has been known right from the very beginning by all parties to the legislation that the amenities and services fee would be required of all students. The reason for that is simple.

In the view of the Government there is a commonality between the services which are provided for students; that is, the ones they fund themselves. These vary from institution to institution. As I mentioned in my second reading speech, and as the member for Karrinyup mentioned tonight, the students at the old institutions have in fact done a great deal to provide amenities and services for themselves, and for that they deserve considerable credit. They have not just sat down and waited for the administration to provide something for them. Through the fees which were required of each student they have raised loans and constructed facilities. From the beginning the Government indicated the loans which had been raised would not be jeopardised and that in the Government's view it was right and proper for all students to contribute to their own welfare.

Dr Troy: What if they are not interested in sport?

Mr P. V. JONES: If the honourable member wishes to adopt the view that the user must pay, we could then require that it would cost some \$10 for a game of squash of \$15 to row on the river. The simple reason is that those costs are now spread over the student body, and it was the wish of the student bodies at all the institutions that this should remain so, and the Government agrees with them.

Mr Pearce: They wanted other things to remain to which the Government did not agree.

Mr P. V. JONES: These fees vary between the institutions. At the Mt. Lawley college, the student fee is only \$14—

Mr Pearce: They didn't agree to the legislation, either.

Mr P. V. JONES: —simply because, as the member for Karrinyup indicated, the taxpayer provided far more of the facilities there than he provided at the older institutions.

I would like also to clarify a further point. The payment of an amenities and services fee is not for the membership of some association; it is a requirement of enrolment. The payment of this fee does not provide one with membership of something, it provides one with the entitlement to become an enrolled student—

Mr Pearce: And to vote.

Mr P. V. JONES: —and to vote, and one votes for the guild as an enrolled student simply because the guild will disburse one's money. If the member for Gosnells is trying to suggest to me an enrolled student is not entitled to vote for the people who will disburse his funds, then let him stand up and say so.

Mr Pearce interjected.

Mr P. V. JONES: In spite of what the member for Gosnells is trying to suggest, the payment of an amenities and services fee does not provide a student with membership of anything. It is a requirement of enrolment. By interjection the member for Gosnells has been asking what other association has membership fees like this.

Mr Pearce: I am pointing out that it is stupid.

Mr P. V. JONES: However, it is not an association at all.

Mr Pearce: I asked what other association gives non-members a vote.

Mr P. V. JONES: Payment of the fee does not give one membership of anything.

Mr Pearce: We asked what other organisations give non-members a vote, because your Bill gives non-members an equal vote at elections

Mr P. V. JONES: So long as the guild disburses the amenities and services fees collected from all students, then most certainly the Government will ensure all students have a vote.

Mr Pearce interjected.

Mr P. V. JONES: In that case they will not get a vote unless they join the guild, but they will vote for the persons who will comprise the guild council to handle the money paid by all students. In that case most certainly all students will have a vote.

Mr Pearce interjected.

The SPEAKER: Order!

Mr P. V. JONES: The member for Dianella suggested I was somewhat half-hearted about the legislation. Nothing could be further from the truth. The comment that my second reading speech, in his words, left a lot to be desired, denies the fact that unlike him I have two opportunities in the debate. I assure him and anybody else who wishes to question whether I am half-hearted, that that is not the case.

The question of reasons was also raised. At the commencement of my remarks I indicated the Opposition had gone to great lengths tonight to try to deny this freedom of choice to a considerable section of the population of this State—some 30 000 tertiary students.

I do not know whether anyone should ever have more reason to introduce legislation than the reason that it is to provide for a choice where the contribution of funds is concerned, as is the case in respect of this Bill.

Mr Pearce: A fraudulent choice. It is not a real choice at all.

Mr P. V. JONES: In respect of the administration and disbursement of the funds collected, the Opposition seems to be in some confusion as to who will do what and what restrictions will be imposed. Ever since the legislation has been discussed it has been made perfectly clear that no restrictions whatsoever will be placed upon the activities of student guilds. Similarly their control and disbursement of their funds will remain as it does today.

Mr Pearce: No, it will not.

Mr P. V. JONES: Why will it not?

Mr Pearce: For example, under your Bill they will not be able to pay for things which they can pay for now.

Mr P. V. JONES: Let me clarify the point. Should any student wish to join the Australian

Union of Students and subscribe funds to that body, he is perfectly free to do so. That has been made abundantly clear.

Mr Pearce interjected.

Mr P. V. JONES: Is the member asking us to legislate to conform with the rules of the AUS?

Mr Pearce: No, I am saying that you do not understand what those rules are. In fact, the situation under your Bill is exactly the *status quo*.

Mr P. V. JONES: I am not interested in understanding the rules of the AUS. I am trying to make it clear that if anybody wishes to join that body he is free to do so and to subscribe funds to it. There is no prohibition in any way whatsoever. However, no-one will be forced to join it.

Government members: Hear, hear!

Mr Pearce: Why would not you pay for—

Several members interjected.

Mr Pearce: Let *Hansard* record there is no answer.

Mr P. V. JONES: Look, the member for Gosnells has been interjecting constantly like some nocturnal ferret. Can we get on with dealing with the legislation?

Mr Pearce: You answer some of the questions.

Mr P. V. JONES: There is no prevention or prohibition on students who wish to contribute to or join the AUS or any other body; this Bill simply ensures that no student will be forced to join under the threat of loss of student status.

Mr Pearce: That is not an answer.

The SPEAKER: Order! The Minister will resume his seat. The member for Gosnells has already been warned tonight by one of my deputies about persistent interjections. I must ask him to refrain from making continual interjections. As far as I am concerned, this is just not on. The Minister listened to the member for Gosnells in comparative silence; I do not think he interjected once. The Minister is entitled to be heard, and as far as I am concerned this business of continual interjections will be frowned upon quite sternly.

Mr P. V. JONES: Reference was made by various speakers to the traditional autonomy of tertiary institutions, and in my introductory speech I referred to the fact that we are respecting that autonomy and the responsibility which the tertiary administrations have indicated they will display where this legislation is concerned. The traditional autonomy, in the sense indicated by the remarks of the member for Dianella, no longer exists. It cannot exist in the way that it did in the traditional

sense when in fact the taxpayers of this nation will contribute in excess of \$35 million to the University of Western Australia next year. Autonomy in that sense can no longer prevail, and no tertiary institution can now entirely decide its own destiny in the way it traditionally has been able to do for a long time.

Similarly, Mr Speaker, I indicated there were some legal aspects. It has been found that various of the statutes made as subordinate legislation to the parent Act are in fact *ultra vires* the parent Act. This is particularly so at the University of Western Australia and at the Western Australian Institute of Technology; the statutes, in the sense of tertiary education, are not the parent Act as they are in other legislation. They are in fact the statutes which are prepared within the institution, approved by the Minister, and then agreed to by the Governor-in-Council.

Some of those statutes are *ultra vires* the parent Act in respect of membership of student guilds, so that for all practical purposes membership has in fact become compulsory at the University of Western Australia and at the Western Australian Institute of Technology.

Certainly the subscribing of fees at the same level has become compulsory, as the member for Karrinyup has indicated by the letters he has produced. The element of compulsion has in fact been provided for in the statute irrespective of what is provided for in the parent Act. If a student does not join the guild, regardless of his conscientious wish to opt out, his fees are in fact not one cent less than had he joined the guild.

I do not believe that is a major issue. I introduced it as a further reason that from the legal point of view it has been felt necessary to make some changes to the legislation and to clarify the conditions of membership.

There are some other points of which some members might not be aware. Unlike other tertiary statutes in the Eastern States, or anywhere else in Australia, the student body is enshrined in the parent Act, in the statutes which prevail in this State. This is quite unusual and peculiar to this State.

The member for Victoria Park referred to much the same theme as the other members; but he also spoke about consultation. I have indicated the consultation which occurred. Discussion has taken place. The member referred also to the question of student activities being restricted and he discussed at considerable length the student activities which the Government would now prevent. He was far from the mark

in his comment, as indeed were other Opposition speakers, because, as I have already indicated, prohibition does not apply.

The last point I would like to make is this: The whole theme of the Opposition's approach to the legislation has been that compulsion, so far as the subscribing of funds is concerned, should continue. If in fact the Opposition wants students compulsorily to contribute funding in the manner in which they are contributing at the present time, why does it not come out and say so?

Mr Pearce: We do not have to. You have a compulsory fee in the Bill.

Mr P. V. JONES: Members opposite gave all the reasons that the House should reject this legislation which provides this power of choice, which Opposition members espouse as something which ought to prevail. They then said these powers should not be contained in the Bill, because they limit and place restrictions on the activities of students and university bodies. I believe the Opposition has been very far-reaching in trying to condemn this legislation, but quite obviously its arguments fall far short of what ought to be done.

Question put and a division taken with the following result—

Ayes 26

Mr Blaikie	Mr Mensaros
Mr Clarko	Mr Nanovich
Sir Charles Court	Mr O'Connor
Mr Cowan	Mr Old
Mr Coyne	Mr O'Neil
Mrs Craig	Mr Ridge
Dr Dadour	Mr Rushton
Mr Grayden	Mr Sibson
Mr Grewar	Mr Sodeman
Mr Hassell	Mr Stephens
Mr P. V. Jones	Mr Tubby
Mr Laurance	Mr Watt
Mr McPharlin	Mr Shalders

(Teller)

Noes 16

Mr Bertram	Mr Jamieson
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr McIver
Mr Davies	Mr Pearce
Mr H. D. Evans	Mr Skidmore
Mr Grill	Dr Troy
Mr Harman	Mr Wilson
Mr Hodge	Mr Bateman

(Teller)

Pairs	
Ayes	Noes
Mr Spriggs	Mr Carr
Mr Williams	Mr Bryce
Mr MacKinnon	Mr T. D. Evans
Mr Herzfeld	Mr Taylor
Mr Young	Mr Tonkin
Mr Crane	Mr Barnett

Question thus passed.

Bill read a second time.

TRANSPORT COMMISSION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 26th October.

MR McIVER (Avon) [10.22 p.m.]: Mr Speaker, this Bill is long overdue in coming to Parliament. It is a Bill which has been brought to this place following the recent dispute of owner-drivers in the TWU in relation to the rates of owner-drivers and subcontractors. The Government can take no credit whatsoever for the introduction of this legislation, despite the fact that it is unprecedented for a Liberal Government to bring such legislation before Parliament.

In December, 1976, we saw a rapid decline in this particular facet of transport. Nothing was done, despite many overtures to the Government, to the Minister, and despite also a great deal of discussion. Nothing happened. Is it any wonder the recent dispute occurred? And what an ugly dispute it was. We had bloodshed; we even had gun shots. Thank heavens it was able eventually to be resolved. As a condition of the resolution of the dispute, the TWU, the owner-drivers, and all those connected with the industry were given an undertaking by the Government that something would be done about the rates; hence the Bill which is now before us.

I feel this Bill is a very good piece of legislation. From the outset I indicate the Opposition has no objections to the provisions contained in the Bill. New section 55A is most certainly a good piece of legislation and gives stability to the industry which is something that has been needed for a long time.

The three-tier system of transport in Western Australia has had a very detrimental effect upon the transport industry. For the benefit of those members who do not know what I mean when I speak of the "three-tier system", I am talking about a prime contractor who obtains a contract for a load to the north; he then passes that contract on to a subcontractor, who in turn passes it

further down the line and the last one in the line is probably a person who knows he is being fleeced. This has been the case for a long time.

As I mentioned earlier, we have seen a rapid decline in the industry since 1976. No doubt the subcontractor at the end of the line is behind in his payments on his vehicle. He takes his vehicle north of the 26th parallel and it is belted from pillar to post. He has only to ruin a tyre and it will cost him \$275. There goes the cream he hoped to obtain in order to keep up with his payments.

This has been happening for a long time. The prime contractors have enjoyed Christmas Day every day. Is there any wonder strong objection to this Bill has come from members of the Transport Association? It is most unpalatable to them. Of course, the provisions of this Bill will ensure that the prime contractors toe the line, because the Commissioner of Transport will have the power to examine their books in order to ascertain the correct rates are being paid. Those rates will be published in the *Government Gazette* for everybody to see.

A Government member: Do you think the same principle should apply to farmers to enable them to obtain a fair price for their goods?

MR McIVER: Perhaps we can look at farmers at another time. I am dealing with subcontractors and the fact that they should receive a fair payment for their labour.

It has been asked why rates have not been mentioned in this Bill; but when we look at the loads which go to the north-west it can be seen that it is very difficult to set the rates. However, when one looks at the provisions in this Bill, one can see it will be easy to check the rates and for the Commissioner of Transport to impose the heavy penalties which are contained in the Bill.

Mr Speaker, although we are in full agreement with the Bill we trust there will be no repetition of the situation we experienced a few months ago; that the voice of the people will be heard at Government level when they have a genuine complaint; and that the State will not come to a halt as has happened and for which the Government was responsible.

I trust also that those who are working in the industry will play the game. It is to be hoped that they fully understand the provisions of the Bill, because the legislation will work only if everyone makes it work by co-operating with each other. I sincerely trust that the people involved in the industry will do this.

I trust also that at the first breakdown of this legislation the Transport Commission will show no mercy to the prime contractors and the heavy penalties which are contained in the Bill will be imposed.

I feel I have made it quite clear the Opposition has no objection to the provisions contained in the Bill. We hope it will go through another place as expeditiously as we trust it will go through this Chamber. With those remarks I support the measure.

MR BLAIKIE (Vasse) [10.30 p.m.]: I want to make some remarks on the Bill, because I disagree with some of the comments made by the member who has just resumed his seat. The reason I am speaking to the Bill is that I am concerned about its final outcome.

I commend the Government on its endeavours to resolve the problems in what is a very delicate industry and I wish it every success. However, I believe that some confusion will arise following the passage of the Bill and, as I have said, I am worried about its outcome.

The Bill provides for licensing of north-west operators and gives the commissioner wide powers in respect of various segments of the transport industry, whether it be shipping or air and deals, of course, with commercial vehicles. The Government is endeavouring to ensure that the section of the industry under consideration operates at a satisfactory level.

The Bill also enables the commissioner to recommend the minimum cartage rates by sub-contractors operating from south of the 26th parallel to the north thereof. Under the Act at present the commissioner has very wide powers in relation to the carriage of goods and services by commercial vehicles, but the Bill under consideration stipulates these more precisely.

The Bill is designed to offer assistance to the operators in the industry who find themselves in a very difficult financial position, and it is in this regard I find I am not in agreement with the Government or the Opposition. I do not believe the Bill will help the small operators. In the long term only the big operators will survive.

It is proposed also that a condition of operation in the future will be a certificate of authority. This will be a system of licensing. Because of this I believe that at some later stage operators will have the opportunity to sell their licence plates.

Mr Harman: Do you support the legislation?

Mr BLAIKIE: I am opposed to the legislation. I commend the Government on its endeavours to assist the industry, but let me quite clearly indicate again—

Mr Harman: You will be for it in the party room on Tuesday.

Mr BLAIKIE: I was in the party room today, and I will be again next Tuesday, but I oppose the legislation.

Mr T. H. Jones: Only by invitation next week.

Mr BLAIKIE: It is in regard to the certificate of authority or the licence that I believe difficulty will be experienced because the operators will have a saleable commodity. The Bill will not assist the single operator in the industry, certainly not the small operator travelling in the north of the State. The situation will be very similar to that applying to milk quotas, potato quotas, and to the taxi industry. We all know the situation in the taxi industry today. I do not believe the single operator has benefited in the taxi industry.

As I have indicated, my concern is that although the intention of the Government is laudable, probably by the early 1980s we will finish up with three operators; that is, TNT, Bell Bros., and Brambles. The little operators will join one of those three companies or will not exist.

The provisions in the Bill are designed to assist the operator, but I do not think they will be effective.

One other aspect is that we will not stop the Eastern States transporters operating in Western Australia, despite what action we take in the Parliament.

Mr McIver: We do not have the power.

Mr BLAIKIE: That is so, and that is a matter of grave concern to me. We are going to institute a system of licensing, which the industry claims it wants.

Mr McIver: He would have to have a certificate of authority for his load.

Mr BLAIKIE: No. I venture to suggest that the Eastern States operator will not have to have a certificate of authority for anything.

Mr McIver: They are not concerned with the Eastern States operator at this stage.

Mr BLAIKIE: I can assure the honourable member that I am concerned about the Eastern States operator and about the impact he is going to have on the bona fide Western Australian operators. I do not believe the Eastern States operator has to have a licence, and any such provision

would not be enforceable. I am concerned because the Eastern States operators will have an advantage over the local operators who have to work under a licence.

The whole history of the transport industry has been one of enterprise, competition, heart-break, and tragedy. People have entered the industry when probably they should not have done so.

Mr T. H. Jones: It is about time you did something about it.

Mr BLAIKIE: In my opinion the Bill will not solve the problem.

Mr McIVER: It will go a long way towards helping.

Mr BLAIKIE: I realise I am probably the only member in the House who holds this particular point of view. I realise that the members of the transport industry support the Bill. However, I would like to study the situation in 1980 or 1982 to see whether my predictions are correct.

One final point before I conclude. The whole history of the transport industry has been one of initiative. People have taken risks and some have failed while some have succeeded and made a very valuable contribution to the industry. If we have a system of certification and licensing, these rugged individuals will be disadvantaged. The Eastern States operators will not be prevented from operating in Western Australia because we cannot stop them; and so Western Australians will be denied the opportunities of free competition.

I say again that I appreciate the sentiments of the Government in its efforts to overcome a very difficult situation which is crippling Western Australia, certainly in the north of the State. I commend the Government for its endeavours, but find myself at variance with the methods adopted to overcome this present difficult situation.

MR GRAYDEN (South Perth—Minister for Labour and Industry) [10.40 p.m.]: Very briefly, for a number of reasons, may I say first of all that I appreciate the comments of the member for Vasse. The fears he expressed are valid, but I can assure him that the valid fears are unfounded.

Mr Harman: What a piece of logic that is!

Mr T. H. Jones: Validly expressed!

Mr GRAYDEN: I can tell the member for Vasse that the Eastern States operators are not a problem in this particular issue and, as the Premier has indicated, the legislation will be

reviewed in 12 months' time. In the meantime, if the transport operators and owner-drivers want to get together or operate individually to form working parties and devise what they believe to be acceptable legislation, the Government will be willing to examine it.

Mr T. H. Jones: Will you have another look at it at their request if it is not working satisfactorily?

Mr GRAYDEN: If they offer acceptable legislation, without question we would adopt it.

Finally I thank the member for Avon for an indication of the Opposition's support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

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

ACTS AMENDMENT (STUDENT GUILDS AND ASSOCIATIONS) BILL

In Committee

The Deputy Chairman of Committees (Mr Blaikie) in the Chair; Mr P. V. Jones (Minister for Education) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 28 amended—

Mr PEARCE: I move an amendment—

Page 2, line 24—Delete the passage "(b) persons who are not students;"

This particular Bill really involves four institutions, and I intend to move a number of amendments in relation to each of them. The purpose of this amendment is to delete paragraph (b) of proposed subsection (2) (a) which prevents any student organisation from having in its membership people who are not students. Some institutions already have a provision which would allow the contrary to the provision contained in this paragraph. For example, quite deliberately the Murdoch Guild of Students rules contain a provision that non-students can be members. Other institutions I believe have provisions in their rules for staff to become members of student guilds or organisations and to use the facilities

under certain conditions. This illustrates the fact that the Government did not go very thoroughly into this matter. Many of the guilds have provision for different forms of membership, such as associate membership, and this paragraph, for example, would deprive me of my life membership of the Guild of Undergraduates. I believe such aspects have not been considered.

Section 20 of the parent Act contains a provision that people who are not students can be members of the guild. It should remain a decision for an organisation whether or not non-students are entitled to membership. If a student body decides to accept members from other categories, such as from the administrative staff, so that these people may use the facilities of the organisation, such a decision should be made by the student body itself.

It has been a long-standing tradition at the university that former students who, say, played cricket for the University Cricket Club, should be able to continue to play cricket by paying an associate membership fee. The name "John Inverarity" springs immediately to mind in this regard.

Mr Clarko: Didn't he have to go to Cottesloe for the precisely opposite reason?

Mr PEARCE: I think the cricket association changed the rules.

Mr Clarko: It was quite the opposite in his case, but at one time it was like you say.

Mr PEARCE: This applies also in regard to other sports.

I point out also that many people are able to obtain the benefits of the cheaper travel provided by the AUS. This is achieved by paying an associate membership fee, in some cases directly to the AUS and in other cases to the Guild of Undergraduates. Membership of such groups entitles one to cheaper travel. Also, by retaining membership in such organisations, one is able to keep up one's contacts and certain people, like myself, have been granted honorary life membership of the guild. Such actions will be prescribed under this provision.

The Minister told us an organisation of students should be confined to students. That has never been the case, even in the Guild of Undergraduates where the provisions about non-students are rather strict. The Government has not thought out what it is doing. Because the Government is worried about political activities, some people will be denied their rights to play with sporting teams, they will not have access to group travel

schemes, and they will not be able to keep up their association with the Guild of Undergraduates, including the use of sporting facilities.

If an institution happens to have a non-student category, members will be stopped from joining it. This provision will have a marked effect on a great many people who wish to retain membership of a student guild.

For all the reasons I have stated, I ask members to support my amendment. I ask myself what justification can there be for including this paragraph. I do not think a serious reason has been given for it. We heard one or two bland assertions by the Minister. I will sit down now so that we may hear what the Minister has to say with regard to the retention of this provision. I hope members will give some consideration to the people who will be disadvantaged if this paragraph remains in the Bill.

P. V. JONES: I do not accept the amendment. This matter has been discussed with the institution concerned. As was mentioned in the second reading debate the greatest effect of this Bill is in that part of it which refers to Murdoch University. That is exactly what the member for Gosnells describes as a bland statement. I cannot see that I need to say any more than that. The present students of any institution ought to be the nucleus of the guild, because they are the ones who are subscribing the funding.

Mr Skidmore: Why don't you extend voluntary membership to them?

Mr P. V. JONES: That is what the Bill is all about.

Mr Skidmore: You are preventing it.

Mr P. V. JONES: As we have made public for some months, the student guilds ought to be for students who are attending the institutions and providing the funding, and they ought to be administered by students. That is exactly what we have done.

Mr Skidmore: And then you dictate the terms of administration.

Mr P. V. JONES: Where is the dictation?

Mr Skidmore: We will show you.

Mr P. V. JONES: The Government does not accept the amendment because the Bill provides some latitude regarding membership. So far as we are concerned the Bill ensures that student guilds are what they ought to be; that is, they are for the students.

Mr PEARCE: The Minister has given no justification for his rejection of the amendment. Instead he has given for the third time a bland assertion that the students ought to be the nucleus

of the student guild. No-one is denying that. However, the Guild of Undergraduates of the University of Western Australia has several categories of membership and associate membership. Some categories of students are given associate membership, which is not a full membership. They voluntarily pay a much lesser fee. Although they do not enjoy the same benefits, and they have some restrictions placed on them—for example, in respect of their ability to speak at general meetings—they are able to use the facilities of the guild and to avail themselves of certain of its benefits.

In his efforts to keep the nucleus of the student body—I presume he means full-time students—the Minister is cutting off a group of people and setting them adrift. Why should the Government decide to cut out associate membership of a student organisation of its own volition? Why cannot that be left to the student organisation? If it were the case that such groups had used loopholes in the current statutes or regulations to gain control of the organisations and were keeping legitimate students from controlling their own organisations, then maybe one could see some justification for this. However, it seems to me that the student organisations have acted very responsibly in the way they have drawn up their regulations and the way in which they have defined their categories of membership.

Why should not the people who make the decisions and are affected by them—which is the democratic process of decision-making within student bodies—have their decisions ratified by the university senate? They have established a system that works and one with which everyone is happy; and then along comes the meddling Minister to chop off a whole section of membership of the Guild of Undergraduates of the University of Western Australia, without any justification other than the bland assertion that students ought to be the nucleus of a student association.

I have pointed out that I agree with that, but I have also pointed out that the nucleus of student organisations does not mean the totality of student organisations. So the Minister's own bland assertion, the only thing he has advanced in support of his stand, does not prove the proposition he claims it proves. If he were to look at the Guild of Undergraduates of the University of Western Australia he would see that the undergraduate students in fact form a nucleus of that body and in fact comprise the vast majority of the student council. However, the guild also allows certain persons who are not normal students to be associate members. What is the justification in cutting off these people?

No justification is forthcoming from the Minister. I believe he has adopted a contemptible attitude towards this Parliament by giving such a scanty justification for such a major provision which has a considerable effect on such a large proportion of the community.

Amendment put and a division taken with the following result—

Ayes 15

Mr Bertram	Mr Jamieson
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr Pearce
Mr Davies	Mr Skidmore
Mr H. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Harman	Mr Bateman
Mr Hodge	

(Teller)

Noes 24

Mr Clarko	Mr Nanovich
Mr Cowan	Mr O'Connor
Mr Coyne	Mr Old
Mrs Craig	Mr O'Neil
Dr Dadour	Mr Ridge
Mr Grayden	Mr Rushton
Mr Grewar	Mr Sibson
Mr Hassell	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurance	Mr Tubby
Mr McPharlin	Mr Watt
Mr Mensaros	Mr Shalders

(Teller)

Pairs

Ayes	Noes
Mr Carr	Mr Spriggs
Mr Bryce	Mr Williams
Mr T. D. Evans	Mr Young
Mr Taylor	Mr Crane
Mr Tonkin	Mr MacKinnon
Mr Barnett	Mr Herzfeld
Mr McIver	Sir Charles Court

Amendment thus negatived.

Mr PEARCE: I move an amendment—

Page 3, lines 10 and 11—Delete the passage "(whether a member of the Guild or not)" and substitute the following—

who has indicated at the time of enrolment that he wishes to be a member of the Guild and has paid the requisite fee.

The purpose of this amendment is to amend that section which has to do with who has the chance to vote in guild elections. The current section reads—

(2d) Any student (whether a member of the Guild or not) may vote at any election held to fill a vacancy in the office

of the President of the Guild or the office of a member of the Council of the Guild or any other elective office in the administration of the Guild, but a person shall not hold any office mentioned in this subsection unless he is a member of the Guild.

The purpose is to restrict the vote to members of the organisation. During the second reading stage we challenged the Government to provide examples of any organisation where people had a vote although they were not members of the organisation. For example, I offered to allow them to let me vote on Liberal Party motions, although I am not a member of that party, or in any other organisation of which they are members and I am not.

We could have the situation where, for example, the so-called voluntary membership of the guild has a fee which is in fact to be compulsorily levied and which may not benefit members of the guild. Suppose the voluntary section of the guild were a minority of the whole body. The ridiculous situation could arise where the majority of the organisation were not members and people elected would not in any way be representative of the people they purported to represent.

In the course of his second reading speech the Minister raised this fallacious argument. Everyone else is going to be paying this fee; they may not join the guild but they will have to pay the fee; there will be nothing voluntary about it. Those people who pay the fee should have some representation in the guild even though they do not opt to be members of it.

The simple answer is they pay the compulsory fee for services and facilities and what they get for that money is the use of services and facilities for which they are paying. In the case of the Guild of Undergraduates at the University of WA, the money goes to building funds. So most of the funds disappear into that area; that use of the funds was obtained by statute and regulation some time before and there is no question of representation.

The compulsory fee of itself ought not give people the right to vote in elections. It gives them the right to use facilities. The major facility in the legislation is that people are given the ability not to pay the fee at all. I challenged the Government to state why it is making this a compulsory fee and I was told it was because this was the only way and that otherwise there would have to be a massive funding by the Government. In addition, students will not be able to have the use of the facilities when they are being paid for by guild members.

Mr P. V. Jones: The student bodies wanted compulsory fees for recreation purposes.

Mr PEARCE: I am not suggesting they did not; they wanted compulsory fees on the current pattern. I do not think the Minister should say that student bodies wanted this legislation; they did not. The Minister put the students in the same position as the pre-primary board.

Mr P. V. Jones: You are talking about finance and votes.

Mr PEARCE: I know that but the Minister tried to sidetrack me.

Mr P. V. Jones: No I did not; they wanted compulsory fees to secure the finances for the loans which have been raised.

Mr PEARCE: The students wanted a compulsory membership with an opt-out clause. The Minister should not in any way suggest they are in any way in agreement with this legislation. The principle involved is whether or not people who are non-members of an organisation ought to have the benefit of a vote in that organisation's elections. Such people should not be in a position to dictate policy when they are not members of an organisation and they should not have votes at election time.

The Government thinks such people should have votes, which is a remarkable stand to be taken by those who are espousing some form of so-called democratic philosophy. The Opposition feels that if one opts not to belong to an organisation one should not get a vote. That seems to be a fundamental principle and I am surprised the Government is seeking to enshrine the opposite in the legislation.

Mr P. V. JONES: I remind members of a couple of points I made previously because the honourable member has just spoken about membership of an organisation. I made it clear before that the payment of the amenities and services fee is not the same as paying for membership of an organisation; it is a requirement of enrolment.

Mr Davies: Who is going to administer that?

Mr P. V. JONES: During discussions between the teaching administration and the student body it was made clear that the administration should be by the guild. One institution deviated from that and put up the proposition that we form a student representative council as distinct from the guild to administer the fees.

Mr Pearce: It would have been the other way around.

Mr P. V. JONES: No; to disburse and administer the funds that were collected by those means, as distinct from the guild. It was to be made up of a body of all students dealing with funds contributed for the common recreational amenities and student facilities.

However, I did not feel it was satisfactory to establish a second student body on the one campus, so I agreed the guild or the council, as exists at WAIT, should control the funds. Members should bear in mind that in the case of the University of Western Australia, we are talking of a contribution of \$51 per student which would fall within the services and amenities category. That is a lot of money—more than \$370 000 last year.

I fail to see how it can be considered unreasonable for all students, who are in fact required as a condition of enrolment to subscribe funds for the common good for all students, to take part in voting at an election for the people who are going to administer those funds. It is as simple as that.

This will still permit the guild and the councils to disburse the funds for the various facilities. I cannot see why it is wrong to provide a facility whereby all students who are contributing in fact vote for the composition of that body, but are not permitted to participate in the decision-making activities and the remainder of the activities without joining. They cannot have it both ways. The clause should stand as it is printed.

Mr SKIDMORE: I support the amendment. The first paragraph of the Minister's second reading speech reads as follows—

The legislation before the House fulfils a Government commitment that membership of student bodies at tertiary institutions would be voluntary, and no academic benefit, right or privilege, would be denied to, or withheld from, any student who chose not to become a member of a student body.

I believe the Minister should have attempted to substantiate that statement. However, he chooses to deny the students the right which he claims he seeks to give them.

The Government talks about voluntary membership. As I said, there is no such thing in this legislation; there is no provision for voluntary membership because the prerequisite to becoming a member of the guild is the payment of a compulsory fee. The Minister claims this fee is a part of the students' enrolment requirements, and that students must pay the fee to become students at the university.

The compulsion then goes a little further because the Minister then says, "Having got you as a student and having forced you to pay an enrolment fee, there is another requirement. Before you can become a member of the guild, you must pay a fee." Whichever way one looks at it, that is compulsion.

I am also concerned about the principle contained in this legislation which states that a person does not have to belong to an organisation to vote for the office bearers of that organisation. This is an incredible provision. With due respect, I am trying to get through the slow-learning capacity of the Minister for Education. Surely he understands the tenets of democracy. Surely if a person wants to take part in an organisation, he must be a member of that organisation. I do not believe any student council or guild supports this legislation, particularly this clause.

I asked the Minister previously to tell me of one person—whether it be on the boards, the academic staff, the student councils, or the students themselves—from the universities or colleges of advanced education who supported this legislation, but the Minister has not bothered to take the time to answer my question.

Mr P. V. Jones: You were not in the Chamber when I referred to that exact matter.

Mr SKIDMORE: Would the Minister repeat his answer for me?

Mr P. V. Jones: It does not relate to this clause, but I will—

Mr SKIDMORE: It has everything to do with this clause! That is how stupid the Minister is. He does not understand the principle.

The DEPUTY CHAIRMAN (Mr Blaikie): Order! I would ask the member for Swan to use more temperate language.

Mr SKIDMORE: That is how stupid the Minister is! I cannot find any more temperate language than that.

The DEPUTY CHAIRMAN: I suggest you try.

Mr O'Connor: You are being disrespectful to the Chair.

Mr SKIDMORE: I beg your pardon?

The DEPUTY CHAIRMAN: Order! The member for Swan will address the Chair.

Mr SKIDMORE: I thought I was.

Mr O'Connor: How rude can you get?

Mr SKIDMORE: I simply indicated I could not find any more temperate language when referring to the Minister for Education; I cannot be fairer

than that. Certainly, I meant no disrespect to the Chair. The Minister obviously does not intend to accept the arguments advanced by the Opposition. We are saying there is no justification for giving such rights to nonmembers.

The Minister said he answered my earlier query when I was absent, and I request him to let me have the answer again. If the Minister wants to be a stickler for procedure, let him be a little dictator. I intend to stand on each occasion I am permitted, to oppose this legislation, and I hope the Minister will be able to allay some of my fears. I support the amendment.

Mr PEARCE: A few years ago before the Whitlam Government abolished tuition fees a student paid \$300 or \$400 to use the facilities of the university; that is to say, for the services of professors and lecturers, the use of the library, and for educational facilities at the university. A student received no vote for paying that fee for those facilities; the student did not have a vote for the university senate or the professorial board. Having to pay a compulsory fee to use the facilities provided by the student organisation is no different from having to pay a tuition fee. There is no precedent for giving a vote for paying a fee for services. In fact the reverse is true; those people who do not pay the guild's fee will be able to vote in the people who will administer the fee.

Let us suppose that a minority of students wanted to affiliate with AUS and a majority of the students decided not to join the guild. That non-member majority of students who are not members of the guild would be able to vote into the guild the people who would prevent those who actually offered to join the guild from doing what they wanted with the extra fee because a person who is elected onto the council cannot manipulate that section of the guild fee over and above the amenities and services fee.

It is not a question of giving people representation because they are paying their services fee. People elected by those votes will have control of both fees. Surely the Minister does not justify that bit of gobbledegook. People who are not members are having a say over the separate fee paid by people who are members. The situation is that the amenities and services fee is much more akin to the now abolished tuition fee.

I understand perfectly well—and I have said it all along—that to pay the amenities and services fee does not make one a member of the guild. Of course that is right; the Minister has not needed to repeat it a dozen times. That is exactly the reason I have moved this amendment.

Because one pays the amenities and services fee does not make one a member of the guild. Therefore, one ought not to get a vote in the guild elections because such a vote ought to be confined to members. I took that to be exactly the principle which the Minister enunciated and I hope by the time I finish he will have recognised this principle well enough to understand it is enshrined in my amendment and not in anything he has said.

Mr GRILL: I support the amendment. The reasons put forward in support of it are logically correct and proper. This proposed new subsection means that a person who does not belong to an organisation has a vote in that organisation and can say in his small way whether a person will or will not become the president or any other serving member of that body. That is logically incorrect. No other body that I know of has a constitution that allows such elections and I challenge Government members to name one organisation which has that sort of constitution.

I request members opposite to think very carefully about this sort of legislation. In my view, it is an aberration of the sort of policies normally put forward by the Liberal Party. It is logically incorrect; it is not in conformity with any principle of which I have heard and I think it should be defeated for those simple reasons. I support the amendment.

Amendment put and a division taken with the following result—

Ayes 15

Mr Bertram	Mr Jamieson
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr Pearce
Mr Davies	Mr Skidmore
Mr H. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Harman	Mr Bateman
Mr Hodge	

(Teller)

Noes 24

Mr Clarko	Mr Nanovich
Mr Cowan	Mr O'Connor
Mr Coyne	Mr Old
Mrs Craig	Mr O'Neil
Dr Dadour	Mr Ridge
Mr Grayden	Mr Rushton
Mr Grewar	Mr Sibson
Mr Hassell	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurance	Mr Tubby
Mr McPharlin	Mr Walt
Mr Mensaros	Mr Shalders

(Teller)

Pairs	
Ayes	Noes
Mr Carr	Mr Spriggs
Mr Bryce	Mr Williams
Mr T. D. Evans	Mr Young
Mr Taylor	Mr Crane
Mr Tonkin	Mr MacKinnon
Mr Barnett	Mr Herzfeld
Mr McIver	Sir Charles Court

Amendment thus negatived.

Mr PEARCE: I move an amendment—

Page 4, line 6—Insert the passage "educational," after the word "of".

Two proposed subsections put restrictions on the way in which student organisations can spend their money and the first of these with regard to the University of Western Australia Guild of Undergraduates is proposed new subsection (6) of section 28 of the principal Act, which reads—

(6) All amenities and services fees payable under subsection (5) of this section shall be payable to the Senate and, notwithstanding section thirty-eight of this Act, the Senate shall transmit the moneys derived from those fees to the Guild upon the conditions that those moneys are applied solely for the purposes of the provision of amenities or services for students or the development of cultural, social, sporting or recreational activities directly related to the University and that no payment shall be made out of those moneys, whether directly or indirectly, by way of gift.

It seems to me ludicrous that an amendment which I know has been sought by the student guilds to add the word "educational" in with the list of things upon which money ought to be spent was not agreed to by the Government. The Government is prepared to allow this compulsorily collected fee to be used for the provision of cultural activities, social activities, sporting activities, and recreational activities but it is not prepared to allow it to be used for educational activities. What is a tertiary institution about?

Its whole purpose is education, and to deprive the student bodies of the ability to spend money on an educational area sounds foolish. Presumably the Government would accept that it is conceivable for compulsorily collected funds to be spent on a darts club booze-up which would come in the social category but would not accept the spending of student money for some

educational purpose. What sort of balance of priorities is that?

Mr P. V. Jones: Tell us about the sort of educational things you mean.

Mr PEARCE: Anything to do with education.

Mr P. V. Jones: What?

Mr PEARCE: I imagine the provision of funds to the Guild of Undergraduates Educational Council for the educational campaigns it wages.

Mr P. V. Jones: What educational campaigns are these?

Mr PEARCE: Anything to do with the provision of education in the university. Obviously the university has educational purposes. The Minister is the Minister for Education and ought to understand what the term means.

At any university where education is of paramount importance, obviously students would be providing educational facilities, services, and benefits of their own. What is wrong with including the word "educational"? In an earlier debate I think it was the member for Karrinyup who alleged that all these things covered education.

Mr Clarko: I did not say that.

Mr PEARCE: In that case it must have been the member for Murdoch.

Mr Clarko: You are having a bad night for being wrong.

Mr PEARCE: Not particularly.

Mr Clarko: Not particularly for you.

Mr PEARCE: I will check *Hansard* to see whether or not the member for Karrinyup did say it.

Mr Clarko: That is another slimy remark. Why not withdraw it? Why not concentrate on rational argument.

The DEPUTY CHAIRMAN (Mr Blaikie): Order! I think if the member for Gosnells addresses the Chair he will make progress.

Mr PEARCE: Certainly. Someone said earlier in the debate that cultural, sporting, social, and recreational activities covered educational activities. It was said that anything educational fell into those categories, but I dispute that. I would not have a definition of "educational" confined to those things. However, even if it were true, there would be no harm in the amendment. I can see no reason for the Government not accepting it, especially as it is the wish of the student organisations to be able to spend money for educational purposes as they do at present. Because we are discussing educational institutions, it is a perfectly reasonable amendment.

Mr CLARKO: The member for Gosnells has just said he would not like to specify what educational purposes are.

Mr Pearce: I did not say that. I said that it is not up to me. You are caught in your own trap.

Mr CLARKO: I wrote down what I heard the member for Gosnells say, and I understood him to say he would not like to specify what educational purposes are. Is he prepared to specify them or does he agree with me that the thrust of what he said was that he found it very difficult to do so?

I would like to give examples of what some educational purposes are as carried out by the AUS through its educational department at the present moment, and which the Labor Opposition supports with the \$2.80 fee compulsorily collected from every full-time student, some of which goes to the education department as it calls it. Here is a poster which states—

**AUSTRALIAN NATIONAL ACTIVISTS'
CONFERENCE ON POST-SCHOOL
EDUCATION**

There is a whole series of pictures in the middle and then there is the following—

for access to education for all regardless of class,—

That is an extremely divisive word. Members opposite are always talking about class, but I do not believe there is such a thing in Western Australia. We are all one. The poster continues—

—race, sex or sexuality; for increased government education spending; for a democratic and critical education

That is a poster the AUS uses and it is an example of its idea of education. Here is another one—tremendously educational! It is not promoting one political party's point of view, not much! It reads—

**WHAT HAS FRASER DONE TO
MEDIBANK?**

That was again issued by the AUS. That is what it means by educational purposes. Here is another—

for the man who said life wasn't meant to be easy

It is not having a go at one party! It is not a biased point of view! It is not what it does all the time is it? It states—

make life impossible

**MAKE THIS
FRASER'S LAST BUDGET**

Another one says—

**SUPPORT THE EDUCATION
MOBILISATION
ALL OUT
ON APRIL 28**

Increase education spending—A living wage for all—No loans—TEAS for all—Education for people, not profits

I am surprised and amazed that members of the ALP should support that sort of thing—like fun!

Several members interjected.

Mr CLARKO: In case members had any doubts about how responsible this group is—

Point of Order

Mr SKIDMORE: I rise on a point of order.

Mr Clarko: I bet it is not.

Mr SKIDMORE: I feel that the honourable member is debating an issue which is not before us on this amendment.

The DEPUTY CHAIRMAN (Mr Blaikie): Order! There is no point of order. I would indicate to the member for Swan that the word under discussion is the word "educational" so there is no point of order. The member for Karrinyup.

Committee Resumed

Mr CLARKO: Again I will talk about the word "educational". As I said, here is a student body and we are told its views and feelings on how it should spend its money. In 1975 approximately \$2 000 was voted by the AUS education budget to what? It was budgeted to the ALP 1975 election campaign. Members might wonder why we are a bit worried about having the word "educational" included. It is because of the ALP political propaganda—or further left—which could result.

Mr SKIDMORE: You have given me a ruling, Mr Deputy Chairman (Mr Blaikie), that the matters the member for Karrinyup raised were not outside the province of the amendment. That is precisely what I wanted you to say so that I could be clear about what I could say.

Mr Clarko: You might not be as clear as that Jack.

Mr SKIDMORE: For the information of the member for Karrinyup, my name does not happen to be "Jack" in this place.

Mr Clarko: The member for Swan.

Mr SKIDMORE: I do not want to be categorised as a friend of the member for Karrinyup in this debate, which I am certainly not, but in other places I may be.

I am concerned that the member for Karrinyup can draw a red herring across the trail of our argument on the question of educational requirements provided by the guild. He referred to posters on the specious ground that because the guild had subscribed some money to that organisation, that organisation then represented the attitude of the guild.

Mr Clarko: It supports it.

Mr SKIDMORE: If the member for Karrinyup wants to draw a long bow, I can draw a long bow, too. The member for Karrinyup did not understand the argument he submitted because it was illogical in the extreme. By the same token he would say that because I make a donation today to a group of TAB people on the Melbourne Cup, I have a right to dictate the terms under which the TAB will operate. It would be no more illogical to say that because I buy a copy of *The West Australian* every day I have a right to dictate the terms of the editorial. There is no difference.

I understand that the member for Karrinyup said the AUS was the organisation which issued the documents he quoted. Those documents cannot be said to represent the expressions of opinion of the guild. The member for Karrinyup is saying that the guild is being irresponsible in regard to educational things. The guild is not being irresponsible. It may subscribe its money under its charter given previously in any way it so desires, and it does so.

I might say that if all those posters had alleged that Malcolm Fraser was the best Prime Minister we had ever had, and that he had done a wonderful job, there would be claps by members opposite. They would consider the situation could not be better. If the posters went on to say that the ALP policy on education is a lot of you-know-what, it would be great stuff. If they had expressed the point of view that the Government's attitude to students was correct and the ALP's was a lot of claptrap and rubbish, again members opposite would be happy. There would have been no criticism. That situation could develop.

Education takes many forms. Unfortunately for the member for Karrinyup and the Government some forms of that education do not suit them politically. Education is not a bigoted and narrow point of view. As long as education is in line with the point of view of the Government it does not matter what is the opinion of somebody else.

Let us look at some of the ways in which education money can be spent when we say it should be the right of the guild to provide money for educational purposes. A group of students in

a university could find it extremely difficult to purchase books, or to pay their way through the university. The guild should be able to assist that group in the purchase of textbooks, but the Minister for Education claims the guild should not want to do that. Is the Minister to deny the right of assistance from the guild funds to purchase books? The Minister is adopting the attitude of the member for Karrinyup which is "no education unless it embraces the philosophy of the Liberal Party". The arguments put forward by the member for Karrinyup are so specious and so riddled with violence that surely nobody in his right mind would hesitate to say it is the wrong concept. The Minister asks what we mean by "education".

Mr P. V. Jones: I have not said anything yet.

Mr SKIDMORE: I understood the Minister to ask that question by way of interjection to the member for Gosnells.

Mr P. V. Jones: I asked him, but I did not speak and I did not get an answer.

Mr SKIDMORE: Well, I ask the Minister what he means by "education". I can tell the Minister I think "education" is the education of the people so that they understand what is going on around them, so that they can understand the problems they face, and enjoy a better way of life. The university guilds have an opportunity to provide education by providing textbooks, but the Minister does not want that.

Mr Clarko: The students get a book allowance.

Mr SKIDMORE: I put a son through the university and his book allowance would not cover half of the cost of the books he required. The allowance would not even scratch the surface.

Mr Clarko: The position is a lot better than it ever was previously.

Mr SKIDMORE: The allowance is still not sufficient. In the case of a student not being able to purchase books, he should be able to receive assistance from the guild.

Mr Clarko: He would get them from the library.

Mr SKIDMORE: If he happened to get there first he would get his books. Otherwise, he would have to wait three or four months.

Mr Clarko: Getting books from the university has nothing to do with whether one is poor or wealthy.

Mr SKIDMORE: That may be the point of view of the member opposite, but my experience has been different. It is true to say that a person attending university is not subjected to a means

test. That is a good thing, otherwise we would finish up with only the sons of rich people going to university.

Mr Clarko: Is the member saying that seriously? Does he not know that in Western Australia we have the only free university in the world?

Mr SKIDMORE: The member tries to prove me wrong because I acknowledge his interjection. I do not intend to develop the philosophy of the university over the years. Quite frankly I must agree with the member but I think the past is something which can be forgotten. We should be looking to the future of our people and we are asking the Government to be responsible and allow the guild to spend its money on educational needs.

I also indicated to the Minister during the general debate that I would show there was administrative interference with the affairs of the guild. That administrative interference is made quite apparent in this legislation which I want to amend by adding the word "educational". There is a degree of control because the Act states that fees so derived shall be paid to the guild upon the condition they are applied in certain ways. If that is not administrative dictation I do not know what is.

The guild is told that it may spend its money, as long as it is spent in a certain way. However, when we want to provide that the money can be spent in a more fair and reasonable manner, the Minister says he will not support our move.

I feel the amendment would give some stature to the legislation by allowing the guild to develop its own educational spending along the lines it has quite rightly and properly done with its fees in the past.

Mr P. V. JONES: I find myself in some agreement with the member for Swan, because as I said during my second reading speech and during discussion in the Committee stage, the guild is in a position to do what it wants in any manner it wishes with its funds, and even use those funds for the purposes of posters. However, the member for Swan does not seem to be aware that this clause has nothing to do with the guild. We are not talking about the guild, but the funds derived from the collection of amenities and services fees—not the guild fees for guild membership. We are talking about the application of funds derived from payments, which is a requirement on all students on enrolment.

The member for Swan has suggested the legislation imposes a restriction, and it does. I certainly am not ashamed of that. I believe funds provided by all students for recreation and amenities, and

for other purposes listed, should be confined within the institution. What is wrong with that? The guild can spend its funds in any way it so chooses, but the funds under discussion are specifically required of all students for amenities and services within the institution. They do not run to the expenditure on that sort of rubbish we have heard this evening. Those who wish to take those actions are perfectly free to do so but the costs should not be covered from this fund.

The question was raised with regard to the inclusion of the word "educational" in an early draft of this Bill. The word did appear in the early draft, but as a result of discussions which occurred the word was removed.

Mr Pearce: Who removed it?

Mr O'Neil: It was removed by the Government; who else? It is a Government Bill.

Mr Pearce: The request could have come from another organisation.

Mr O'Neil: This is a Government Bill.

Mr Pearce: I understand that. I have been complaining about it.

Mr P. V. JONES: The member opposite is back on his tram. The word was removed because it was felt the words "cultural, social, sporting, and recreational activities" covered the ambit completely.

Mr Skidmore: It should cover the provision of school books to students who cannot afford to buy them.

Mr P. V. JONES: It completely covers the ambit of amenities and services for students, whether for recreational purposes or other activities which can legitimately be said to be common to all students and to which all students are required to subscribe. The additional aspect of conducting educational campaigns, or whatever the word used by the member for Gosnells—I am not sure whether he used the word "protests"—

Mr Pearce: I used the word "campaigns".

Mr P. V. JONES: —is a legitimate activity for the guild to engage in and the guild can fund it. But that is not the common funding arrangement of all students. Because of that the word "educational", which appeared in an earlier draft of the Bill, does not appear and the Government is of the opinion that it should not appear.

Mr PEARCE: The Minister seems to be certain we have not read his Bill. We have read it only too well and our objections are based on very careful thinking about it. The member for Swan is quite right in that the nonappearance or removal of the word "educational" will prevent the guild from giving books to needy students but

would not prevent it giving funds to social clubs. Nothing is to prevent the compulsorily collected fee taken from students being used to finance a trip to Tasmania by a team of table tennis players, but the Bill will prevent its use for educational purposes.

The Minister saw an unfortunate meaning in my use of the word "campaign", yet the member for Karrinyup held up a poster in regard to a campaign to increase student allowances.

Mr Clarko: That was a small percentage of their budget.

Mr PEARCE: I am saying the waging of a campaign to increase student allowances would not be allowed, but the compulsorily collected fee from all students could be used to send half a dozen table tennis players to Tasmania, to buy weight-lifting equipment for a few people at the university, or to subsidise the university flying club so that a small number of people could take flying lessons. One understands that the fee collected in the past was always used for this group or that group, and the groups which benefited were always minorities. Funds go to football players, soccer players, debaters, and here, there, and everywhere.

The member for Karrinyup is quite paranoid about some aspects. When we propose inserting the word "educational", he says, "What will happen if posters like these are produced?" He said himself those posters were not educational. If that is the case, they could not be subsidised under the term "educational".

I wonder whether the member for Karrinyup would carry his assessment of whether or not people were politically sound into the politics department of a university. Money is taken from all taxpayers and put into providing tuition in universities. We understand most universities have a politics department. I wonder whether the member for Karrinyup, as his next incursion, will check that the orthodoxy of the politics departments of tertiary institutions is okay. Will he check that dangerous terms like "Marxism" and "communism" are not being kicked around in the politics departments?

Mr Clarko: Have you ever studied politics?

Mr PEARCE: Political philosophy. The member for Karrinyup used terms like "Marxism"

Mr Clarko: There is nothing wrong with that. Teach people all about Marxism and you will have fewer supporters.

Mr PEARCE: I am not a Marxist.

Mr Clarko: For whom do the Marxists vote in Australia?

The DEPUTY CHAIRMAN (Mr Blaikie): Would the member for Gosnells address the Chair?

Mr PEARCE: In 1961 when the Menzies Government got back in office, it was returned on the seat of Mr Killen in Queensland, who was elected on Communist Party preferences. The member for Karrinyup does not know that.

Mr Clarko: I know that very well.

The DEPUTY CHAIRMAN: Order! I suggest you endeavour to show the Chamber how this exercise in politics relates to the insertion of the word "educational".

Mr PEARCE: I thought I was trying to do that. The term "educational" is very broad, and in education there will always be a possibility of having a political component. That is true in tertiary institutions. Some people might suggest there should not be a politics department in universities or that some aspects of politics should not be taught in high schools. There will be some political element but the member for Karrinyup is prepared to say because there may be some political element in the spending on educational purposes of this compulsorily collected money—because of the possibility he sees—

Mr Clarko: I showed you posters produced by the education department of the AUS.

Mr PEARCE: This year a sum of \$500 went to the University Liberal Club to produce a brochure for orientation week which provoked a turmoil because of words used in it which offended the women's movement. I do not object to \$500 being paid to the University Liberal Club, despite the fact that it was used to produce scurrilous literature. The nature of tertiary institutions should be so broad that a fair degree of opinion can be encompassed and organisations can have the right to some of the compulsorily collected fees. If a person's only interest at university is to be a member of the University Liberal Club, he has a right to expect some of his fees to go to that club because part of his fees will go to other areas.

I am not asking for the insertion of the word "political", but for the insertion of the word "educational". I am asking members opposite to understand that the major purpose of a tertiary institution has to do with education, and to prevent the student organisation people, who are there for educational reasons, from spending that compulsory fee on education shows the shallow, hollow, political motives which underlie this piece of legislation.

Amendment put and a division taken with the following result—

Ayes 15

Mr Bertram	Mr Jamieson
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr Pearce
Mr Davies	Mr Skidmore
Mr H. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Harman	Mr Bateman
Mr Hodge	

(Teller)

Noes 24

Mr Clarko	Mr Nanovich
Mr Cowan	Mr O'Connor
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Mr Hassell	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurance	Mr Tubby
Mr McPharlin	Mr Watt
Mr Mensaros	Mr Shalders

(Teller)

Pairs

Ayes	Noes
Mr Carr	Mr Spriggs
Mr Bryce	Mr Williams
Mr T. D. Evans	Mr Young
Mr Taylor	Mr Crane
Mr Tonkin	Mr Herzfeld
Mr Barnett	Mr MacKinnon
Mr McIver	Sir Charles Court

Amendment thus negatived.

Progress

Mr H. D. EVANS: I move—

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

Motion put and negatived.

Committee Resumed

Mr PEARCE: I move an amendment—

Page 4, line 22—Insert the passage “, educational” after the word “sporting”.

This subparagraph follows on from the subparagraph we dealt with a few moments ago. As well as pointing out the manner in which student organisations should spend their money directly, there is a series of subparagraphs as to how they should spend their money indirectly.

The aim of the legislation is to prevent student organisations getting around the previous provisions by making gifts. Student organisations can make gifts, under subparagraph (8) as follows—

Subsection (7) of this section does not apply to a payment made in respect of *bona fide* sporting or recreational activities directly related to the University . . .

I wish to insert the word “educational”, that is to say, student organisations would be able to make educational payments that would be affected by the gift provisions.

With my amendment subparagraph (8) would read—

Subsection (7) of this section does not apply to a payment made in respect of *bona fide* sporting, educational, or recreational activities . . .

The arguments in favour of student organisations making payments for educational purposes, particularly by way of gift, and the example given by the member for Swan of books for needy students would fit into this category, are quite strong. I believe student organisations should have this power. With regard to the provision of books and other educational necessities, the member for Karrinyup is sadly astray if he believes the book allowance covers the cost of tertiary books. He obviously has not purchased a tertiary education book recently, because book prices have skyrocketed out of all proportion to the allowance.

For these reasons, as well as for those reasons adduced in the previous argument, I believe student organisations ought to be able to make payments indirectly by way of gift for educational purposes.

Mr P. V. JONES: This subparagraph is not quite the same as the previous one. This subparagraph provides for affiliation fees to be paid to outside bodies. We are talking about the university club paying its affiliation fee to the WACA. We are also talking about fees being paid by way of affiliation to a body related to a professional discipline. In other words, medical students may in fact pay whatever affiliation fee is required of them to subscribe to the National Union of Medical Students, or whatever it is called.

There is a third provision which is the payment of funds in order to meet debts incurred in respect of the supply of goods. Therefore, it can be seen the subparagraph does not apply in the manner in which it has been suggested it does and it certainly does not apply in the manner in which it has been referred to. It provides for affiliation fees in the way of protracted obligations.

Mr PEARCE: That is not what the subparagraph says. I am not seeking to change anything

which is already there. However, the subparagraph talks about no payments being made by way of gift and then certain exceptions are laid down.

By those exceptions, the Minister may intend that only affiliation fees to bodies may be paid; but in fact the wording is somewhat wider than that. If we were to accept my amendment of the insertion of the word "educational", if I am correct in my understanding of the word "gift", the application of this subparagraph would be considerably wider than the Minister intends. It is probably considerably wider than he intends it to be at the present time. However sincere the intentions of the Minister may be, that is not the way the subparagraph reads in the Bill. To add the word "educational" in the way I have suggested would make it possible for student organisations to make gifts for educational purposes.

Mr SKIDMORE: I find myself rather perplexed when trying to understand this amending legislation by virtue of its repetitive references to other clauses of the Bill. For instance, subparagraph (8) of clause 4 begins by saying—

Subsection (7) of this section does not apply to a payment made in respect of *bona fide* sporting—

We then wish to add the word "educational", in which case the subparagraph will continue—

—educational or recreational activities . . .

As subparagraph (7) is a prerequisite of subparagraph (8) we must then look at that. Subparagraph (7) begins by saying—

For the purposes of subsection (6) . . .

We must then go to subsection (6) to find out what it is all about.

I may be wrong, but I believe the Minister said this particular subsection dealt with another type of funding.

Mr P. V. Jones: It deals with the disposal of funds, not the collection of funds.

Mr SKIDMORE: It is still the same funds we were talking about previously.

Mr P. V. Jones: No it is not.

Mr SKIDMORE: It must be, if we go to the logical conclusion. Subparagraph (8) refers to "Subsection (7) of this section". Before one can interpret subparagraph (8) one must refer to subparagraph (7) which says in the first line—

For the purposes of subsection (6) . . .

One must then go to subsection (6) to discover what it is all about.

Mr P. V. Jones: That is right.

Mr SKIDMORE: We all agree with that.

Mr O'Neil: We seem to be going backwards.

Mr SKIDMORE: I did not draft the Bill. If we want to take the situation to its logical conclusion one then goes to subsection (6) where one finds that in order to obtain the complete picture one must refer back to section 38 of the Act. One then goes back to section 38 to see what it is all about. The totality of it is we are told this is a slightly different section which has nothing to do with the previous ones. They are all subservient to it, because they all refer to it, but they do not apply.

I do not know whether the Minister understands what it is all about. I am confused and I am sure everyone else must be. It is very difficult to see why it can be said the addition of the word "educational" is any different from the import we placed upon that word being used in the other clauses with which we have already dealt. It seems to me to be one and the same thing. There is no reason that an argument should be put up against the insertion of that word. If the Government uses the same argument it used in the first instance, it will fall on barren ground, because the situation is not the same.

I would like the Minister to explain to me exactly what he means when he says that to add the word "educational" would not suit the Government's point of view, bearing in mind the cross reference.

Amendment put and a division taken with the following result—

Ayes 15

Mr Bertram	Mr Jamieson
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr Pearce
Mr Davies	Mr Skidmore
Mr H. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Harman	Mr Bateman
Mr Hodge	

(Teller)

Noes 24

Mr Clarko	Mr Nanovich
Mr Cowan	Mr O'Connor
Mr Coyne	Mr Old
Mrs Craig	Mr O'Neil
Dr Dadour	Mr Ridge
Mr Grayden	Mr Rushton
Mr Grewar	Mr Sibson
Mr Hassell	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurance	Mr Tubby
Mr McPharlin	Mr Watt
Mr Mensaros	Mr Shalders

(Teller)

Pairs

Ayes

Mr Carr
Mr Bryce
Mr T. D. Evans
Mr Taylor
Mr Tonkin
Mr Barnett
Mr McIver

Noes

Mr Spriggs
Mr Williams
Mr Young
Mr Crane
Mr Herzfeld
Mr MacKinnon
Sir Charles Court

Amendment thus negated.

Clause put and passed.

Clauses 5 and 6 put and passed.

Clause 7: Section 20 amended—

Mr PEARCE: I move an amendment—

Page 6, line 15—Delete the passage “(b) persons who are not students.”

This clause refers to Murdoch University, and the paragraph is particularly relevant. I have explained this matter before in fairly general terms, but members may not be aware that the Murdoch University Act and the Murdoch University Students Guild contains special provision for non-student members. Part of the philosophy of the Murdoch University is to involve non-students. Also, this is a small guild, and in order to boost its numbers so that it can provide reasonable facilities, it has non-students in its membership.

One of the propositions of a referendum held on the 16th August, 1977, was that the membership of the guild be restricted to bona fide students. The result was that 165 members voted for the proposition and 382 voted against it. That is to say, about 60 per cent of the students preferred the situation to remain as it is; that is, that non-students could be members of the guild. This matter was decided by the students themselves, and I do not know why the Government wants to force some different proposal on them.

This has nothing to do with the compulsorily collected fee at all. The Government is saying that the university cannot make a decision itself. I pointed out before that we have a meddling Government, and its meddling is not wanted in this particular area. I ask members to vote for this amendment.

Amendment put and a division taken with the following result—

Ayes 15

Mr Bertram
Mr B. T. Burke
Mr T. J. Burke
Mr Davies
Mr H. D. Evans
Mr Grill
Mr Harman
Mr Hodge

Mr Jamieson
Mr T. H. Jones
Mr Pearce
Mr Skidmore
Dr Troy
Mr Wilson
Mr Bateman

(Teller)

Noes 24

Mr Clarko
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Mr P. V. Jones
Mr Laurance
Mr McPharlin
Mr Mensaros
Mr Nanovich
Mr O'Connor
Mr Old
Mr O'Neil
Mr Ridge
Mr Rushton
Mr Sibson
Mr Sodeman
Mr Stephens
Mr Tubby
Mr Watt
Mr Shalders

(Teller)

Pairs

Ayes

Mr Carr
Mr Brice
Mr T. D. Evans
Mr Taylor
Mr Tonkin
Mr Barnett
Mr McIver

Noes

Mr Spriggs
Mr Williams
Mr Young
Mr Crane
Mr Herzfeld
Mr MacKinnon
Sir Charles Court

Amendment thus negated.

Mr PEARCE: I move an amendment—

Page 7, line 1—Delete the passage, “(whether a member of the Guild or not)” with a view to substituting the following—
who has indicated at the time of enrolment that he wishes to be a member of the Guild and has paid the requisite fee

This seems to me to be as unfair for Murdoch University students as it is for students of the University of Western Australia.

Amendment put and negated.

Mr PEARCE: I move an amendment—

Page 8, line 8—Insert the passage “, educational” after the word “sporting”.

I feel Murdoch University students are entitled to spend their money on educational purposes, because Murdoch is also an educational institution.

Amendment put and negated.

Mr PEARCE: I move an amendment—

Page 8, line 23—Insert the passage “educational,” after the word “cultural”.

It seems to me that Murdoch University students also should be able to make payments for educational purposes by way of gift.

Amendment put and negated.

Clause put and passed.

Clauses 8 and 9 put and passed.

Clause 10: Section 44 amended—

Mr PEARCE: I move an amendment—

Page 10, lines 26 and 27—Delete the passage "(b) persons who are not enrolled students;"

It seems to me that the same arguments apply to this provision, which deals with the WAIT guild, as I feel should apply to the Guild of Undergraduates of the University of Western Australia and the Murdoch University Guild of Students. The WAIT Student Guild also should have the right to decide how its organisation should operate, and the Government should keep its meddling to its own affairs.

Mr P. V. Jones: In this case you obviously didn't check with WAIT.

Amendment put and negatived.

Mr PEARCE: I move an amendment—

Page 11, lines 10 and 11—Delete the passage "(whether a member of the Student Guild or not)" and substitute the words "who has indicated at the time of enrolment that he wishes to join the Student Guild and has paid the requisite fee".

The WAIT Student Guild as with every other organisation should be elected by those who are members of it. Students who are not members should not be able to vote in elections for the organisation.

Mr P. V. Jones: That is another one you should have checked.

Amendment put and negatived.

Mr PEARCE: I move an amendment—

Page 12, line 14—Insert the passage "educational" after the word "sporting".

I hope the Minister will not again make the foolish interjection that I should check on these things with WAIT. What I am trying to achieve by these amendments is to enable student organisations to set up their own systems of affairs. If the WAIT Student Guild decided it did not want to do this, it would be quite able to do so under its own regulations without any help from the Minister or the Government. If the organisation decided to do this, I would be in perfect agreement with it. What I am suggesting is that a future guild at WAIT should be able to do it without coming back to the Government and asking it.

Mr P. V. Jones: Did you ask WAIT about the voting one?

Amendment put and a division taken with the following result—

Ayes 15

Mr Bertram	Mr Jamieson
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr Pearce
Mr Davies	Mr Skidmore
Mr H. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Harman	Mr Bateman
Mr Hodge	

(Teller)

Noes 24

Mr Clarko	Mr Nanovich
Mr Cowan	Mr O'Connor
Mr Coyne	Mr Old
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Dr Dadour	Mr Ridge
Mr Grayden	Mr Rushton
Mr Grewar	Mr Sibson
Mr Hassell	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurance	Mr Tubby
Mr McPharlin	Mr Watt
Mr Mensaros	Mr Shalders

(Teller)

Pairs

Ayes	Noes
Mr Carr	Mr Spriggs
Mr Bryce	Mr Williams
Mr T. D. Evans	Mr Young
Mr Taylor	Mr Crane
Mr Tonkin	Mr Herzfeld
Mr Barnett	Mr MacKinnon
Mr McIver	Sir Charles Court

Amendment thus negatived.

Mr PEARCE: I move an amendment—

Page 12, line 29—Insert the passage "educational," after the word "cultural".

This is to give the WAIT guild the right to make educational payments by way of gift.

Amendment put and negatived.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Section 56A added—

Mr PEARCE: I move an amendment—

Page 14, lines 16 and 17—Delete the passage "(b) persons who are not enrolled students of the college;"

This section of the Bill deals with colleges of advanced education, and I intend to move to each provision amendments to extend the rights of student organisations in colleges of advanced education in the same way as I have moved to extend the right of student organisations at WAIT, the

University of Western Australia, and Murdoch University.

Amendment put and negatived.

Mr PEARCE: I move an amendment—

Page 15, line 2—Delete the passage, “(whether a member of the Branch or not)”, and substitute the following—

who has indicated at the time of enrolment that he wishes to be a member of the Branch and has paid the requisite fee.

I see no reason that non-members of student organisations in colleges of advanced education ought to get a vote in the affairs of an organisation of which they are not members.

Amendment put and negatived.

Mr PEARCE: I move an amendment—

Page 15, line 35—Insert the passage “, educational” after the word “sporting”.

This amendment would give student organisations and student branches of colleges of advanced education the right to spend compulsory fees on educational needs.

Amendment put and negatived.

Mr PEARCE: I move an amendment—

Page 16, line 6—Insert the passage “educational,” after the word “cultural”.

This would give student organisations in colleges of advanced education the right to make education payments by way of gifts.

Amendment put and a division taken with the following result—

Ayes 15

Mr Bertram	Mr Jamieson
Mr B. T. Burke	Mr T. H. Jones
Mr T. J. Burke	Mr Pearce
Mr Davies	Mr Skidmore
Mr H. D. Evans	Dr Troy
Mr Grill	Mr Wilson
Mr Harman	Mr Bateman
Mr Hodge	

(Teller)

Noes 24

Mr Clarko	Mr Nanovich
Mr Cowan	Mr O'Connor
Mr Coyne	Mr Old
Mrs Craig	Mr O'Neil
Dr Dadour	Mr Ridge
Mr Grayden	Mr Rushton
Mr Grewar	Mr Sibson
Mr Hassell	Mr Sodeman
Mr P. V. Jones	Mr Stephens
Mr Laurance	Mr Tubby
Mr McPharlin	Mr Watt
Mr Mensaros	Mr Shalders

(Teller)

Pairs

Ayes

Noes

Mr Carr	Mr Spriggs
Mr Bryce	Mr Williams
Mr T. D. Evans	Mr Young
Mr Taylor	Mr Crane
Mr Tonkin	Mr Herzfeld
Mr Barnett	Mr MacKinnon
Mr McIver	Sir Charles Court

Amendment thus negatived.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

As to Third Reading

MR P. V. JONES (Narrogin—Minister for Education) [12.37 a.m.]: I move—

That leave be granted to proceed forthwith to the third reading.

The SPEAKER: Is leave granted to proceed forthwith to the third reading of the Bill?

Mr Pearce: No.

Leave denied.

House adjourned at 12.38 a.m. (Wednesday)

QUESTIONS ON NOTICE

FORESTS DEPARTMENT

Wood Chip Licence Area

1205. Mr BARNETT, to the Minister for Forests:

With reference to the woodchip licence area:

- (1) How many hectares of State forest have been clearfelled for woodchips and sawlogs since the Manjimup woodchip industry began in 1975?
- (2) How many hectares of State forest have been clearfelled exclusively for sawlogs since the Manjimup woodchip industry began in 1975 in—
 - (a) pure karri;
 - (b) karri-marri; and
 - (c) tingle?
- (3) What happens to potential chip material in areas clearfelled exclusively for sawlogs?
- (4) How many hectares of State forest have been clearfelled in salvage operations in fire-damaged forest since the Manjimup woodchip industry began in 1975?

- (5) Was chip material removed from salvage areas along with sawlogs?
- (6) What is the estimated area of existing stands of—
 - (a) red tingle; and
 - (b) yellow tingle,
 in Western Australia?
- (7) What is the estimated total volume of—
 - (a) red tingle; and
 - (b) yellow tingle,
 in Western Australia?
- (8) What is the estimated total volume of—
 - (a) red tingle; and
 - (b) yellow tingle
 felled and burnt during clearfelling for karri sawlogs?
- (9) (a) What proportion of (8) was millable; and
 - (b) why was it not milled?

Mrs CRAIG replied:

- (1) Approximately 2 900 ha.
- (2) The following areas have been cut for sawlogs only:—
 - (a) Pure karri—Nil
 - (b) Karri/marri—Nil
 - (c) Tingle—248 ha approx. (in mixture with other species)
- (3) Chipwood is removed from all mixed karri/marri forest cut for sawlogs. However, the tingle area mentioned under (2)(c) was cut before it was possible to remove chipwood. The area was then burnt to reduce fire hazard and promote regeneration.
- (4) Approximately 330 ha.
- (5) Chipwood has not yet been removed but is programmed for removal over the next two years.
- (6) (a) and (b) The total area on which red and yellow tingle occurs on State Forest in mixture with other species is approximately 51 000 ha. This area also includes a small proportion of rate's tingle. Details of the area of tingle outside State forest are not available.

- (7) The total volumes of tingle on State forest are estimated to be—

(a) Red tingle—260 000 m³ approx.
gross log volume

(b) Yellow tingle—340 000 m³
approx. gross log volume

The volume of tingle outside State forest is not available.

- (8) The total volume occurring on the area of tingle forest cut for karri sawlogs and thus affected to some degree by fire is estimated as follows—

(a) Red tingle—Nil

(b) Yellow tingle—30 000 m³
approx. gross log volume.

- (9) (a) and (b) Results of continuing recovery operations indicate that about one-quarter of the volume mentioned under (8) (b) could be regarded as millable but it is not known whether this proportion applies to the area as a whole.

AUSTRALIAN WORKERS UNION MEMBERSHIP

Exemption for Casual Employees

1211. Mr MacKINNON, to the Minister for Labour and Industry:

- (1) Is it a fact that students who are employed by Co-operative Bulk Handling Ltd. for approximately six to ten weeks each year, on a casual basis, to man their country grain handling facilities, have subscriptions to the Australian Workers Union automatically deducted from their wages?
- (2) If "Yes", is it possible for these casual student workers to apply to the Australian Workers Union to have these subscriptions recouped?
- (3) If not, why not?
- (4) Is it possible for these casual employees to apply, under any award, for exemption from membership of the Australian Workers Union?
- (5) If the answer to (4) is "Yes", how should the student casual employees involved, apply for such exemption?

Mr O'Connor (for Mr GRAYDEN) replied:

- (1) Under Clause 25—Preference to Unionists—of the Grain Handling (Country Receival Points and Transfer Depots) Award 27 of 1968, subclause (7) provides:

"A seasonal worker not being a financial member of the union shall have membership fees deducted for the period of his employment in the manner approved by the parties to this award".

I am advised that the current deduction as approved by the parties is \$2 per week.

- (2) and (3) A seasonal worker could apply to the union to be recouped these deductions but the decision would rest solely with the union.
- (4) Yes. Any worker can apply under section 61B of the Industrial Arbitration Act for exemption from joining a union. Before exemption can be granted the worker must pay to the Industrial Registrar an amount equivalent to the subscription prescribed by the rules of the union for membership thereof. In this case the subscription involved is currently \$30.
- (5) In writing addressed to the Industrial Registrar.

SCHOOLS

Eaton and Donnybrook

1212. Mr T. H. JONES, to the Minister for Education:

As a result of his inspection of the Eaton and Donnybrook schools, will he advise—

- (a) what improvements will be carried out;
- (b) the dates; and
- (c) costs involved?

Mr P. V. JONES replied:

At Eaton primary school a library resource centre is to be erected to be ready for mid-1978. The expected cost is \$70 000.

At present no works are proposed for Donnybrook.

GOVERNMENT CONFIDENTIAL INFORMATION

Leakage to Press

1213. Mr JAMIESON, to the Premier:

Referring to his answer to my question 1124 of 1977:

- (1) Why will he not tell the House how the information became public?
- (2) What form of inquiry resulted in him discovering how a journalist from the *Daily News* got the information?
- (3) Who initiated the inquiry, and when?
- (4) Who conducted the inquiry?
- (5) Was the Criminal Investigation Bureau involved in the inquiry, and if not, why not?
- (6) Has the Government investigated whether any breach of the Criminal Code was involved in the passing of the information to the journalist?
- (7) (a) If "Yes" to (6), what was the result of the investigation;
- (b) If "No" to (6), why not?
- (8) Was the information passed to the journalist by a public servant or a Minister?

Sir CHARLES COURT replied:

- (1) Because no useful purpose would be served by so doing.
- (2) By the Minister himself making some inquiries. I also raised the matter with him.
- (3) The Minister as soon as the matter was noticed by him.
- (4) The Minister.
- (5) No, because it was not considered necessary.
- (6) No, as there was no criminal intent or negligence involved.
- (7) Not applicable.
- (8) No useful purpose would be served in disclosing the source.

METROPOLITAN RAILWAY SYSTEM

Comprehensive Plan and Electrification

1214. Mr JAMIESON, to the Minister for Agriculture:

- (1) In view of the commitment of the Country Party as expressed in their election policy announced on 12th March,

1974, that "the role of the State railway system would be re-assessed, a comprehensive rail plan would be made for the central city and suburban railways would be extended and electrified", will he now advise the House whether—

- (a) a comprehensive rail plan has been made for the central city;
 - (b) it is intended to extend and electrify suburban railways?
- (2) In view of the Country Party's attempt to extend and electrify urban railways, has he made strong representations to the Minister for Transport urging that the Perth-Leighton rail system be electrified?
- (3) If "No" to (2), why not?

Mr OLD replied:

- (1) to (3) I draw the member's attention to the fact that there have been two elections since the 12th March, 1974, so the original question is no longer pertinent.

Electrification was evaluated in the central city railway feasibility study and the Government has indicated it intends to retain the railway system and if possible, electrify it. It has also said however, that before it could contemplate doing so, it would have to be certain that Commonwealth financial assistance was forthcoming.

Such assistance has not eventuated for the first 5-year urban public transport assistance plan, but it may be forthcoming for the second plan which is scheduled for next year.

HOUSING

Community Committees

1215. Mr JAMIESON, to the Minister for Housing:

Will he give consideration to establishing community committees with the responsibility of planning and advise the State Housing Commission on all aspects of housing throughout the north of this State?

Mr O'CONNOR replied:

No, as sufficient machinery already exists through local government town planning procedures, and with special

reference to the Pilbara through the planning and co-ordinating authority and its townsites development committee.

It would be inappropriate to establish community committees throughout the north of the State to advise the State Housing Commission when that body has no planning and developmental responsibility in many towns and only limited responsibility in other centres.

HOUSING

Queensland University's Report

1216. Mr JAMIESON, to the Minister for Housing:

Will he ask the State Housing Commission to study the report of the University of Queensland on housing in harsh climates and ask them to recommend any action appropriate to Western Australia?

Mr O'CONNOR replied:

The State Housing Commission is unaware of a University of Queensland report on housing in harsh climates. If the member will give a more specific reference, the report will be obtained and studied.

I am informed the publication *An Evaluation of Housing Standards in Tropical Australia* by B. S. Saini and S. V. Szokoloy, was used in reference by the north west study group in preparing its report on "Northern Housing in Western Australia" published in June, 1976.

SOLAR ENERGY

Heating Devices

1217. Mr JAMIESON, to the Minister for Fuel and Energy:

Will the Government give consideration to payment of subsidies for the installation of solar heating devices to encourage alternative energy sources?

Mr MENSAROS replied:

The Government is well aware of the desirability of encouraging the use of solar energy and thereby reducing the rate of depletion of fossil fuels. It is considered that instead of individual subsidies to purchasers (which might well result in deteriorating competition and endeavour for more economical design on part of the manufacturers), the most effective method is to help industry to reduce the cost by developing

lower cost designs and better methods of manufacture. Funds for this purpose will be made available to individuals and organisations through the solar energy research institute as soon as it is established.

CONSUMER PROTECTION

Rural Prices Justification Commissioner

1218. Mr JAMIESON, to the Minister for Labour and Industry:

- (1) Will the Government give consideration to the appointment of a rural prices justification commissioner to investigate complaints of excessive prices in the north of this State?
- (2) Will he also give consideration to establishment of a special section in the Consumer Affairs Bureau to investigate complaints related to purchase of goods and services by people involved in rural industries?

Mr O'Connor (for Mr GRAYDEN) replied:

- (1) No. The appointment of a rural prices justification commissioner is not necessary as my department already investigates any complaints regarding apparently excessive prices.
- (2) I do not consider that the establishment of a special section within the Consumer Affairs Bureau to investigate complaints on behalf of people involved in rural industries is necessary. The bureau, as a matter of policy, already receives and investigates complaints from the rural sector regarding equipment and machinery.

STATE FINANCE

Federal Assistance for Capital Works

1219. Mr JAMIESON, to the Premier:

- (1) Did he request, on behalf of Western Australia, for more money for capital works for Western Australia either by borrowings through the Loan Council or increases in specific purpose payments of a capital nature?
- (2) If "No", why not?
- (3) If "Yes" to (1), what was the result of his representations?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) Not applicable.

- (3) A special temporary allocation of \$16 million this year to our semi-governmental borrowing programme to meet the cost of converting the Kwinana power station from oil to oil or coal burning with a further \$8 million being provided in the following two years.

In addition, the Commonwealth has undertaken to support in Loan Council a permanent addition of \$18 million to our semi-governmental borrowing programme from 1978-79—which would increase thereafter in line with the overall increase in semi-governmental borrowings—and the continuation of the temporary allocation of \$16 million received this year for a further three years. The latter would include the balance of \$8 million for Kwinana.

In summary, this means we would receive an extra \$16 million this year and for a further three years by way of a temporary special addition and from 1978-79 a permanent addition of \$18 million which will escalate in future years.

INTEREST RATES

Reduction

1220. Mr JAMIESON, to the Premier:

- (1) Is he correctly reported in *The West Australian* of Monday, 24th October, as having said that if he had the choice between a capital handout and a vigorous programme to reduce the interest rate, he would choose the latter because steady reduction would create more jobs?
- (2) Can he explain why increased Federal funds for capital works should hamper attempts to reduce the interest rate?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) I did not say that increased Federal funds would hamper attempts to reduce interest rates. I was pointing out that if there were a choice, a reduction in interest rates could lead to a resurgence in private investment and the creation of more permanent jobs than would be possible from additional Government capital expenditure.

This Government's views on interest rates and capital expenditure were clearly stated in this year's Budget speech. I refer the member to that document, particularly pages 2 to 6.

STATE FINANCE

Federal Government's Policies

1221. Mr JAMIESON, to the Treasurer:

Adverting to part (2) of my question 1032 of 1977, and his answer that the amount received by the State under the tax sharing arrangements had contributed to the State Government's ability to present a balanced budget, can he explain what the effects of the cutbacks in specific purpose payments and the allocations in funds for capital works, have had in enabling the State to introduce balanced budgets and to maintain a comprehensive and progressive works programme for the present financial year?

Sir CHARLES COURT replied:

It was obvious that the excessive spending of the Whitlam Government could not be maintained if the Australian economy was to be rescued from the inflation engendered by that Government's poor financial management. The State Government recognised the inevitability of reductions in some of the inflated programmes of that period and particular attention was given to holding back on expenditure commitments in areas where reductions in funds provided were to be expected. It was this prudent financial management policy that enabled the State to be in a position to cope with reductions in specific purpose payments and still maintain a balanced budget.

HOSPITALS

State Grants (Hospitals Operating Costs) Act

1222. Mr HODGE, to the Minister for Health:

- (1) Is it a fact that under the terms of the agreement entered into by the State and Australian Governments under the State Grants (Hospitals Operating Costs) Act the Auditor General's certificate is required on summaries of receipts and payments relating to the recognised hospitals and central services?
- (2) If "Yes", have the necessary documents for the periods 1st August, 1975 to 30th June, 1976, 1st July, 1976 to 30th September, 1976 and 1st October, 1976 to 30th June, 1977, been presented to the Auditor General to enable him to comply with the requirements of the agreement?

- (3) If the answer to (2) is "No", why not?

Mr RIDGE replied:

- (1) Yes.
- (2) No.
- (3) Before a statement can be prepared for certification by the Auditor-General, separate audited statements for each recognised hospital and central service must first be completed. Some of these are not yet available.

MIGRANT RECRUITING

Agent-General's Office

1223. Mr HODGE, to the Minister for Immigration:

- (1) Are there any State officers currently attached to the Agent-General's office in London for the purpose of recruiting migrants?
- (2) If "Yes", how many?

Mr O'Connor (for Mr GRAYDEN) replied:

- (1) Yes.
- (2) One permanent officer—the Migration Liaison Officer.

IMMIGRATION

Overseas Advertising

1224. Mr HODGE, to the Minister for Immigration:

- (1) Is it a fact that an amount of \$17 432 was spent by the Immigration Department on overseas advertising in the year 1976-77?
- (2) If "Yes", what was the nature and purpose of the advertising and in what nation did it occur?

Mr O'Connor (for Mr GRAYDEN) replied:

- (1) The expenditure item "overseas advertising" includes expenditure incurred on such items as newspaper advertising, film shows promoting Western Australia and the printing of pamphlets and information booklets.

Expenditure of \$17 432 during 1976-1977 was incurred as follows—

Newspaper advertising	\$ 12 392
Balance of payment to Government Printer for "Guide to Western Australia"	4 924
Sundry	116
	<hr/>
	\$17 432

The amount of \$12 392 for newspaper advertising included \$4 518 expenditure incurred in London for the period March/June 1976 but not recouped until the 1976-1977 financial year because of the system of recouping the Agent General's account. The total figure represents only 12 national and 10 provincial Press advertisements over the period March/November 1976.

- (2) All advertising was undertaken in the United Kingdom in those occupational categories considered as in demand in this State. It was discontinued on 18th November, 1976, and not on 26th October, 1976 as mentioned in the reply to a question on migrant bricklayers on 27th October, 1977 in the Legislative Council.

LICENSING COURT

Wild Cattle Nuisance Act

1225. Mr HODGE, to the Chief Secretary:

- (1) Is it a fact that the Licensing Court, in addition to its responsibilities under the Liquor Act, also administers the Wild Cattle Nuisance Act?
- (2) If "Yes", will the Minister explain what relevance and community of interest exists between the administration of the State's liquor laws and the Wild Cattle Nuisance Act?
- (3) How much has been collected by the Licensing Court during the past 12 months in fees levied under the Wild Cattle Nuisance Act?

Mr O'NEIL replied:

- (1) Yes.
- (2) There is no relevance.
- (3) \$4.00 collected for one licence during the period 1st November 1976 to 28th October 1977.

MARKET MILK

Inclusion in National Aggregate Entitlement

1226. Mr H. D. EVANS, to the Minister for Agriculture:

- (a) What view does Western Australia propose to adopt at the forthcoming dairy industry discussions regarding the inclusion of market milk in the national aggregate entitlement; and
- (b) what quantity of the national aggregate entitlement will this Government insist upon this State receiving?

Mr OLD replied:

- (a) Western Australia has consistently opposed any scheme which would affect the State's control over market milk.
- (b) The Government will ensure that Western Australia receives an equitable share of the national aggregate entitlement which is finally agreed on.

DISCRIMINATION AGAINST WOMEN

Government's Action

1227. Mr H. D. EVANS, to the Premier:

- (1) Has the Federal Government sought from the Western Australian Government an expression of attitude or comment of any kind regarding the recognition of the proposed United Nations Organisation convention on the elimination of discrimination against women, to be held later this year?
- (2) If "Yes", what is the attitude of the State Government as conveyed to the Federal Government?
- (3) If the State Government supports the articles of the United Nations regarding discrimination, what action, in addition to participation in the committee on discrimination in employment and occupation does this Government propose to initiate to demonstrate its sincerity of purpose in overcoming discrimination on the grounds of sex?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) and (3) That more time will be required by the State Government to investigate fully the implications of the numerous articles contained in the draft convention.

ROAD TRAFFIC AUTHORITY

Motor Vehicle Examiners

1228. Mr TONKIN, to the Minister for Police and Traffic:

- (1) How many vehicle examiners are currently employed by the Road Traffic Authority—
 - (a) in the metropolitan area;
 - (b) in the country?
- (2) How many have been employed—
 - (a) in excess of five years;
 - (b) three to five years;
 - (c) one to three years;
 - (d) less than one year?

- (3) (a) What are the titles of the officers in charge of this section; and
(b) how many are in each position?
- (4) Who lectures the new recruits to the service?
- (5) What qualifications are requisite for applicants as vehicle examiners?
- (6) (a) Do the examiners have to have other knowledge besides their expertise as mechanics; and
(b) if so, what?

Mr O'NEIL replied:

- (1) Current policy is to recruit "Examiners" who carry out the dual role of vehicle examinations and testing of applicants for motor drivers licences.

Vehicle Examiners Examiners

(a) 31 18

(b) Nil 18

Vehicle Examiners Examiners

(2) (a) 13 Nil

(b) 17 2

(c) 1 21

(d) Nil 13

- (3) (a) and (b)
 - 1 Engineer in charge
 - 1 Officer in charge vehicle examiners
 - 1 Senior vehicle examiner
 - 1 Vehicle examiner country branches
 - 1 Vehicle examiner used car dealers.
- (4) A training officer conducts a public service induction course. In addition, both vehicle examiners and examiners are required to attend a three week vehicle examination course and examiners a two week MDL training course.
- (5) Currently they are required to be qualified in the trade as motor mechanics.
- (6) (a) Yes.
(b) Knowledge of the following:
 - Road Traffic Act (certain areas);
 - Road Traffic Code (Examiners);
 - Vehicle Standards Regulations;
 - Driver's Licences Regulations (Examiners);
 - Vehicle Weights Regulations;
 - Tow Truck Regulations;
 - Omnibus Regulations;
 - Licensing Regulations (certain areas);

Motor Vehicle Dealers Act and Regulations (certain areas);

Policy on vehicle licensing matters.

TRESILLIAN HOSTEL

Purchase by Government

1229. Mr DAVIES, to the Premier:

- (1) Does the Government still have an agreement with the Nedlands City Council to purchase Tresillian hospital?
- (2) If so, what are the terms of such arrangement?
- (3) If not, what is the proposed future for the building?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) The same as previously advised; namely—
Purchase price \$125 000 to be paid by 5 annual instalments of \$25 000 on an interest free basis.
- (3) Not applicable.

PUBLIC HOLIDAYS

List for 1978

1230. Mr DAVIES, to the Minister for Labour and Industry:

Would he be good enough to list public holidays for 1978?

Mr O'Connor (for Mr GRAYDEN) replied:

Public holidays in 1978 will be—

January 2—Monday—in lieu of New Year's Day on Sunday January 1

January 30—Monday—Australia Day

March 6—Monday—Labour Day

March 24—Friday—Good Friday

March 27—Monday—Easter Monday

April 25—Tuesday—Anzac Day

June 5—Monday—Foundation Day

October 9—Monday—Celebration Day for Anniversary of Reigning Sovereign

December 25—Monday—Christmas Day

December 26—Tuesday—Boxing Day.

EDUCATION

School Terms for 1978

1231. Mr DAVIES, to the Minister for Education:

Would he be good enough to list school terms for 1978, i.e., for both Government and private schools?

Mr P. V. JONES replied:

Government primary and secondary schools:

1st Term—6th February-12th May

2nd Term—29th May-25th August

3rd Term—11th September-15th December.

Term dates for non-government schools would approximate those shown above.

TECHNICAL SCHOOLS

Kwinana and Rockingham

1232. Mr TAYLOR, to the Minister for Education:

With respect to the proposal that a study be carried out prior to the commencement of planning for new technical schools at Kwinana and Rockingham, will those responsible for such a study make it their business to seek the views of the Kwinana Town Council?

Mr P. V. JONES replied:

In planning the new technical schools, information, as required, will be sought from those organisations whose expertise will be of value.

QUESTIONS WITHOUT NOTICE

UNEMPLOYED WORKERS MOVEMENT

Pamphlet and Charges

1. Dr TROY, to the Minister for Police and Traffic:

My question is directed to the Minister for Police and Traffic, or to the Minister representing the Attorney-General, as the case may be. The question is as follows—

- (1) Has the Minister seen copies of the pamphlet handed out by two members of the Unemployed Workers Movement which led to their arrest?
- (2) If so, did he find the pamphlet objectionable?
- (3) If "Yes" to (2), in what way?
- (4) Is the Minister aware that the Western Australian director of the Department of Employment and Industrial Relations, with the support of the Minister, considers the pressing of charges not in the interests of the unemployed?

Mr O'NEIL replied:

(1) No.

(2) and (3) See answer to (1).

(4) No.

UNEMPLOYED WORKERS MOVEMENT

Charges

2. Dr TROY, to the Minister for Police and Traffic:

Would the Minister consider advising his department to drop the charges in connection with the previous question?

Mr O'NEIL replied:

Since I have had no prior knowledge of the question, or even any indication of the intention to ask the first question, I request the honourable member to write to me giving reasons that I should take that course of action.

STATE FINANCE

US Loan

3. Mr B. T. BURKE, to the Treasurer:

- (1) Is it true that in 1975 the Solicitor-General negotiated a loan of US \$5 000 million for the State, or on behalf of the State of Western Australia?
- (2) Was that loan for a period of 20 years at an interest rate of 9.5 per cent per annum secured by a promissory note in accordance with International Chamber of Commerce Form 222 signed by the Government?
- (3) Why did the Government reject the loan, especially when the loan could be granted to the R & I Bank and guaranteed by the Western Australian Government, especially also when the Australian Government of Mr Fraser, at that time, negotiated an overseas loan of US \$150 million for seven years at an interest rate of 10 per cent per annum?

Sir CHARLES COURT replied:

- (1) to (3) If I understand the question without notice asked by the honourable member, he has asked why we rejected a loan of \$US 5 000 million negotiated by somebody on behalf of the Government.

Mr B. T. Burke: Or, for the Government.

Sir CHARLES COURT: Or, for the Government—whichever way the honourable member puts it.

First of all, I know of no such negotiation and if there is such a person he should be exposed if he represented himself to the honourable member as having done such a thing.

In any case, I remind the member that this Government will not have a bar of negotiations outside of the proper channels.

Negotiations we have had with the Commonwealth Government, and the Loan Council, with respect to infrastructure overseas borrowings, have always been on the basis that those borrowings, would be with the overall knowledge and concurrence of the Loan Council.

DRUGS IN SCHOOLS

Report

4. Mr JAMIESON, to the Minister for Health:
Will the Minister make available to me a copy of the report on drugs in Western Australian schools, compiled by the Alcohol and Drug Authority Education Subcommittee, as I have not yet received a copy?

Mr RIDGE replied:

I am quite sure a copy of the report can be made available to the Leader of the Opposition.

TEACHERS' REGISTRATION ACT

Deferment

5. Mr CLARKO, to the Minister for Education:
- (1) Is the Minister aware of the letter addressed to all members of Parliament from the Secretary of the Teachers' Union referring to the deferment of the Teachers' Registration Act?
 - (2) Has the Teachers' Union, or the Teachers' Registration Board, ever sought deferment of the Act as claimed?
 - (3) Are the allegations contained in the letter correct?

Mr Davies: Thank you, Dorothy.

Mr P. V. JONES replied:

- (1) to (3) Yes, I have seen a copy of the letter.

The Teachers' Union, in this instance, has acted improperly. An examination of the minutes of the board meeting shows that some of the information contained within the letter, which has been circulated, is completely inaccurate and, indeed, completely untruthful.

The chairman of the board has contacted me today and he is pursuing action with the Teachers' Union with regard to this matter. However, in actual fact the minutes of the board meeting do not reflect the substance of the letter, and the board will be seeking some verification from the union of the assertion. If it is not substantiated, the union will be asked for a withdrawal of the letter.

TEACHERS' REGISTRATION ACT

Deferment

6. Mr PEARCE, to the Minister for Education:
What is the reason that the Government is intending to suspend the operation of the Teachers' Registration Act, and under what authority can the Government suspend an Act of Parliament?

Mr P. V. JONES replied:

I have already indicated the reasons. In answer to the second part of the question, if the member examines the Act he will see that either section 20 or 21 provides that the Governor may, by proclamation, suspend sections 19 and 20, which are the sections requiring registration. Action is being taken in that manner.

I have already indicated the reason. The union, in what was a quite irresponsible way, indicated that the board had, in fact, on an earlier occasion sought my approval for deferment, which is completely incorrect.

EDUCATION

Religious Instruction in Schools

7. Mr JAMIESON, to the Minister for Education:

Will the Minister make available to me a copy of the report by the committee which investigated religious education in State schools, as I have not yet received a copy?

Mr P. V. JONES replied:

The name of the Leader of the Opposition is on the list of people to whom the report is now being circulated. The report has only just been received from the printer.

PRE-SCHOOL PROPERTY

Transfer to Education Department

8. Mr WILSON, to the Minister for Education: Is the Minister now in a position to answer question 532 which I asked on the 25th August, and which was as follows—

- (1) Was the property at 1186 Hay Street, currently occupied by the Pre-School Board, originally privately bequested to the Kindergarten association of WA?
- (2) Can he say what were the terms of the bequest?
- (3) What legal implications are involved in the appropriation of the property by the State Education Department?

Mr P. V. JONES replied:

It was my intention to answer the question today, the reply to which is as follows—

- (1) to (3) The premises at 1186 Hay Street, presently occupied by the Western Australian Pre-School Board, are not being appropriated by the State Education Department. The Pre-School Board and its pre-

decessors, the Kindergarten Association and the Kindergarten Union, have occupied the premises since 1922. Freehold was obtained in 1929 at a cost of £4,000, made possible by a bequest of £2,500 from the late H. W. Rischbieth, together with support from many community-minded citizens.

The bequest was, in part, "for or towards the purchase of a freehold property, or the erection of a building for the purposes of the Association".

As the building has been associated with pre-school and kindergarten education for 55 years, I am currently discussing with the Pre-School Board the holding of the property in trust.

HIGH SCHOOL

Balcatta

9. Mr B. T. BURKE, to the Minister for Education:

Does the Minister recall my question of last week regarding the community-cum-education school hall to be erected at the Balcatta High School, and which question he requested be postponed?

Could the Minister inform me when he may be able to answer the question?

Mr P. V. JONES replied:

No, I am not fully aware of the details, but I will pursue the matter and advise the member accordingly.