

appreciation of the kind words, congratulations, and good wishes that have been extended by the Leader of the House (the Hon. G. C. MacKinnon), the Leader of the Opposition (the Hon. D. K. Dans), and the Hon. Norman Baxter. It is my sincere wish that I will fulfil the duties and responsibilities of the office of President in the same worthy manner as my predecessors have done.

I have no doubt there will be times when my inexperience in my new role will be revealed. I trust members will show understanding and tolerance on those occasions. Again I sincerely thank all members for the honour they have bestowed upon me today.

I will leave the Chair until a date to be fixed.

Sitting suspended from 11.56 a.m. on the 24th May, 1977, to 3.00 p.m. on the 28th July, 1977.

Thursday, the 28th July, 1977

The PRESIDENT (the Hon. Clive Griffiths) resumed the Chair at 3.00 p.m.

PRESENTATION OF PRESIDENT

THE PRESIDENT: Honourable members, I wish to announce that I have presented myself to His Excellency the Governor, who has been pleased to express satisfaction with the choice of the Council in the following terms—

Mr President,

It is with much pleasure I learn that you have been elected by the Members of the Legislative Council to the high and honourable office of President of that House.

I have every confidence that you will fill the office in a worthy and dignified manner.

(Sgd.) Wallace Kyle,
Governor.

PRESIDENT'S COMMISSION

THE PRESIDENT: I have received a Commission authorising me to administer the oath of allegiance, and this will be presented and read by the Clerk.

The Commission was read.

GOVERNOR'S SPEECH

Delivery

His Excellency the Governor (Air Chief Marshal Sir Wallace Kyle, G.C.B., C.B.E., D.S.O., D.F.C., K.St.J.) entered the Council

Chamber at 3.05 p.m.; and, the members of the Legislative Assembly having also attended in the Chamber obediently to summons, His Excellency was pleased to deliver the following speech—

Mr President and Honourable Members of the Legislative Council.

Mr Speaker and Members of the Legislative Assembly.

You meet here today for the First Session of the 29th Parliament.

The occasion gains lustre occurring as it does during the Silver Jubilee Year of Her Majesty Queen Elizabeth the Second.

During their tour of Western Australia, Her Majesty and His Royal Highness, the Duke of Edinburgh, visited the Perth metropolitan area, Geraldton and Albany. At Albany, the Queen's presence coincided happily with the town's 150th Anniversary.

Once again the people of Western Australia demonstrated in full measure the affection and respect they have for Her Majesty.

A most pleasing landmark in Her Majesty's Jubilee was the launching of the Queen's Silver Jubilee Appeal for Young Australians. The Western Australian Government has subscribed \$150 000 toward the State's \$450 000 Appeal target.

Joint Legislative Council and Legislative Assembly elections were conducted on February 19 this year.

Notable retirements from Parliament were those of the Honourable John T. Tonkin, A.C.; the Honourable Sir Arthur Griffith; and the Honourable Sir Ross Hutchinson, D.F.C.

With profound regret I refer to the deaths of four former Parliamentarians. They were the Honourable Lionel Francis Kelly; the Honourable Jack Heitman; Mr Kenneth Wathen Dunn; and Mr Alfred George Reynolds.

The Economy

The problems which beset the Australian economy are still very much in evidence—a situation which prompted the Premier to invite his fellow Premiers to hold an All-States Economic Conference. This is scheduled for August 5, 1977.

The Government believes that if all States can be harnessed in a full economic partnership with the Commonwealth, economic recovery Australia-wide will be hastened.

Industrial disputes continue to cause the Government serious concern.

Unemployment in Western Australia is still

unacceptably high. Nevertheless, the June figure of 4.7 percent was significantly lower than the national figure of 5.37 percent.

Moreover the State's total civilian employment increased by 3.1 percent in the 12 months to March 1977, against a marginal national decrease.

Lack of support in some sectors largely weakened the voluntary wages/prices pause initiated by the April 1977 Premiers' Conference.

The Western Australian Government believes, however, that public reaction during the pause indicated that restraint in the interests of economic recovery is widely accepted.

State Finances

The Budget result for 1976/77 was most satisfactory.

The previous Parliament approved a balanced Budget for 1976/77. The out-turn for the year was a surplus of \$3 429 000 on Consolidated Revenue Fund transactions due partly to last year's drought being less damaging to the State economy than was anticipated when the Budget was presented.

Slower wage/cost movements in 1976/77 give encouragement that inflation is being curbed.

It is pleasing that Local Government now joins, with the States, in sharing Federal income tax revenue.

It should be noted however, that the \$13.2 million in general revenue assistance received by Local Government in Western Australia last year was supplemented by \$1 150 000 of State funds for the same purpose.

Rural

The Government seeks to strengthen, stabilise, diversify and expand on a sound basis the State's rural enterprise.

A forum established as the Rural and Allied Industries Conference will strengthen mutual understanding, and increase co-operation, in formulating recommendations to industry and Government.

The initial Conference held on July 12 and 13, made recommendations for stage two of the Government's planned examination of ways to improve rural and allied industries.

Satisfactory rains in May opened the season well in most agricultural areas, but more rain is needed.

The Government has announced re-

organisation of the Department of Agriculture as from July 1.

During the recent drought the Government provided more than \$3 million in relief.

It also substantially backed a Meat and Livestock Marketing Study Tour by Western Australian farmers and meat industry officials in seven overseas countries.

To assist the apple industry, the Government's \$375-per-hectare contribution brought to \$1 250-per-hectare the reimbursement level in the Commonwealth/State tree-pull scheme.

Legislation intended during the forthcoming Parliamentary Session will streamline Bushfires Act procedures, and will increase local participation in relevant administration.

Education

The Government will pursue vigorously its commitment to education.

The 1978 schools enrolment is expected to increase by an estimated 3 600.

1977 saw completion of seven primary schools, three high schools and 17 library resource centres, and additions to many schools.

An early Childhood Education Branch will be established within the Education Department.

Culture and Recreation

This year the Government purchased Her Majesty's Theatre for \$1.9 million. This historic building will be upgraded and refurbished to more modern standards for use by both local and visiting performing arts groups.

Work has begun on the new \$7 million Art Gallery Complex in Perth, with completion scheduled for 1979.

The 1976/77 Budget's initial allocation of \$1 million for community sporting facilities has been allocated.

In addition, the Government provided a grant of \$330 000 to the Perth City Council to assist with the installation of a new track at the Perry Lakes Stadium.

The Government intends to continue this assistance to sport while maintaining other programmes aimed at encouraging all aspects of recreation, youth recreational camping and community facilities.

Development and Trade

Western Australia continues to perform well in a number of economic areas, despite considerable industrial unrest.

The iron ore, alumina and nickel industries continue to expand, and negotiations with the North-West Shelf Natural Gas joint venture companies promise an early successful undertaking.

It is significant to national energy resources that in 1978 exploration is expected to begin in the recently-opened Exmouth Plateau deep-water area west of the North Rankin, Angel, Goodwyn and Barrow Island discoveries.

Western Australia awaits Commonwealth Government approval to establish a vitally important uranium mining and processing capability at Yeelirrie.

A recent visit to Japan at the invitation of the Japanese Government gave the Premier the opportunity to discuss with senior Japanese Government and business officials, matters of mutual importance to trade and investment between Western Australia and Japan.

While promotion of industry remains a basic objective, with particular emphasis on assisting small metropolitan and regional businesses, the Government's continued vigorous export marketing effort is being focused currently on countries of South East Asia and the Arabian Gulf.

Western Australian mineral production worth \$1 490 million, emphasises the industry's importance to the State and the nation.

Fuel and Energy

Government-appointed consultants will assist the State Energy Commission feasibility study into establishing private corporation finance and ownership of Muja Power Station extensions and associated works.

This conforms with a pre-election undertaking to apply private investment, where necessary, to supplement Loan Council funds in meeting the enormous capital demands of the State's power programme.

The Government plans legislation to create a Solar Energy Research Institute of Western Australia, and to revise and modernise the State Energy Commission Act in conformity with the Commission's expanded scope of operations.

Legal Affairs

Honourable Members will join me in congratulating Sir Francis Burt, K.C.M.G., on his appointment this year as Chief Justice of the Supreme Court of Western Australia.

We express also the State's sincere appreciation of the services of Sir Lawrence Jackson,

K.C.M.G. Sir Lawrence retired in February this year after 27 years of distinguished service as a Judge, the last nine as Chief Justice.

The Government recently appointed a fifth Judge to the Western Australian Family Court, established in 1976. This is still Australia's only State Family Court, and has attracted the interest of other States.

The Government is anxious to prevent any abuse of the rights and privileges of Members of Parliament. The Attorney General has been asked to prepare appropriate amendments to the Parliamentary Privileges Act.

Negotiations are proceeding with the Commonwealth and other States for national corporations and securities industry legislation.

The Attorney General has requested the Law Reform Commission to give priority to the law and procedures of bail, and to legal problems in safeguarding personal privacy.

Water

Two extremely dry winters have precipitated a critical water shortage in metropolitan and some country storages.

Recognising water as Western Australia's most vital resource, the Government has established a Water Resources Council.

Work is proceeding on the Wungong Dam, and completion of the Wanneroo Ground Water Treatment Plant this year will boost metropolitan supplies by 17 million cubic metres annually.

In the North, work has begun on the \$20 million De Grey River Water Supply Scheme to cater for rapidly-expanding needs at Port Hedland and South Hedland, and associated Pilbara iron ore developments.

The Irwin View project will augment Geraldton's anticipated water needs for at least ten years.

Construction has been accelerated on the Gascoyne Ground Water Supply Scheme, with \$900 000 allocated to it last financial year.

Health and Community Welfare

The Government's far-ranging programme to advance health care saw 1976/77 capital expenditure on hospitals exceed \$38 million.

Initial contracts have been let for building the \$50 million new Podium and Ward Block at The Queen Elizabeth II Medical Centre.

Work has begun on the \$776 640 phase-one contract for Royal Perth Hospital's new North Block. Preparatory work is proceeding on

Fremantle Hospital's new South Terrace additions; the Nurses' Training School is nearing completion. Construction of a new Ward Block at the King Edward Memorial Hospital for Women is well advanced.

A new alcohol-and-drug Early-Care Hospital was opened in West Perth last February.

Design and construction proceeds on a Health Centre at Geraldton, a Nursing Post at Kambalda, and staff housing for Community Health Services in North-West towns. Planning is well advanced for a hospital at Wanneroo, and a Teaching Community Health Centre at Claremont.

Free dental care and education is provided in school clinics by over 100 dental therapists graduated under the Commonwealth/State training scheme.

Sixty-six clinics, some mobile, will have been built and fully commissioned by December 1977.

Under-privileged citizens from 68 centres State-wide, including many remote and isolated nursing posts, now enjoy a preventive health service provided by 190 Community Health Services nursing sisters.

This service, employing in addition some 60 Aboriginal staff, is credited with a State-wide decrease in the hospital admission rate for Aborigines.

In Mental Health, work will begin this year on a new Administration Block at Graylands Hospital, and on a new Manual Training Centre to service both Swanbourne and Graylands Hospitals.

Later this year the Child Welfare Act will become subject to extensive amendments already approved by Parliament.

The Government will continue to upgrade facilities available to Aborigines.

Housing

The State Housing Commission's 1976/77 programme of 865 units is completed, with 700 additional units either planned or under construction.

More older-style Housing Commission properties have been upgraded than during last year.

The construction of more than 18 300 new dwellings last calendar year, kept the State's building industry working close to maximum capacity.

Planning and Urban Development

During the past year the Government co-operated with private land developers to achieve record production of 14 273 serviced residential home sites in the metropolitan area.

Reports on proposals for strengthening and improving the Town Planning system are under review.

Transport

By including ports in the Transport portfolio, the Government has undertaken co-ordination of the entire transport operation.

Other significant developments programmed are dredging at Geraldton and Albany; new berths at Bunbury and Geraldton; and at Albany a processing factory and cool stores for ocean-going trawlers.

The Southern Western Australian Transport Study will report on suggestions about more suitable transport policies capable of application to the southern half of the State.

Legislation will be introduced during this session to give effect to most recommendations made by the National Association of Australian State Road Authorities' Study on "Economics of Road Vehicle Limits".

During the first two years of the Road Traffic Authority's existence, it has achieved encouraging results in reducing accidents and fatalities.

The Government will continue to urge road users to help reduce the road toll still further.

The Government has engaged an overseas consultant to report on desirable changes in the State Shipping Service to the North West and Eastern States and is expected to provide a basis for simplifying freight charges for attracting trade, and maximising use of State ships.

In spite of a reduced percentage of total Federal Road funds being allocated to this State the Government is pushing ahead with major new road construction in both the city and the country.

Conservation and Environment

During the past decade, national park areas in Western Australia have increased from three hundred and seventeen thousand hectares to three and three quarter million hectares. An additional two million seven hundred thousand hectares have been designated for vesting in the future.

Management and conservation, public access and regional facilities are among widely varied

operations provided for in the National Parks Authority Act, 1976.

The Environmental Protection Authority of Western Australia's responsibility for environmental management in this State has been ratified with the Federal Government.

Tourism

The Department of Tourism will undertake Australia-wide promotion further to stimulate the industry.

The State anticipates greatly increased tourist activity from Western Australia's well-advanced programme of 150th Anniversary Year Celebrations in 1979... this includes the International *Parmelia* Yacht Race from Plymouth to Fremantle.

Fisheries and Wildlife

The establishment of a Fishing and Allied Industries Committee is of great significance to future development and management of our Fisheries resource particularly in view of the projected Australian 200-mile fishing limit.

The Western Australian Government welcomes Commonwealth promises of extra naval patrol boats as a major factor in future improved surveillance of foreign fishing vessels in our northern waters.

Proposed Legislation

I now refer broadly to other Bills it is proposed to place before Parliament during this session.

These will include Bills to provide for:—

Protecting the constitutional structure of this Parliament by providing that any substantial alteration must be approved by a majority in a State-wide referendum.

Amending the Government Employees' (Promotion Appeal Board) Act, further to clarify Government employees' rights in appeals against promotion.

Streamlining Public Service administration by repealing the Public Service Act and replacing it with a new Act more akin to a business charter.

Amending the Community Welfare Act to establish advisory committees for increased community involvement in welfare work.

Other legislation will include Bills to:—

Ensure that, whenever the need arises, the interests of children, affected by legal proceedings, shall be watched by appointed persons.

Amend the Health Act to establish a committee to inquire into deaths among infants up to one year of age and to recommend action to reduce these.

Amend Death Duty legislation to exempt bequests to a surviving spouse from such duty.

Amend the Criminal Code to legalise publishing (in good faith, and to inform the public) of reports of proceedings of other Australian Parliaments, and Parliamentary Committees, as well as certain associated papers and documents.

Amend the 1974 Motor Vehicle Dealers' Act to curtail increasing illegal sales by unlicensed persons.

Mr President and Honourable Members of the Legislative Council, Mr Speaker and Members of the Legislative Assembly, I now declare this session of Parliament open, and trust that Providence may bless your labours.

SWEARING-IN OF MEMBER

THE PRESIDENT (the Hon. Clive Griffiths): I am ready to swear in the Hon. Lyla Elliott.

The Hon. Lyla Elliott took and subscribed the Oath of Allegiance, and signed the roll.

QUESTIONS (2): WITHOUT NOTICE

RAILWAYS

Meekatharra-Mullewa

1. The Hon. D. K. DANS, to the Minister for Transport:

(1) Is it a fact that Cabinet has decided that the Meekatharra-Mullewa railway line will be closed?

(2) Is it a fact that it is to be closed next February; if not, when will the decision take effect?

The Hon. D. J. WORDSWORTH replied:

(1) and (2) The Government has not decided at this stage to close the railway line.

ROAD FUNDS

Allocation to Rural Local Authorities

2. The Hon. H. W. GAYFER, to the Minister for Transport:
- (1) What amount of State finance for roadworks is expected to be made to rural local authorities this financial year as against last?
 - (2) If this figure shows a reduction can the House be informed of the reason for that reduction?
 - (3) What is expected to be the total amount of State funds to be allocated to roadworks in Western Australia this financial year as against last?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) Because total Federal road funds granted to Western Australia rose by only \$1.781 million this financial year, and there have been violent changes in the categories into which these funds have been allocated, including a reduction in urban arterial funds of \$9.69 million, the State was forced to lower its allocation of State funds to unclassified rural local roads from \$3.569 million in 1976-77 to \$2.274 million in 1977-78, a reduction of \$1.29 million.

It must be obvious to members that the State department responsible for planning future road development, the Main Roads Department, has to plan years ahead, purchasing land, contracting for bridge construction and building up a skilled labour force and plant; and that such violent fluctuations as cutting urban arterial funds in half cannot be accommodated.

We strongly believe that the Federal Government should not create categories and make hard and fast allocations.

- (3) The total amount of State funds allocated to roadworks in Western Australia is \$43.650 million this financial year compared to \$42.116 million last year.

JUSTICES ACT AMENDMENT BILL

Leave to Introduce

THE HON. G. C. MacKINNON (South-West—Leader of the House) [3.55 p.m.]: In order to assert and maintain the undoubted rights and privileges of this House to initiate legislation, I move, without notice—

For leave to introduce a Bill for an Act to amend the Justices Act, 1902-1976.

Question put and passed; leave granted.

Introduction and First Reading

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

GOVERNOR'S SPEECH

Distribution of Copies

THE PRESIDENT (The Hon. Clive Griffiths): I have to announce that for the sake of accuracy I have obtained copies of His Excellency's Speech which will now be distributed to members.

ADDRESS-IN-REPLY: FIRST DAY

Motion

THE HON. R. G. PIKE (North Metropolitan) [3.58 p.m.]: I move—

That the following address be presented to His Excellency—

May it please Your Excellency:— We the Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

Mr President, I congratulate you on your election to the office of President of the Legislative Council. You have a record of competence, sincerity and application in this Parliament, and I know that you will go on to become an outstanding President of the Legislative Council.

I also desire to associate myself with the comments the Governor made in regard to the late Jack Heitman. I first came to know Jack Heitman approximately 20 years ago, when I was a newly-elected councillor in local government and Jack was the President of the Local Government Association—an office he carried out with dignity, with results, and wherein he showed the ability that he was subsequently to display continuously as a member of this Legislative Council.

Jack Heitman was a big man, in stature, integrity, and certainly in thought. Those many years ago he gave me advice and guidance which I very much appreciated. Honesty was his stock-in-trade, and it never failed him once. He was a most approachable man with a sensible down-to-earth approach to all problems. If one had a good sense of humour, one was more often than not his

friend. To take oneself too seriously, or to imagine oneself to be too important, was most unwise in the presence of Jack. A task done for him was always gratefully acknowledged. To Jack Heitman principles were something one lived by; not just something to which one gave lip-service. His wife and family have certainly lost a fine husband and a wonderful father; and we, in the Parliament of Western Australia, have lost a true Liberal and a true friend.

I now mention my predecessor, Sir Arthur Griffith. He was elected to Parliament in 1950. Thus, on his recent retirement, he completed 27 years as a member of this Parliament. During his career he filled the place of the Leader of the Government and Leader of the Opposition in the Legislative Council. He held major portfolios, including Mines, Housing, and Justice. When he relinquished the leadership of his party in 1974 he was elected President of the Legislative Council. He did not seek re-election in 1977 and was appointed Knight Bachelor by the Queen.

Sir Arthur Griffith is not with us today because, I understand, together with Sir Ross Hutchinson, he has gone to the United Kingdom to receive his accolade. His is a record of performance and achievement which must be one of the most outstanding in this Parliament.

I am aware that since this is opening day brevity will be welcomed. I think it is appropriate for a member, during his maiden speech, to declare some of his political philosophy. I can best do this by talking about federalism and centralism. The subject of federalism and centralism is the paramount issue facing this State at the present time and, indeed, it has been the really paramount issue facing this state and all the other States and the Commonwealth of Australia.

At the outset I declare I am a federalist and I intend to remain one. My speech today can be placed under four headings. The first is "the definition of federalism and centralism"; the second is "federalism and centralism under the Liberal Party and its administration"; the third "centralism under the Labor Party and its administration"; and the last heading is, "the Commonwealth Government's Seas and Submerged Lands Act and the Petroleum (Submerged Lands) Act".

Federalism is defined as an effective method of decentralised government over large and scattered areas. It guarantees and stabilises the institution of State and regional self-Government, and heightens the awareness of responsibility; at the

same time it provides the opportunity for its exercise.

I believe that in the division of power between a central Government and a State Government there resides one of the true protections of individual freedoms. Local initiative, and understanding of conditions in each State, give rise to far more originality and ingenuity in new schemes and policies of industrial and agricultural development than could a remote centralised Government.

If one cannot get through to one's local council, how can one get through to massive centralised authority in Canberra? Can anyone remember the last time a major industry was established in this State by the initiative of the Commonwealth Government?

Centralism, in the political sense, is defined as the concentration of all administrative power in a central authority. The Liberal Party has, and always has had since 1949, a sense of mission in regard to federalism, and as we begin our plunge into the 1980s, it is well for us to remember that in 1949 Australia was entrenched with wartime controls. The central Government in Canberra liked this power and under Chifley, it did not want to relinquish it when the war was over. The Australian people sensed that the ordinary freedoms could be endangered if overriding wartime centralist bureaucratic controls were carried permanently into the peace. They became aware then, as they are now, that centralism sterilises rather than fertilises the system, and they were becoming aware of the dangers of arrogant centralist control.

My second heading is "federalism and centralism under the Liberal Party and its administration". We support fully the concept of federalism in which there are three areas of government—Federal, State, and local—and in which the powers and functions are distributed to achieve a continuous response and to provide an effective barrier against centralist authoritarian control.

Our policy says that federalism is not merely a structural concept. Its principal justification is a philosophical one; it aims to prevent the dangerous concentration of power in a few hands. In doing so it provides a guarantee of political and individual freedom. Having enunciated this policy I say this: over the years there has been a tendency for Liberal Governments in Canberra to give a supine lip service to a federalist policy whilst in fact pursuing a centralist policy, thus handing to our political opponents a mass of precedents to such an extent that the federal

system was starting to become a mere formality and centralism was becoming a reality without the people even being consulted.

There was a massive acceleration of centralism while the then John Gorton was Prime Minister of this country and, frankly, I think it needs to be said publicly in a forum such as this that we, as a party, are aware of the continuing responsibilities to preserve federalism and to fight centralism wherever it rears its head. Under Gorton power began to be concentrated on the centre.

Under the then William McMahon, there can be no doubt that we were seduced by the seeming compulsion to stay in office and we were led astray from basic Liberal philosophy, until the voters were unable to identify the free-enterprise philosophy and opted for the Australian Labor Party socialists.

This leads me to my third heading which is, "centralism under the Labor Party and its administration."

During the recent Labor Party Federal Conference, the policy decision made under the heading, "National and State Constitutions" was—

The Senate and the Legislative Councils to be abolished.

This wearisome statement of intent by the socialist Labor Party, to remove the Senate and, in Western Australia, the Legislative Council, bodes ill for true democracy in this country. To add to this, Mr Whitlam said in the Chifley Memorial Lecture—

Much can be achieved by Labor members of the State Parliaments in effectuating Labor's aims of more effective powers for the national Parliament and for local government. Their role is to bring about their own dissolution.

Remember, centralism in government has always been a feature of socialist Labor Governments. Mr Whitlam also said in his Chifley Memorial Lecture—

There are few functions which the State Parliaments now perform which could not be better performed by the Australian Parliament.

There are times when Labor spokesmen seek to pretend that they support the Federal system, and on the evidence I have just given members, it is clear that they do not. They support it only to the extent that they want to use the system to destroy it, and to replace it with a unitary centralist system of government. Labor's brand of

federalism is nothing else but coercive federalism or centralism.

The Liberal Party knows that a strong Federal system of government, strong in all its parts, is one of the strongest bulwarks against nationalisation and socialisation, should a Labor Government be returned federally.

Conversely, State Governments, weakened in their rights, powers, and efficiency, can be only an ineffectual safeguard against such doctrines.

Under the last Federal Labor Government, centralism was on the rampage. It became a clutching, centralist Labor socialism. It must be remembered in today's Australia, and certainly in the Australia of the 1980s, that those of us who are not Labor socialists frequently have been charged with being reactionaries; with wanting to turn the clock back.

In the modern world, in the modern Australia, this is quite untrue. The truth is, in Australia, it is the nonsocialists—the Liberals and the Country Party—who have moved with the times. The tendency world-wide now, as evidenced in the United Kingdom, Wales, Scotland, Canada and the United States of America, is for greater federalist government and dissemination of real authority.

The reason for this is that centralism has failed. There is a realisation of the limit that human nature places on the abilities and effectiveness of centralised government. The devolution of power to the States is attracting supporters all over the advanced world.

Considering what I have had to say today about the policies and performance of the Labor Party in regard to centralism, and of the Liberal Party in regard to centralism and federalism, I am ever-mindful of the degree of control exercised by the parties over their members of Parliament.

Labor's policy is that the parliamentary member is a delegate, whose role at all times is to express the majority decisions of the body controlling his party, even down to matters of detail, whereas under the Liberal Party "trustee concept", we only advise our parliamentary members as contrasted to the Labor Party directing its members with iron fist discipline.

This difference is a tremendous one, and I go on to say as a Liberal member of this Parliament that our party attitude must exist and continue to exist, in fact as well as in theory, if the Liberal Party is to remain viable.

This leads me to my fourth point, which relates to the Federal Government's Seas and Submerged

Lands Act, and the Petroleum (Submerged Lands) Act.

At present, the State has a tenuous authority over jetties, harbour works and other constructions in the sea, and the State Minister for Mines as the designated authority, has granted petroleum leases and supervised the exploration of the offshore area in regard to gas and petroleum.

The Commonwealth now takes the view that, since the passage of the Seas and Submerged Lands Act, it has the ultimate sovereignty, and therefore, the real threat exists that a Commonwealth Government of another colour could repeal the existing Act and substitute a new Act purporting to take over full control for the Commonwealth.

In the Tidelands Cases— (I) United States v. California, 1947; (II) United States v. Louisiana, 1950; and (III) United States v. Texas, 1950, — the United States Supreme Court upheld the claims of the central United States Government in relation to paramount rights in the territorial sea and sea bed.

The United States Congress, at the request of the States, by Public Law 31, cited as the Submerged Lands Act 1953, re-vested the sovereignty in the States, preserving for the central Government paramount rights in relation to the constitutional purposes of navigation, defence, and international affairs.

I ask the present Commonwealth Government to follow the United States, example and re-vest in the States sovereignty over the sea and sea bed, retaining the control of defence and foreign affairs, as intended by the founders of the Australian Constitution.

To summarise, the time has come when the need for a continuing partnership between Federal and State Governments must become an accepted fact with all the voters in Australia.

The States must be entrusted with a larger share of the central Government's responsibilities, and must be able to share growth revenues with the Federal Government, so that they can meet those responsibilities.

We should be seeing how we can decentralise functions, powers, and responsibilities in the best interests of the Australian people.

The problem in Australia has been that the fiscal power of the States has not matched their political power, and, as a result of this disequilibrium, the fact that they have not had matching fiscal powers to what has been their constitutional political responsibility has resulted

in a centralisation of decision-making in the hands of the Government that has the money power.

A measure of political power or authority is the ability to make spending decisions. If a Government does not have the ability to raise funds, it ends up losing the ability to make the decisions.

To conclude, in federalism one lays the firmest foundations of both individual rights and real progress—the firmest foundation for preserving the character of the States and the very best provision for the security of the Commonwealth of Australia.

THE HON. W. M. PIESSE (Lower Central) [4.20 p.m.]: I formally second the motion.

Debate adjourned, on motion by the Hon. D. K. Dans (Leader of the Opposition).

House adjourned at 4.21 p.m.

Legislative Assembly

Tuesday, the 24th May, 1977

MEETING OF THE ASSEMBLY

The Legislative Assembly met at 11.00 a.m.

PROCLAMATION

The Clerk of the Assembly (Mr B. L. Okely) read the proclamation of His Excellency the Governor (Air Chief Marshal Sir Wallace Kyle, G.C.B., K.C.V.O., C.B.E., D.S.O., D.F.C., K.St.J.) summoning the first session of the Twenty-ninth Parliament.

OPENING PROCEEDINGS

Message from the Governor's Senior Commissioner

A Message from His Excellency's Senior Commissioner (His Honour Mr Justice Burt) requested the attendance of members of the Legislative Assembly in the Legislative Council Chamber. Members accordingly proceeded to that Chamber; and, having heard the Commission to do all things necessary for the opening of Parliament, returned to the Legislative Assembly Chamber.

SWEARING-IN OF MEMBERS

His Honour, Mr Justice Lavan, Senior Puisne Judge of the Supreme Court of Western Australia, having been commissioned by His