Pairs

Ayes	Noes
Mr McPharlin	Mr J. T. Tonkin
Mr Rushton	Mr T. J. Burke
Mr Crane	Mr Taylor
Mr Thompson	Mr Hartrey
Dr Dadour	Mr Moiler

Motion thus passed.

Question (that the Speaker's ruling be disagreed with) put and a division taken with the following result—

Ayes—17

Mr Barnett	Mr Fletcher
Mr Bateman	Mr Harman
Mr Bertram	Mr Jamieson
Mr Bryce	Mr T. H. Jones
Mr B. T. Burke	Mr May
Mr Carr	Mr Skidmore
Mr Davies	Mr A. R. Tonkin
Mr H. D. Evans	Mr McIver
Mr T. D. Evans	*(Teller)*

Noes—23

Mr Blaikie	Mr Old
Sir Charles Court	Mr O'Neil
Mr Cowan	Mr Ridge
Mr Coyne	Mr Shalders
Mrs Craig	Mr Sibson
Mr Grayden	Mr Sodeman
Mr Grewar	Mr Stephens
Mr P. V. Jones	Mr Tubby
Mr Laurance	Mr Watt
Mr Mensaros	Mr Young
Mr Nanovich	Mr Clarko
Mr O'Connor	*(Teller)*

Pairs

Ayes	Noes
Mr J. T. Tonkin	Mr McPharlin
Mr T. J. Burke	Mr Rushton
Mr Taylor	Mr Crane
Mr Hartrey	Mr Thompson
Mr Moiler	Dr Dadour

Question thus negatived.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR CHARLES COURT (Nedlands—Premier) [1.11 a.m.]: I move—

That the House at its rising adjourn until 2.15 p.m. today (Wednesday).

Question put and passed.

House adjourned at 1.12 a.m. (Wednesday)

Legislative Council

Wednesday, the 17th November, 1976

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

QUESTIONS (6): ON NOTICE

1. SELBY-GRANTHAM STREETS INTERSECTION

Roadworks

The Hon. R. F. CLAUGHTON, to the Minister for Health, representing the Minister for Transport:

What is the estimated total cost of road reconstruction and associated works, and resumption at present in progress at the intersection of Selby and Grantham Streets, Wembley?

The Hon. N. E. BAXTER replied:

This work is the responsibility of the Perth City Council. A grant of $170 000 has been provided from the Inner Metropolitan Councils Urban Road Fund towards the cost of this work.

On completion of roadworks, traffic control signals will be installed by the Main Roads Department at an estimated cost of $18 000.

2. RACECOURSE DEVELOPMENT ACT

Formation of Committee

The Hon. T. O. Perry for the Hon. H. W. GAYFER, to the Minister for Health, representing the Minister for Police:

(1) Has the committee designated under the Racecourse Development Act been formed as yet?

(2) If so, who are to be the committee members?

(3) If not, when will the committee be formed?

(4) If the committee has been nominated when is it proposed they will receive applications for racecourse development?

The Hon. N. E. BAXTER replied:

(1) to (3) The Committee has not yet been formed but it will comprise representatives of Treasury, Totalisator Agency Board and Racing and Trotting bodies as provided in the legislation.

(4) Applications will be sought as soon as the Act has been proclaimed.

3. *This question was postponed.*

4. WEST COAST HIGHWAY

Extension: Lake Claremont Route

The Hon. T. O. PERRY, to the Attorney-General, representing the Minister for Town Planning:

(1) Has the Government decided to use the Lake Claremont route for the West Coast Highway link?

(2) If the answer is "No" what alternative links are to be used?

The Hon. I. G. MEDCALF replied:

(1) and (2) No decision has yet been made.

5. EDUCATION

Bristol Prefabricated Classrooms

The Hon. T. O. Perry for The Hon. H. W. GAYFER, to the Minister for Education:

(1) How many Bristol pre-fabs have been replaced by more permanent structures?

(2) When are the—

(a) Quairading Bristol pre-fabs; and

(b) Brookton Bristol pre-fabs;

programmed for replacement?

The Hon. G. C. MacKINNON replied:

(1) 124.

(2) (a) and (b) Neither centre is scheduled for replacement buildings in the current financial year. Any future scheduling is dependent upon sufficient funds being available to continue the replacement programme.

6. YORK SCHOOL

Sports Ground

The Hon. T. O. Perry for the Hon. H. W. GAYFER, to the Minister for Education:

What is the programming for the present and future establishment of playing fields at the new school site in York?

The Hon. G. C. MacKINNON replied:

No works are currently in hand for ground development at the new site.

QUESTION WITHOUT NOTICE

TRAFFIC

Accidents: East-Helena Streets Junction

The Hon. LYLA ELLIOTT, to the Minister for Health, representing the Minister for Traffic:

(1) Is the Minister aware that another serious accident occurred this morning at the right-angle junction of East and Helena Streets, Guildford?

(2) Will he advise—

(a) the toal number of accidents; and

(b) the total number of fatalities that have occurred on this corner over the past ten years?

(3) In view of the fact that the upgrading of James Street has not reduced the traffic flow in Helena Street as forecast by the Main Roads Departmcnt, will he take urgent steps to have the East-Helena Street junction cul-de-sac'd to prevent further tragedies at this dangerous corner?

The Hon. N. E. BAXTER replied:

The Minister for Traffic has not informed me whether or not he knows the accident occurred this morning. He has supplied the following reply to the question—

The information required by the honourable member will take some little time to collate. I will forward it to her as soon as possible.

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL (No. 2)

Receipt and First Reading

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

Second Reading

THE HON. G. C. MacKINNON (South-West—Minister for Education) [2.44 p.m.]: I move—

That the Bill be now read a second time.

The principal purpose of this Bill is to provide for secret postal ballots for elections to offices in unions of workers and employers registered under the Industrial Arbitration Act.

The object of these proposals is to give every member of a union a full and equal opportunity to influence policy within his union, and to choose those officers who it is considered will properly represent the members' views on the committee of management. It is an inherent right—and one to which this Government subscribes, in accordance with international principles—that members of unions shall elect their representatives in full freedom.

The postal ballot provisions, in conjunction with the collegiate voting system contained in the Bill, safeguard that freedom more so as they will allow members to vote in the privacy of their own homes, without the fear of intimidatory or coercive tactics, and to return the ballot papers themselves, without cost, to a post office box provided for the purpose.

The regulations to be made will require the returning officer to collect the ballot and conduct the count in the presence of scrutineers appointed by each candidate. However, the objective mentioned is not a complete solution within itself.

Voting response at union elections in the past has revealed the fact that many members do not, for various reasons, participate in their union ballots. This lack of preparedness to exercise the privilege to vote can have far-reaching effects. There comes a time when the average worker—the rank and file who form the broad base of the union movement—must decide to take a stand and interest himself more in union activities and insist that his voice be heard.

The Government believes that economic recovery is under way. Not all indicators are moving ahead in unison, but this is typical of the early stages of recovery. A return to industrial peace and improved productivity would give added encouragement and the initiative to overcome inflation and its associated problem of unemployment, which has been a great threat to sustained economic development.

The amending legislation does not necessarily overcome irregularities in elections. The Industrial Arbitration Act already makes provision for dealing with situations of that nature.

A dissatisfied member has always had the opportunity to make application to the Industrial Registrar for a court inquiry into an alleged irregularity, and will continue to have that right.

When the Commonwealth Parliament passed its amending legislation recently, one matter of concern was the controversial question of collegiate voting. Since the Western Australian Bill was introduced into the Legislative Assembly, some unions have also raised the same issue. The Government accepts in principle a form of collegiate voting, but the system adopted must be consistent with its policy of fullest participation by members, which is the foundation of democratic control in unions.

The Commonwealth Government has now seen appropriate to introduce into the Commonwealth Parliament a further Bill to amend the Commonwealth Concillation and Arbitration Act to provide for collegiate voting under certain conditions and the Western Australian Bill includes similar provisions. The proposals will now give unions a choice in the manner in which they elect their officers, whether full-time or part-time.

Offices which are full-time in nature are to be elected by a secret postal ballot by the appropriate section of the rank and file. Alternatively, the union may choose a one-tier collegiate system; that is, a system whereby a committee of management is elected by direct vote of the appropriate section of the rank and file membership and that committee elects from those members the full-time officers.

Holders of full-time offices on the committee of management play a key role in the formulation of policy and the responsibility of implementing that policy as well as the day-to-day management of the affairs of the union. It is considered that persons exercising such functions should not be permitted to become organisationally remote from the membership. The system of direct voting by all members of the one-tier collegiate electoral system will reduce the chances of this occurring. There is a nexus between the exercise of the individual member's vote and the election of full-time officers which will realise effective participation by individual members. It is essential also that the composition of the college be truly representative of the membership. A union has the option of electing its officers by the direct voting system or, alternatively, by a direct voting system combined with the collegiate system.

In relation to offices the duties of which are part-time, the situation is that the union may adopt a direct election by all members or a one-tier or multiple-tier system of collegiate election; for example, a system whereby the committee of management, which is elected by direct vote, may elect from its members another body which then elects from its members the part-time officers.

The Minister for Labour and Industry has been in consultation with the Trades and Labor Council and other individual unions on the changes contemplated by the secret ballot provisions, and stated his desire to introduce a similar system in Western Australia, at least on a trial basis of, say, two years, which would be in close conformity with the Commonwealth proposals.

Concern and objections raised by unions were taken into account and the proposals, consistent with the attainment of Government policy, have been modified to a degree which generally should be more acceptable to unions, which can also stand to gain by savings in administrative work and expense in their operation. At a later stage the collegiate provisions, which are used by some State registered unions, were included in the amendment to maintain consistency with the Commonwealth.

Union criticism has included an assumption that legislation of this nature is eroding from them the affairs of running their organisation. They have also questioned whether ILO Conventions, which Australia has ratified, concerning freedom of association and the right to organise, would not be contravened.

It is an obligation in the convention to comply with the law of the land, and the Industrial Arbitration Act has included laws which unions should incorporate in their rules yet be in accord with the spirit of the conventions to ensure the fullest freedom.

The contemplation of this legislation has caused implications to be publicised of mistrust in unions in properly conducting their affairs, or failing to comply with long-standing secret ballot provisions of the Act.

That is inflammatory material in the sensitive field of industrial relations.

The acceptance of this Bill would help to obviate implications of this type against unions when elections under its new provisions are in operation.

The proposals will therefore require all unions to have postal ballots for the important positions of executive officers and committee of management, or any other office declared by the Industrial Commission to be an office for which a postal

ballot must be held. However, this can be combined with collegiate provisions as explained in the Bill.

The rules of a union shall not permit a person to be elected to office for a period exceeding four years without being re-elected. A union will be required to amend its rules within 12 months to include this requirement.

Where the rules of an existing union are not already in accord with the new requirements for secret postal ballots and collegiate voting, such union will be permitted a period of two years from the date of operation of the amendments to bring the rules into line. If at the end of that period the necessary alterations are not made, the Industrial Registrar, after inviting the union to consult with him on the matter, may determine such alterations of the rules to bring them into conformity.

The amendments provide for regulations to be made for the conduct of postal ballots.

A union will be required to bear the expense of an election, as it does now, unless it decides to request the Industrial Registrar to arrange the conduct of the election. A request can be made by or on behalf of the committee of management or by not less than 5 per cent or 250 of the members, whichever is the lesser number. This is in line with the recent change in the Commonwealth arbitration law.

In granting a request, the Industrial Registrar may conduct the election, or make arrangements with the Chief Electoral Officer to do so. Once the request is duly made and in proper form it is normal for the Industrial Registrar to grant it.

A further option is available to a union. Where its rules, at the date the amending Bill takes effect, provide for an election to be by secret ballot, other than a secret postal ballot, the Industrial Registrar may, upon application by the union, exempt it from the postal ballot provisions if he is satisfied that the conduct of the election is likely to result in a fuller participation by members than would result from a postal ballot, and will afford members an adequate opportunity to vote without intimidation.

Difficulties are caused by reason of the separate industrial arbitration at the Commonwealth and State levels.

A judgment of the Commonwealth Industrial Court in 1969, in the case of Moore v. Doyle, highlighted problems associated with dual registration and incorporation of unions of workers and employers under Federal and State arbitration systems.

There are, in this State, many unions which do not seek Federal registration and maintain State registration. Where a Federal union exists which is registered under the Commonwealth Conciliation and Arbitration Act, the need to take part in State industrial machinery has led to the formation of State associated bodies.

In most cases these unions, which by reason of their registration under State Acts become separate legal entities, function as if they were also the State branch of a federally registered body.

The complexities of this dual system are further demonstrated in elections of officers. In practice it has been accepted that if an election is held for Federal positions in a State branch, then the persons elected are regarded as being elected to equivalent positions in the State union without a further election being held under State law.

The rules of the Commonwealth and the State being in conformity in respect of secret ballots, when the amending Bill is passed this long-standing practice may continue, particularly as it could mean a considerable waste of money if separate elections had to be conducted for candidates who are invariably the same. The collegiate system is more widely applicable to elections at the Federal level.

A further minor amendment in the Bill makes provision for the *Western Australian Industrial Gazette* to be printed at least once in each calendar month.

At present the gazette is printed at four-weekly intervals and, without lessening to any degree the service to the public, it will be printed on a regular day each month. In effect, 12 issues of the gazette will occur over a year, instead of 13 issues.

There will be some economic saving in doing so, and having monthly volumes will provide easier identification.

I commend the Bill to the House.

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

LEAVE OF ABSENCE

On motion by the Hon. R. F. Claughton, leave of absence for six consecutive sittings of the House granted to the Hon. R. Thompson (South Metropolitan) on the ground of ill-health.

LEGISLATIVE REVIEW AND ADVISORY COMMITTEE BILL

Assembly's Message

Message from the Assembly received and read notifying it had agreed to the amendments made by the Council.

INDUSTRIAL LANDS DEVELOPMENT AUTHORITY ACT AMENDMENT BILL

Receipt and First Reading

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

Second Reading

THE HON. G. C. MacKINNON (South-West—Minister for Education) [3.00 p.m.]: I move—

That the Bill be now read a second time.

The main purpose of this Bill is to clarify certain powers of the Industrial Lands Development Authority in respect of its past and future dealings in land.

The Industrial Lands Development Authority was established under Act No. 17 of 1970, which amended the Kewdale Lands Development Act, 1968. Under the 1970 amendment, the way was opened for the very successful operations of the Kewdale Development Authority to be extended on a State-wide basis, with the intent of enabling the new authority to acquire, develop, sell, or lease land anywhere in the State for the promotion of industrial development.

Section 5 of the consolidated Act establishes that the authority is a body corporate, having the capacity to do, and be subject to, all things normal to a body corporate, including acquiring, holding, and disposing of real and personal property and suing and being sued in its corporate name.

The business of the authority has always been conducted in the belief that in addition to its power relating to country areas, the authority had power to acquire land in the metropolitan area by private treaty, and not only by resumption, and that it could deal with the land under its control at its own discretion.

In fact, special mention was made when introducing the original legislation that the acquisition of all land would be by way of negotiation, rather than resumption, which would be resorted to only in the most exceptional cases.

There have been a number of metropolitan acquisitions by private treaty over the years. For example, the authority has purchased zoned industrial land at Coogee from Cockburn Cement Limited. It has bought a residential lot adjoining land owned by the authority in the heart of the heavy industrial area at Kwinana. It has exchanged industrial land at Kewdale for industrial land at Coogee, and it is currently involved in acquisitions in the Kwinana Beach area in connection with the State's recent agreement to provide additional land to CSBP & Farmers Ltd. There are a number of other examples, all of which show that the intention to provide the authority with the power to enter into such transactions was reasonable and desirable.

However, recent opinion has shown that the authority's power in this regard can be questioned, and it is therefore the Government's wish to place the matter beyond doubt, at the same time ensuring that transactions which have been completed are placed beyond question. To achieve this objective, the Bill sets out in clear terms the conditions under which the authority may purchase or otherwise acquire by agreement with the owner of the land, any land situated inside the metropolitan region as defined in section 2 of the Town Planning and Development Act, 1928.

It will be noted that such acquisitions are confined to land which is zoned for industrial purposes, under either the Town Planning and Development Act, or the Metropolitan Region Town Planning Scheme Act, 1959, and that the purchase of any land not so zoned requires the Minister's consent.

The Bill also places beyond doubt the validity of any acquisition, sale, lease, or development of land effected by the authority. This is a natural corollary to the foregoing provisions of the Bill.

The necessity for the amendments described so far has given the opportunity to make other minor amendments, including an amendment to the provisions under which one of the members of the authority is appointed.

Section 6(c) of the Act currently provides for the Department of Industrial Development to be represented on the authority by the Executive Officer Industries, and it is the normal practice that he becomes chairman of the authority. The Executive Officer Industries is head of the Industries Division of the department, and this authority membership arrangement stems from the time when the department comprised only the industries staff, before a development division was created and the department was placed under the control of the co-ordinator.

Although the present representation is quite satisfactory, it is considered desirable that the permanent head of the department should be able to become the representative, and assume chairmanship. Under the proposed amendment the Minister is, however, left with some discretion in the matter.

Another minor amendment to section 8 (1) of the principal Act was made necessary because under the present wording of the Act there is doubt that the authority may sell or lease land under its control unless it has been developed by the authority. The extent or nature of development necessary in this context has not been defined, and in any case it is clear that from time to time circumstances could arise where development is not appropriate. In fact, there are examples where this has happened in the past.

On the other hand, it is felt that there should be some control of sales of land for other than industrial use, and it is proposed that the Governor's consent be necessary in these cases.

The remaining amendments to section 8 are consequential, with the exception that the Bill exempts land sold for other than industrial use from the restrictions set out in section 8 (4) of the principal Act dealing with industrial land. It is obvious that these constraints are not appropriate to land sold for other than industrial use, since they were designed to limit unreasonable speculation in industrial land and to ensure that the land is used for the full benefit and development of industry.

I commend the Bill to the House.

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

SUPREME COURT ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

STATE FORESTS

Revocation of Dedication: Assembly's Resolution

Message from the Assembly received and read requesting the Council's concurrence in the following resolution—

> That the proposal for the partial revocation of State Forests Nos. 4, 28, 43, 58, and 63 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on the 2nd November, 1976, be carried out.

Motion to Concur

THE HON. N. E. BAXTER (Central—Minister for Health) [3.07 p.m.]: I move—

> That the proposal for the partial revocation of State Forests Nos. 4, 28, 43, 58, and 63, referred to in Message No. 130 from the Legislative Assembly, and laid upon the Table of the Legislative Council on the 4th November, 1976, be carried out.

This is one of those matters which come before Parliament towards the close of each session as a statutory requirement for the revocation of dedication of State forests.

Under section 21 of the Forests Act, a dedication of crown lands as State forest may be revoked in whole or in part only in the following manner—

> The Governor shall cause to be laid on the Table of each House of Parliament a proposal for such revocation.

The proposal, the subject of this motion, was laid on the table of this Chamber on Thursday, the 4th November and in another place on Tuesday, the 2nd November. It continues—

> After such proposal has been laid before Parliament, the Governor on a resolution being passed by both Houses that such proposal be carried out shall, by Order in Council, revoke such dedication. On any such revocation, the land shall become Crown land within the meaning of the Land Act.

The necessary procedures have already been completed in the Legislative Assembly by the Minister for Forests, and this House now is asked to concur with the action taken therein.

The revocation of dedication of the areas of State forests as listed is submitted for the consideration of members.

It will be noted that the proposed excision of State forests amounts to 86 hectares, while the gain to State forests through exchanges contingent upon this proposal amounts to 49 hectares. This results in a net loss to State forests of 37 hectares, which is attributable mainly to adjustments on surveys of locations associated with them.

Notes on each of the five areas have been included in the papers tabled in this House on the 4th November, 1976.

It will be noted that exchange of land involved in area No. 2 of the notes also provides for the inclusion of a further 54 hectares in State forests as a result of cash negotiations in respect of Nelson Location 8261 which has a total area of 101 hectares. However, this has no significant bearing on the proposals now before members, and I commend the motion to the House.

Debate adjourned, on motion by the Hon. R. F. Claughton.

BILLS (3): RETURNED

1. Acts Amendment (Expert Evidence) Bill.
2. Adoption of Children Act Amendment Bill.
3. Legal Practitioners Act Amendment Bill.

Bills returned from the Assembly without amendment.

THE PERPETUAL EXECUTORS, TRUSTEES, AND AGENCY COMPANY (W.A.), LIMITED, ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th November.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [3.12 p.m.]: The Opposition supports this amending Bill, which attempts to tighten up some loopholes which have developed. We wish the Bill a speedy passage.

THE HON. D. J. WORDSWORTH (South) [3.13 p.m.]: It is with interest that I see this legislation before the House, because I have had experience of how trustee companies operate, and my own family has interests administered by a trustee company. Undoubtedly these companies do provide a very necessary service,

and they are a suitable vehicle by which a person can opt out of the management of his estate.

While a person is alive, he can make provision for his estate to be managed after his death, whether it involves the running of a farm, the management of flats, or dealing in shares or other forms of investment.

For such services most trustee companies charge a flat rate when the management of an estate is taken over and then they charge an annual fee which currently is about 5 per cent on income.

Obviously the directors of trustee companies owe allegiance to two parties. They owe allegiance to the beneficiaries of the estates they administer, and to the shareholders of the company.

The Bill assumes it is not in the best interests of the beneficiaries of estates that these companies should be taken over. I do not say that will necessarily be the case. It could well be that another trustee company could take over one of the two trustee companies in Western Australia and provide just as good a service to the beneficiaries.

The PRESIDENT: There is a great deal of background noise. I hope it will cease.

The Hon. D. J. WORDSWORTH: No doubt many businessmen in St. George's Terrace compare the sort of services that the two existing trustee companies are providing, with the way that private enterprise runs similar businesses. Many people will argue that the management provided by trustee companies leaves a lot to be desired. Perhaps it might be a little unfair to say that. If one looks at the matter directly, one will find that private enterprise is able to pick and choose the businesses it wishes to conduct, or the estates it wishes to manage; whereas the trustee company has to accept what is offered to it. Perhaps it is not a reflection on the trustee companies that sometimes their assets appear to be run down.

Whenever companies or people set up in business there will always be comparisons made with the type of service they are providing. In this regard I should point out that for some time I lived in Tasmania, and it is rather interesting to note how the trustee companies are conducted in that State. I am familiar with the Tasmanian Perpetual Trustee Company which has its headquarters at Launceston. This company takes great pride in the manner in which it manages the estates entrusted to it.

I know the directors of that company make it a practice to visit, at least two or three times a year, the farming properties administered by the company. So, they are *au fait* with the number of sheep on the property and the standard of management of the property. On occasions when they knew the price of wool packs would rise, they made sure the estate under their trust had an adequate number of wool bales on hand. I have seen a very high standard of estate management by that trustee company in Tasmania.

Indeed, anyone who visits Tasmania will be amazed at the manner in which the property known as Malahide, which is owned by the estate of the late Lord Malahide, is managed. It is one of the best managed estates in Tasmania. It is credited with having probably the best farm management of any property in that State.

I would like to think the trustee companies in Western Australia manage their estates in the same manner, and that the directors take the same personal interest. I say this, because there are different standards of management. Personally I can see nothing wrong with a takeover by another trustee company if it will provide better management on behalf of the beneficiaries of the estates.

The other allegiance which the directors must have is to the shareholders of the trustee companies. On occasions when there are large purchases of shares in a company, one could assume reasonably that the assets are of greater value than the shares, and that full use is not being made of the assets of that company. Therefore the returns to the shareholders do not reflect the value of those assets. I wonder what will happen under the provisions of the Bill before us.

I can well understand the desire to limit the number of shares which a person may hold, not so much from the point of view of a takeover but more in regard to the influence that that person could exert on the shareholders, and indirectly on the management of the estates being administered.

This aspect was not mentioned by the Minister in his second reading speech. On page 5 of his speech the Minister merely said—

> Such notice also discloses that 24 such transfers of each, gives to a single limited company irrevocable power of attorney to sell their respective shares in consideration of moneys advanced to each of them.

Obviously, there is more concern about the selling of the shares than there is about the influence on the directors. In my view, that is more important. I do wonder what the effect could be on other legitimate and more genuine shareholders in the companies because the provisions of this Bill will force the sale of the shareholdings which have been built up in excess of the provisions set out in the Act. I also wonder what will happen to the value of the shares owned by the individuals when they are forced onto the market in large numbers. The Stock Exchange is experiencing a great deal of difficulty these days in persuading people to invest in shares which are showing good capital appreciation and good returns on investments.

It is my view that with the forced selling of shares we could see quite a lowering of the value of these shares to the detriment of those persons who have invested genuinely in these companies. The fact that someone is interested in buying these shares with a view to a takeover should indicate to the directors of the companies that they should make better use of the capital which they have built up. I wonder whether they should, indeed, own their expensive premises in the Terrace. I understand some business has been directed to outer areas by those companies, but I can see no reason that they could not run their businesses just as well and just as efficiently from rented premises.

The position is that the directors have come to us, in Parliament, in an effort to prevent a takeover of their companies and their assets. I appreciate that the original Act provides for a limitation on the number of shares a person can hold, and I go along with that principle. I also appreciate the fact that we are merely filling in a loophole. However, I draw the attention of members in this place, and the directors of the companies, to the points I have raised.

Question put and passed.

Bill read a second time.

THE WEST AUSTRALIAN TRUSTEE EXECUTOR AND AGENCY COMPANY LIMITED ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th November.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [3.23 p.m.]: The Opposition also supports this amending Bill.

Question put and passed.

Bill read a second time.

ADJOURNMENT OF THE HOUSE

THE HON. N. McNEILL (Lower West—Minister for Justice) [3.24 p.m.]: I move—

That the House do now adjourn.

The Hon. T. O. Perry: Complimentary Remarks on Retirement

THE HON. T. O. PERRY (Lower Central) [3.25 p.m.]: Mr President, in all probability this is my last day in this Chamber. I would like to take advantage of the opportunity to thank you for the assistance I have received from you as a Minister in the Government, as the leader of the Government, and as the President of this House.

To the Ministers of the Government, to the members of the Government, and to the members of the Opposition I express my sincere thanks for the happy association I have had with them.

To the Clerks of Parliament, the *Hansard* reporters, and all members of the staff I also express my sincere thanks. The happy times I have had in this Parliament will live long in my memory. I hope my relationship with all those associated with this Parliament will not end with my termination as a member. Thank you most sincerely.

Question put and passed.

House adjourned at 3.26 p.m.

Legislative Assembly

Wednesday, the 17th November, 1976

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

QUESTIONS ON NOTICE

Postponement

THE SPEAKER (Mr Hutchinson): I want to advise members that questions will be taken at a later stage of this sitting and that, because of the short sitting today, there will be no official break for afternoon tea. However, tea will be available.

BILLS (3): MESSAGES

Appropriations

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

1. Albany Woollen Mills Ltd. Agreement Bill.
2. Iron Ore (Tallering Peak) Agreement Act Amendment Bill.
3. Alumina Refinery (Pinjarra) Agreement Act Amendment Bill.

PUBLIC ACCOUNTS COMMITTEE

Report

MR CLARKO (Karrinyup) [2.18 p.m.]: I present the 13th report of the Public Accounts Committee and move—

That the report be received.

Mr BERTRAM: I formally second the motion.

Question put and passed.

MR CLARKO (Karrinyup) [2.19 p.m.]: I move—

That the report be printed.

Mr BERTRAM: I second the motion.

Question put and passed.

The Public Accounts Committee report was tabled (see paper No. 555).