

instead of facing up to it squarely; and in this House we see the existing problem being manifested and compounded.

I cannot support the Budget as it has been presented. It in no way assists people who are in very dire need; as I said, many of those people will not be in this industry in six months' time.

Debate adjourned, on motion by Mr Nanovich.

*House adjourned at 10.21 p.m.*

## Legislative Council

Thursday, the 17th October, 1974

The PRESIDENT (the Hon. A. F. Griffith) took the Chair at 2.30 p.m., and read prayers.

### QUESTIONS (7): ON NOTICE

#### 1. NATURAL GAS

*Petrochemical Plant: North-West*

The Hon. Clive Griffiths for the Hon. W. R. WITHERS, to the Minister for Education:

In view of the reply given by the Federal Minister for Minerals and Energy to a question on petroleum production from north-west gas, asked in Federal Parliament on the 16th October, 1974, will the Minister please advise if the Federal Government has made any approaches to the State Government for the establishment of a petrochemical plant in Western Australia for the treatment of north-west gas?

The Hon. G. C. MacKINNON replied:

There has been no approach by the Federal Government in regard to the establishment of a petrochemical plant in Western Australia for treatment of north-west gas. This certainly is symbolic of the attitude of the Federal Government in areas of concern and constitutional responsibility of this Parliament.

#### 2. HOUSING

*Denmark*

The Hon. Clive Griffiths for the Hon. T. KNIGHT, to the Minister for Justice:

- (1) How many State Housing Commission homes have been erected in Denmark?
- (2) How many applicants appear on the waiting list for allocation of—
  - (a) rental homes; and
  - (b) purchase homes?

- (3) How many new homes are to be erected in Denmark this year for—
  - (a) rental; and
  - (b) purchase?

The Hon. N. McNEILL replied:

- (1) The State Housing Commission has erected 43 dwellings for purchase and rental applicants.
- (2) (a) 6 applicants.  
(b) 1 applicant.
- (3) (a) Nil.  
(b) Nil.

#### 3. FUEL, ENERGY AND POWER RESOURCES LEGISLATION

*Emergencies: Law Enforcement*

The Hon. R. T. Leeson for the Hon. GRACE VAUGHAN, to the Minister for Health:

Further to my question of the 10th October, 1974, concerning an undertaking by the Minister for Police that police officers will not be called on to do other than normal duties during an emergency, and the Minister's reply that the Minister has not had discussions with the Police Union, will the Minister confirm that such an undertaking has been reached through communication with the Minister, or those associated with him, and the Union?

The Hon. G. C. MacKinnon for the Hon. N. E. BAXTER replied:  
No.

#### 4. HOUSING

*Armadaile-Kelmescott: Undeveloped Land*

The Hon. J. Heitman for the Hon. I. G. PRATT, to the Minister for Justice:

- (1) What parcels of undeveloped land do the State Housing Commission own within the Shire of Armadaile-Kelmescott?
- (2) What is the zoning of this land?
- (3) On what dates were these parcels of land purchased by the State Housing Commission?
- (4) Is the State Housing Commission at present negotiating to purchase further undeveloped land in this area?
- (5) Has the State Housing Commission entered into any negotiations to purchase undeveloped land within the Shire of Armadaile-Kelmescott since the 1st January, 1974?

The Hon. N. McNEILL replied:

- (1) The Commission owns 17 parcels of undeveloped land totalling 691.2 hectares (1 708 acres) in area.

- (2) Part urban and part rural.  
 (3) This land was acquired during the period March, 1950 to May, 1973.  
 (4) Yes.  
 (5) Yes.

5. **STAMP DUTY**

*Motor Vehicle Transfers*

The Hon. T. O. PERRY, to the Minister for Justice:

What was the total revenue collected in Stamp Duty from the transfer of motor vehicles for the 1973-74 financial year?

The Hon. N. McNEILL replied:

In 1973-74 the Stamp Duty imposed on motor vehicle licenses and the transfer of motor vehicle licenses totalled \$2 994 762.

6. **HIGH SCHOOL**

*Greenwood*

The Hon. R. F. CLAUGHTON, to the Minister for Education:

What is the projected commencement and completion date for the high school to be constructed in the Greenwood area?

The Hon. G. C. MacKINNON replied:

Firm dates for the establishment of the Greenwood High School have not yet been determined.

7. *This question was postponed.*

**LEAVE OF ABSENCE**

On motion by the Hon. S. J. Dellar, leave of absence for six consecutive sittings of the House granted to the Hon. Lyla Elliott (North-East Metropolitan) on the ground of parliamentary business in the Eastern States.

**SUPREME COURT ACT AMENDMENT BILL**

*Introduction and First Reading*

Bill introduced, on motion by the Hon. N. McNeill (Minister for Justice), and read a first time.

**MONEY LENDERS ACT AMENDMENT BILL**

*Third Reading*

Bill read a third time, on motion by the Hon. N. McNeill (Minister for Justice), and passed.

**LIBRARY BOARD OF WESTERN AUSTRALIA ACT AMENDMENT BILL**

*Third Reading*

**THE HON. G. C. MacKINNON** (South-West—Minister for Education) [2.38 p.m.]: I move—

That the Bill be now read a third time.

**THE HON. R. F. CLAUGHTON** (North-Metropolitan) [2.39 p.m.]: In my second reading speech I offered a suggestion, in respect of the representatives of major metropolitan local authorities, that the Cities of Perth and Fremantle were both represented, but the City of Stirling was not, and that the Government might consider a provision whereby any two of the three local authorities may be represented. In his reply to the second reading debate the Minister did not say that he had taken up the suggestion and I am wondering whether the Government had given any consideration to it.

**THE HON. G. C. MacKINNON** (South West—Minister for Education) [2.40 p.m.]: I thought I had said that a number of people would be representing local authorities. We did think of this point, but it was believed that the present representatives of local government would understand the difficulties of local authorities with regard to the supply of library facilities generally and that therefore there was not much point in adding another representative.

However, although the point the honourable member raised is not urgent, it is one which is worthy of consideration, and when the Act is being amended again at some future time we could perhaps deal with it then.

Question put and passed.

Bill read a third time and passed.

**MAIN ROADS ACT AMENDMENT BILL**

*Third Reading*

Bill read a third time, on motion by the Hon. N. McNeill (Minister for Justice), and passed.

**CONSTITUTION ACTS AMENDMENT BILL**

*Second Reading*

**THE HON. N. McNEILL** (Lower West—Minister for Justice) [2.42 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to increase the Governor's salary from \$17 000 to \$25 000 with effect from the 1st May, 1974.

It has been the practice to review the salary of the Governor following reviews of parliamentary salaries. However, a review was not carried out following the 1971 determination by the Parliamentary Salaries Tribunal. This means that the salary has not been adjusted since October, 1969 when it was raised from \$14 500 to \$17 000.

Salaries paid to the Governors of other States are—

	Salary	When Fixed
New South Wales	30 000	1973
Victoria	20 500	1968
Queensland	35 000	1973
South Australia	20 000	Since 1969
Tasmania	25 000	1973

However, these payments are not absolutely comparative because Governors of some States meet expenses of various kinds which in other States are met by the Government.

Nevertheless, having regard to payments in other States and to the fact that there has been no variation of the salary of the Governor in this State over the past five years, an increase to \$25 000 effective from the 1st May, 1974, is considered reasonable.

I commend the Bill to the House.

**THE HON. R. THOMPSON** (South Metropolitan—Leader of the Opposition) [2.44 p.m.]: I have nothing to add to what the Minister has stated. The Opposition agrees with the legislation.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

**DISTRESSED PERSONS RELIEF TRUST ACT AMENDMENT BILL**

*Second Reading*

**THE HON. N. McNEILL** (Lower West—Minister for Justice) [2.46 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to increase the number of trustees of the Distressed Persons Relief Trust from four to five. The trust consists of Mr A. E. Marshall, the Public Trustee, who is chairman *ex officio*, and the following three members—

Sir Thomas Wardle, a company director;

Mr J. W. R. Coleman, Secretary of the Trades and Labor Council;

Miss Ethel Scott, a retired Superintendent of Police.

Sir Thomas Wardle is a well-known identity; as is Mr Coleman the Secretary of the TLC, and Miss Scott, a retired Superintendent of Police.

At any meeting of the trust, a quorum is constituted by the chairman and two of the three remaining trustees. Difficulty is experienced from time to time in obtaining a quorum for meetings, because of other commitments of the trustees. Indeed of 11 meetings called, four were required to lapse for want of a quorum.

Financial relief provided by the trust is available to persons in genuine but temporary financial distress, who are unable to obtain appropriate relief from any other source.

The incidence of cases falling outside the scope of existing welfare agencies appears to be no more frequent than would be expected, but examination of the trust's

expenditure clearly discloses the efficacy of the legislation to ameliorate those cases, the subject of applications for relief. The 101 applications received from January, 1974 up to September were spread over the period as follows—

	Applications
January	5
February	3
March	8
April	18
May	19
June	14
July	11
August	16
September	7

It is evident therefore that the trust is achieving the purpose for which it was created by covering some of the inevitable blank spots in the general governmental and private voluntary welfare coverage.

The Government agrees with the trust's recommendation that its membership be increased by one additional trustee.

I think it is appropriate for me to refer to the type of disbursements that have been made, and I detail cases as follows—

	Cases
Ill-health	37
Housing	10
Marriage breakdown	6
Deaths	6
Unemployment	6
Accidents	3
Business failure	2
Stranded people	5
Education	2
Afflictions (blind, deaf, etc.)	5
Miscellaneous	7
<b>Total</b>	<b>89</b>

In other words, there were 89 cases granted financial relief, seven cases were refused, and 12 cases lapsed; that was for the period between the 4th December, 1973 and the 27th September, 1974.

It is also significant to see the way the trust is working. Its operations have been consistent with what was intended, and which was inspired by the present Leader of the Opposition when he was Premier.

In most cases the amounts are moderate, ranging from \$13 up to \$200, except in one or two special cases. Quite obviously the trustees are looking at these matters in the way that was intended; namely, to provide some form of relief where relief is not forthcoming from Government or welfare organisations.

It is desirable that the trustees should meet promptly and regularly to make decisions. It is necessary that people in necessitous circumstances qualify for assistance under section 10 of the principal Act so no useful purpose is served by any unnecessary delay at arriving at decisions. In view of the fact that

responsible people have been appointed as trustees and experience has disclosed a difficulty in obtaining a quorum, we should make it possible for them to obtain a quorum as regularly as required. It is appreciated that this difficulty has not arisen because of ineptitude on the part of the trustees; but simply because it has not been possible at times to get them together quickly enough.

I commend the Bill to the House.

**THE HON. R. THOMPSON** (South Metropolitan—Leader of the Opposition) [2.50 p.m.] : This is a simple Bill which provides for another person to be appointed to the trust so that a quorum will be available more readily than has been the case in the past when urgent cases of distress required to be dealt with. Difficulty has been experienced in getting these busy people together.

I do not object to the Bill. It demonstrates that the blank spots in our social welfare legislation are to some degree being covered by the setting up of a Distressed Persons Relief Trust. As most of us know, the bulk of the finance for this work comes from unclaimed deposits with the Totalisator Agency Board. It is not rightfully Government money or anybody else's money. Forgetful people place a bet, the horse is scratched or the race is abandoned, and they do not go back to pick up their wager. The money is paid into the fund established under this legislation, and although the Act provides that money from other sources can be paid into the fund, I am not aware whether or not it has been so paid.

I support the legislation. It simply means another person is to be appointed to the trust, which I consider has proved to be most worth while in the short period it has been in existence.

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.

### **BILLS (3) : RECEIPT AND FIRST READING**

#### **1. Alumina Refinery Agreement Act Amendment Bill.**

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Minister for Education), read a first time.

#### **2. Convicted Inebriates' Rehabilitation Act Amendment Bill.**

#### **3. Agricultural Products Act Amendment Bill.**

Bills received from the Assembly; and, on motions by the Hon. N. McNeill (Minister for Justice), read a first time.

### **INDECENT PUBLICATIONS ACT AMENDMENT BILL**

*Second Reading*

**THE HON. G. C. MacKINNON** (South-West—Minister for Education) [2.58 p.m.] : I move—

That the Bill be now read a second time.

The amendments in this Bill are not designed, generally speaking, to alter in any way the current standards but rather to allow more effective policing of the Act.

I think it is widely known that many prosecutions have been launched against persons who were considered to have breached the provisions of the Indecent Publications Act, 1902-1973, by selling obscene literature. Although there have been few, if any, complaints about the action taken to curb the sale of obscene literature, there has been considerable concern at the fact that action is taken mainly against the retailers and on only limited occasions against the distributors. I am advised that such action has not been deliberate, but has been brought about by the fact that the present legislation makes it extremely difficult to proceed successfully against the publisher or the distributor.

In accordance with announced Government policy, and as a result of recommendations made to the Chief Secretary by the State Advisory Committee on Publications, this amending legislation has as its chief object suitable provisions to enable the police to tackle the problem of obscene literature at the source; namely, the publisher and the distributor.

The Bill contains provisions similar to those in force in Victoria which enable obscene publications to be seized at a point prior to their distribution to retail outlets. Additionally, there are provisions for the destruction of seized material which is classified by the State Advisory Committee as obscene where a court so orders, and also if the original owner declines to apply to a court for the return of his material within two months following its seizure from him.

Where the business of selling or distributing publications is carried on in any premises, the police are empowered under the provisions of section 12A to enter those premises at any reasonable time, and search for and seize publications which appear to be indecent or obscene.

Also, where on the sworn complaint of the police there are reasonable grounds for suspecting that any premises are used for keeping indecent or obscene publications for gain, or it is known that such premises are used for selling, distributing, exhibiting, lending, or publishing such material, a justice may issue a search warrant for the seizure of the publications and the delivery of samples to the committee; and the police, while holding the remainder

pending the committee's determination, are obliged to return them to the owners if they are passed for circulation.

The maximum penalty is to be increased with particular application in respect of second and subsequent offences. The Bill increases the penalties to \$500 and \$1 000 respectively, for first and subsequent offences by companies and to \$250 or three months imprisonment and \$500 or six months imprisonment respectively for first and subsequent offences by individuals.

In addition, provision is also made that individual directors, managers, or responsible officers of companies should also be liable when they have participated in or knowingly permitted the commission of an offence by their company.

Another complaint against the legislation as it now stands has been the difficulty experienced by newsagents and other retailers in ascertaining which books or publications have been recommended for restriction by the committee and subsequently approved by the Minister and published in the *Government Gazette*.

Officers of the Chief Secretary's Department have endeavoured to overcome this disability by making available copies of lists published in the *Gazette*, but being unaware of the retailers concerned, it has been possible to provide the service only to those who have made application.

There is, accordingly, included in the Bill a section providing for the registration of persons selling restricted publications. The purpose of this registration is to enable a speedy communication of decisions affecting their stock in trade and in no way is it intended to be used as a disciplinary measure.

With the current stepping up of action against undesirable printed matter, it is feared that the purveyors of pornography might resort to obscenity in tape recordings, videotapes, and cinematographic films. Indeed the police have already reported an established trade within the State in such articles. In order to combat this, there is an amendment designed to bring tape recordings, videotapes and cinematographic films, specifically into the category of articles in respect of which prosecutions may be launched on the basis of indecency or obscenity.

At the present time there is a seven-member committee but there is no provision for a secretary. In view of the registration of persons who sell restricted publications, it becomes necessary to appoint a secretary to carry out the administrative work associated with the Act. The Bill authorises the Minister to appoint as secretary a member of the committee or any other person.

I commend the Bill.

Debate adjourned, on motion by the Hon. S. J. Dellar.

## SOIL CONSERVATION ACT AMENDMENT BILL

### *Second Reading*

**THE HON. N. McNEILL** (Lower West—Minister for Justice) [3.04 p.m.]: I move—

That the Bill be now read a second time.

This Bill to amend the Soil Conservation Act deals with the appointment of a deputy commissioner of soil conservation, the appointment of a deputy chairman of the Soil Conservation Advisory Committee, and an extension of the membership of that committee. Included also are some minor amendments to up-date certain references in the principal Act.

It has become a common practice in developing legislation of the nature comprised in the principal Act to make provision for a deputy to be able to act with full powers during any absence of the principal officer. The Soil Conservation Act of 1945 however, contains no such provision, and as a consequence should the Commissioner of Soil Conservation be absent for an extended period—such as proceeding on long service leave—several sections of the Act may not be administered. This most undesirable situation needs to be rectified and the Bill so provides.

A similar situation exists in relation to the Chairmanship of the Soil Conservation Advisory Committee, in that there is no formal provision for the appointment of a deputy. The present committee, conscious of its duties and powers, is most anxious to keep in contact with landholders, shire and town councils and other organisations to ensure co-operation in community aspects of soil conservation and erosion control. The provision in the Bill for the appointment of a deputy chairman of the advisory committee will facilitate this particular activity of the committee.

It is also proposed to expand the representation of the Soil Conservation Advisory Committee by adding a member to represent the Mines Department and a member to represent the Country Shire Councils Association.

At present the Committee consists of members representing five Government departments—Agriculture, Forests, Lands and Surveys, Public Works and Main Roads—and four members representing farmers and pastoralists. With increased mining activity and the greater possibility of associated erosion problems it is appropriate to provide representation from the Mines Department.

Conservation of the extensive land areas under the control of and influenced by the activities of country shires is vital to the State. It is felt that representation of the Country Shire Councils Association on this

committee would provide a valuable liaison on soil conservation matters with the soil conservation service as well as with the representatives of landholders and government departments whose activities encompass the soil erosion situation.

Many members of the House would be aware of the extension service carried out in rural areas as part of the committee's objectives for the education of landholders and the general public.

The proposed extension of representation is a logical step for the expansion of this work, by involving both the mining interests and the local authorities.

With a 12-man committee as intended it is desirable to increase the quorum for meetings of the committee to seven members.

As mentioned earlier there are a few minor amendments of a machinery nature.

An amendment was proposed in another place for the purpose of enlarging the definition of soil erosion to encompass deterioration of the soil which occurs in salt encroachment. As no acceptable amendment was forthcoming at the time the move was made, the Minister for Agriculture undertook to give consideration to the matter while the Bill was in this Chamber.

I commend the Bill to members.

Debate adjourned, on motion by the Hon. R. T. Leeson.

## WESTERN AUSTRALIAN INSTITUTE OF TECHNOLOGY ACT AMENDMENT BILL

### *Second Reading*

**THE HON. G. C. MacKINNON** (South-West—Minister for Education) [3.07 p.m.]: I move—

That the Bill be now read a second time.

This Bill, for an Act to amend the Western Australian Institute of Technology Act, has seven main purposes—

- (1) To extend the definition of the word "prescribed" to include a rule made under a statute,
- (2) to clarify the power of the chief executive officer in relation to control and discipline within the institute,
- (3) to delete the current requirement that the Council of the Western Australian Institute of Technology seeks the approval of the Minister for Education of terms and conditions of appointment and employment of staff.
- (4) to provide for the use of a graduation seal on awards made by the Council of the Institute,
- (5) to clarify the authority of the institute in matters relating to the internal government and

enforcement of sanctions within the institute, by clear prescription,

- (6) to authorise the practice of reporting financial results of the institute bookshop on the basis of financial periods ending on the 30th June each year,
- (7) to validate previous actions of the Council of the Institute in making statutes for the determination of the manner in which disciplinary power may be exercised, penalties and the manner of enforcement.

Members will probably recall that a similar Bill was introduced by the previous Government towards the end of the previous session, however, on that occasion the proposed legislation was allowed to lapse.

The first amendment seeks merely to extend the definition of the word "prescribed" so as to include a rule made under a Statute.

Members will be aware, no doubt, that in the Interpretation Act, 1918, "prescribed" means prescribed by the Act wherein the term is used or by a regulation, rule or by-law made thereunder. In an Act such as the Western Australian Institute of Technology Act, new classes of subordinate legislation are mentioned and provided for; for example, there are statutes, and rules made under those statutes as distinct from rules made under an Act itself.

Therefore, when the principal Act was passed by Parliament in 1966, it was necessary for the purposes of that Act to go beyond the meaning of the word "prescribed" in the Interpretation Act, and so the definition of "prescribed" was inserted.

However, at that time, no mention of rules made under statutes was made in the definition, and the proposed addition to the definition in the Bill before the House is only to insert what it is considered should have been included in the principal Act.

The next amendment relates to the powers of the chief executive officer of the institute who is the director. It is considered that the present wording of section 14 of the principal Act may be construed to confine the powers and duties of the chief executive officer to those prescribed in the Statutes.

It is desired by the institute to ensure that the principal Act contains all necessary heads of power relating to control and discipline and this amendment will authorise the director as chief executive officer, to exercise all such powers and duties whenever they are prescribed such as in by-laws or rules or in the Statutes themselves.

The next proposed amendment relates to section 17 of the Act which empowers the governing Council of the Institute to appoint staff under such terms and conditions as the council thinks fit and the Minister approves.

Subsequent to the enactment of this provision, the Government has established the Western Australian Tertiary Education Commission by Act No. 84 of 1970. Under paragraph (e) of section 12 of that Act, the Tertiary Education Commission is given statutory authority to determine such matters and is required—

To consider—

- (i) The terms and conditions of appointment and employment including salary payable, of the staff, whether academic or otherwise, of each tertiary education institution; and
- (ii) all claims relating to these terms and conditions,

and make recommendations thereon to the governing authority of the institution.

Consequently, the current requirement to seek the Minister's approval is redundant and because of its incompatibility with the spirit, intentions, and provisions of the Western Australian Tertiary Education Commission Act, it is desirable that it be deleted. Such action would be compatible with the provisions of the Murdoch University Act, proclaimed last year.

The next proposed amendment relates to subsection (2) of section 18 which currently requires any award made by the Council of the Institute to be given under the common seal of the institute.

The common seal has particular signatures, custodians, and endorsements specified and it is considered more appropriate by the institute for the respective dean's signature to appear on awards with that of the director.

Understandably, practical difficulties have arisen with the preparation of large numbers of certificates and it is desirable that the practice be adopted similar to that of universities, where certificates are pre-printed with facsimile signatures and embossed with a separate graduation seal.

The next proposed amendment with which I wish to deal concerns section 20 of the principal Act. Subsection (4) of section 20 relates to the making of by-laws for the management and control of institute land. Amendment is considered desirable by the institute as the existing provisions have been found to be impractical, making internal government and enforcement of sanctions most difficult. The power to enforce traffic by-laws and such like, is currently very limited.

Furthermore, it has become necessary for the institute to acquire the power to charge fees for car parking facilities following a recommendation contained in the third report of the Australian Commission of Advanced Education covering the triennium 1973-75.

The commission in recommending the charging of a fee for the use of car parks, pointed out that it saw the provision of parking facilities as having a very low priority in view of the demand for education facilities. The fees charged would assist the colleges when they are required to provide and finance other parking facilities.

The repeal of subsections (4) and (5) of section 20 and the addition of the proposed new section 20A in lieu thereof will overcome these internal problems.

The provisions of the proposed section 20A are similar in many respects to the provisions in the University of Western Australia Act and will, for example, authorise the removal of vehicles abandoned on the site and provide for a system for the imposition of modified penalties for offences in a similar manner to the provisions of the City of Perth Parking Facilities Act.

The sixth proposed amendment relates to section 28 of the principal Act which currently requires the Council of the Institute to prepare and furnish to the Minister a report of the operations of the institute, as soon as practicable after each 31st December, covering the 12 months immediately preceding that date.

The amendment is sought to authorise the practice of reporting financial results of the institute bookshop on the basis of financial periods ending on the 30th June each year.

The main reason put forward by the institute in requesting this change is because at the 30th June, selling activity has reached its lowest level and the quantity and value of stock on hand is minimal. In contrast, the stock quantity, value, and sales are near their peak in December of each year.

By the addition of subsection (4) to section 22, the proposed amendment allows the Minister, with the approval of the Treasurer, to vary the date mentioned in subsection (1) of section 22 to suit the particular requirements of any operation of the institute.

The final amendment proposed relates to section 34 of the principal Act and is considered necessary in order to remove any doubt which may have previously existed concerning the power of the Council of the Institute to make and enforce

Statutes. There is presently no provision in section 34 of the principal Act for penalties or the enforcement of sanctions. According to legal opinion from the Crown Law Department, the institute's present disciplinary statute, although lawful, might not lawfully be applied.

It is usual in tertiary educational institutions for discipline to be maintained and enforced internally within the institution rather than to regard breaches as an offence for which a complaint may be brought before a court.

In this regard, it may be pertinent to note that the institute established a Disciplinary Statute Committee under the chairmanship of Mr Justice Wallace to consider recent changes to disciplinary regulations in Australian Universities and to redraft the disciplinary statutes of the institute.

The amendment proposed will remove any doubt which may have previously existed that the council may make statutes for the determination of the manner in which disciplinary power may be exercised, and in the manner in which the penalties to be provided may be enforced.

In particular, they establish that a Statute in relation to discipline may prescribe offences and the power of staff to deal with them; provide for the imposition of penalties including fines up to a maximum of \$50 and restitution up to \$100 for damage to property; allow the establishment of a disciplinary board to hear and determine a complaint and, amongst other things, establish an appeal tribunal and enforce penalties.

While it is arguable that the present powers are adequate and that the provisions made under them are completely valid, the institute has adopted the responsible attitude that it is better to put the matter beyond all doubt by the provisions that now appear in the Bill before the House. Consequently, the Government acceded to its request for amendment to this Act in the manner now proposed. I commend the Bill to the House.

**THE HON. R. F. CLAUGHTON** (North Metropolitan) [3.17 p.m.]: The Minister indicated that similar legislation to this was introduced to Parliament prior to the last election and, largely, was supported by both parties at that time. I certainly would have supported such legislation, as I support this Bill. The Bill contains a number of proposals designed to give the Western Australian Institute of Technology greater authority over its own affairs. That is a desirable objective and certainly is part of the philosophy of my party in regard to tertiary education institutions. Some concern perhaps could be expressed

about the ability of the authority to exact penalties for offences. Clause 7(4) states—

Any by-law may impose a penalty not exceeding fifty dollars . . .

However, in amelioration of this provision, clause 9(e) provides a right of appeal. Subparagraph (1d) of proposed section 34 contains a power of delegation of the chief executive to hear an appeal; this provision is very similar to something to which we strongly objected in another Bill which was in this Chamber for some time.

The Hon. Clive Griffiths: Are you going to move for its deletion?

The Hon. R. F. CLAUGHTON: However, as I said, these matters rightly should be the internal responsibility of the institute and the students who will be subjected to any rules and by-laws laid down by their representatives on the council. In recent years, good lines of communication have built up between the student body and the council. Any problems that arise may be resolved by discussion between the council and the students themselves; so, we should not be unduly concerned about this provision. Way back in 1953 when I received my certificate from the teachers' college it did not bear a signature.

The Hon. G. C. MacKinnon: You can send it back to have it signed.

The Hon. R. F. CLAUGHTON: I am not likely to use it again.

The Hon. G. C. MacKinnon: Would you not like to have my signature on it?

The Hon. R. F. CLAUGHTON: I think I will keep it as a curio or memento. The arrangement contained in the Bill under which signatures are to be printed on the certificates is quite acceptable. There still remains some concern about the status of degrees and diplomas conferred by the institute, as compared with the status of degrees conferred by the university. The status of these two institutions of learning are viewed by the business community according to the regard they have for the institutions. However, there is no doubt about the quality or the qualifications of the students who are turned out by the Institute of Technology.

With those remarks I indicate my support of the Bill. I do not think its passage should be delayed.

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.

*House adjourned at 3.25 p.m.*