

Legislative Council

Wednesday, the 22nd August, 1979

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

QUESTIONS

Questions were taken at this stage.

BILLS (5): INTRODUCTION AND FIRST READING

1. Legal Practitioners Act Amendment Bill.
2. Constitutional Powers (Coastal Waters) Bill.
3. Crimes (Offences at Sea) Bill.
4. Off-Shore (Application of Laws) Act Amendment Bill.

Bills introduced, on motions by the Hon. I. G. Medcalf (Attorney General), and read a first time.

5. Reserve (Woodman Point-Jervoise Bay) Bill.

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

BILLS (2): THIRD READING

1. Property Law Act Amendment Bill.
2. Administration Act Amendment Bill.

Bills read a third time, on motions by the Hon. I. G. Medcalf (Attorney General), and transmitted to the Assembly.

DENTAL ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st August.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [4.53 p.m.]: I thank members for their support of the Bill. The Hon. Lyla Elliott asked some questions, one being how many prosecutions had taken place under the Act. I understand that there have been one or two prosecutions only in each year, and those involved were accused of practising dentistry without a licence. Invariably those people were dental technicians; and of course, the offence was the fitting of dentures without having a licence so to do.

Miss Elliott questioned the use of the word "successful". She felt it was a typographical error. However, it was used to emphasise those who are on a foreign register and whose requests

for acceptance by the State Dental Board have been successful, and who have actually come to Australia. The use of the word "successful" was intentional in that regard.

I do not think any other matters were raised which were actually dealt with in the Bill. There was a certain amount of discussion in relation to the submissions which have been put to various members of Parliament; but that is outside the scope of this Bill.

I commend the Bill to the House.

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.

RADIATION SAFETY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st August.

THE HON. N. E. BAXTER (Central) [4.57 p.m.]: It will be recalled by members of this House that, prior to 1975, we had legislation entitled the Radioactive Substances Act. However, it was decided that the legislation should not deal so much with radioactive substances as with safety from radiation. Therefore, the title of the legislation was altered to the Radiation Safety Act, which I introduced in this Chamber in 1975.

The emphasis of that legislation was on the need to ensure that people who were using, dealing with, selling, or in any way in touch with any appliance or anything at all which was likely to have some emission of radioactivity, including household equipment, were protected by the legislation.

This amendment goes further than the original legislation as it has now been found that, where there is an accumulation of machines or a number of electrical appliances which may emit or leak some radiation, it is necessary for some qualified person, or somebody who would be working under a licence or permit to be in a position to handle them.

As members would probably be aware, the human body can stand a certain amount of radiation and deal with it; but when the radiation builds up, as could happen following the use of a number of appliances or machines which leak or emit radiation at the same time, the body could accumulate an amount with which it could not

deal. Gradually the radiation is accumulated in the body until the stage is reached where the health of the person is affected seriously.

The concentrated depth of radiation—that is, a gamma ray—was measured on a roentgens basis. It was considered that once one had accumulated 500 roentgens one had had it. However, I could not imagine such an accumulation unless many machines were leaking a great deal of radiation. Otherwise I cannot visualise roentgens being emitted in sufficient quantities to kill a person. However, the build-up could occur over a period of time. If it did not kill one, it could seriously affect one's health. One could contract leukemia or some other type of disease.

This Bill is designed to cover the situation I have mentioned. Such a position could arise if one person were in charge of the operation of a number of appliances which emit radiation. In this case the health of the operator could be affected deleteriously.

This Bill is straightforward and I support it.

THE HON. V. J. FERRY (South-West) [5.01 p.m.]: I support the Bill. The Radiological Council has absolute discretion to give permission for any system to be used when radioactive material or appliances are involved. However, the Bill also spells out that the council may have regard to recommendations, guidelines, and practices of other bodies such as, to quote one, the International Commission on Radiological Protection. There are others.

It seems noteworthy that a great number of responsible countries in the world today are protecting their inhabitants from radiation, whether it be used for medical purposes or for some other reason.

It is interesting to note that the EEC is geared in a big way to ensure the safety of people from radioactive materials. Very briefly I would like to relate a situation to the House. At present 531 persons, including 207 scientists, are involved in the EEC's nuclear safety programme. A four-year research programme, will be implemented in January, 1980, by the Joint Research Centre for the European Atomic Energy Community.

The areas to be researched are—

- Reactor safety
- Safety of nuclear materials
- Control and management of fissile materials
- Plutonium fuels and actinide research projects
- Development of fast breeder hypothetical accident codes

Development of new energy systems.

In relation to that, programmes already in action include—

- Study of the protection of workers and the general public against radiation
- Study of accidents and associated problems.

In Western Australia we are legislating in our own way to set some further guidelines for the protection of people, bearing in mind that the production of radioactive materials is beneficial to mankind generally, but in some circumstances it can be harmful. It is a matter of fine balance and judgment as to how far one goes in this area. I am not a scientist, but obviously with the advice and experience of knowledgeable people we need to update the provisions in this State from time to time to meet the situation.

I would like to make the comment also, as I have done on previous occasions in this House, that in Australia, and particularly this State, we need to keep up with world trends so that we are not behind the rest of the world in furthering the growth of mankind. The legislation we are discussing is another means by which we are trying to bring the best of modern technology to our people. It would be a great shame if we were to shut our eyes to the developments taking place around the world and say, as one could easily say, "That is not for us."

We must belong to this area of activity and continue to update the provisions contained in our legislation from time to time.

I support the Bill.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.04 p.m.]: I thank members for their support of the Bill. Most of the ground has been covered. Undoubtedly we live in a changing world and we need to update our legislation from time to time. Since the original legislation was passed in regard to this matter, further meetings of the International Commission on Radiological Protection have taken place. The recommendations of this commission have been expanded and they contain the following statements—

- (1) No practice involving the use of radiation shall be adopted unless its use produces a positive net benefit.
- (2) All exposure to radiation shall be kept as low as reasonably achievable, economic and social factors being taken into account.

- (3) The dose received by individuals shall not exceed the limits recommended for the appropriate circumstances by the International Commission on Radiological Protection.

It was necessary to amend the Act to include those provisions, because originally the last provision only was incorporated.

As a result of these amendments greater control will be exercised over the dosage of radiation which can be received by a member of the public. Limits will be laid down within the regulations not only for people active in industries using radioactive substances or appliances, but also for the general public.

The Hon. Lyla Elliott referred to microwave-ovens. These ovens are covered by the present legislation. One of the main objectives of this legislation is to cover the wide variety of uses to which radioactive materials may be put. It refers particularly to products which include radioactive material more as a gimmick than as an essential feature of the device. I should like to list the equipment, as was requested. It includes such items as radioactive smoke detectors and radioactive lightning protection devices, and there are also available luminous timepieces, warning lights, control lights, and panels. These are used on boats etc. There is a large variety of this equipment and it is hoped that, as a result of the amendments contained in the Bill, the number of such products will be reduced and the amount of radiation to which a person may be subjected will be limited.

The Hon. Lyla Elliott referred also to the Tronado machine. That is covered by the Act and these amendments will not interfere with the present controls which have worked satisfactorily over the last few years.

I support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

MARGARINE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 15th August.

THE HON. R. T. LEESON (South-East) [5.09 p.m.]: This very important Bill will allow dairy blend—a mixture containing both butterfat and vegetable oil—to be marketed. Over the

years—particularly in the last 10 years—the consumption of butter in Western Australia has declined by 50 per cent. The industry feels rather belatedly that it must take action to try to arrest this trend.

It is interesting to read speeches in relation to the dairy industry made in this place over a number of years and to see what members have had to say about butter and the dairy industry. It is ironic that at last a Bill such as this has been introduced in the House.

I hope this legislation will assist the dairy industry, but I have my doubts. There are two reasons that the consumption of butter has declined over the years. Firstly, there is the durability of margarine compared with butter when used in the home; and, secondly—and probably most importantly—the warning issued by the medical profession for a number of years as to the effects butterfats have on people's health. These may be scare tactics only, but they have been most successful, because the consumption of butter in Western Australia has dropped by 50 per cent over the last 10 years.

Dairy blend is being marketed in South Australia in an attempt to try to restore the position of the dairy industry. The legislation we are considering will allow dairy blend to be marketed in Western Australia. For the sake of the industry, I wish it every success.

THE HON. R. J. L. WILLIAMS (Metropolitan) [5.12 p.m.]: It would be rather odd if I did not speak to this Bill, in the same manner as it would be rather odd if the Leader of the Opposition did not speak to it, because in 1973 he spoke at great length on similar legislation. At the time there was a degree of levity in the Chamber when Mr Stubbs introduced the Bill. The legislation was passed and it covered cooking and table margarine.

At that time I claimed that people should have the right to choose, because I was against quotas. The whole tenor of my speech was that quotas are bad. People should be able to choose whether they eat ordinary margarine, polyunsaturated margarine, or butter. I remember Mr Dans reminding us that butter makes better lovers. Mr Stubbs said that he personally liked butter and would eat more of it. I said the only time I would consider eating margarine was when it was baked in cakes.

It is significant that since that time both Mr Stubbs and myself, having been avid butter eaters, have been incarcerated in an institution where we have been taught not to eat butter and

that polyunsaturated margarine is what we should eat if we are to survive a little longer.

With reference to the statement that butter makes better lovers, as was claimed previously, I should like to point out margarine does not seem to have had any particular effect on my life. I commend polyunsaturated margarine in this House for use by butter lovers.

The Hon. Lyla Elliott interjected.

The Hon. R. J. L. WILLIAMS: The Hon. Lyla Elliott interjected and I think she said, "Better sexed".

The Hon. D. K. Dans: What is the bench mark you work from when you make that statement?

The Hon. R. J. L. WILLIAMS: I could quote a bench mark. During the debate which occurred in 1973 Mr Dans was after some form of bench mark on that occasion. That is when Miss Elliott interjected. The Hon. G. C. MacKinnon also interjected and said—

I was more impressed by the advertisement on the butter counter, "Butter makes better lovers".

The Hon. D. K. Dans continued—

Perhaps, Mr. MacKinnon, we could debate that subject in the bar and embellish it more than we can in the House. On my understanding, Standing Orders and parliamentary procedure would not allow me to debate this vexed question at length.

At that stage Miss Elliott interjected and said, "Sexed question". The Hon. D. K. Dans continued—

Miss Elliott has said, "sexed question" but I definitely said "vexed question"!

I thought that was a very intelligent statement.

The Hon. G. E. Masters: Miss Elliott must have been naughty in those days.

The Hon. R. T. Leeson: Has she not changed?

The Hon. R. J. L. WILLIAMS: Mr Dans claimed that he definitely said "vexed question"!

I do not oppose the Bill. We have been told that the consumption of butter has dropped dramatically. That is to be expected because it has been classified for some people—myself included—as a dangerous foodstuff.

Certain other dairy products are also dangerous because their cholesterol level is very high. The level in butter is particularly high. Eggs are another foodstuff which have a very high cholesterol level. Certain meats, particularly pork, also have a very high cholesterol level. It might be of interest also to members to learn that we export a record quantity of high cholesterol food

to the rest of the world in the form of crayfish, or rock lobster. I believe that has the highest cholesterol level of all food.

The Hon. D. W. Cooley: Like everything else, if one eats it in moderation, it is all right.

The Hon. R. J. L. WILLIAMS: I was about to mention that during the debate which took place in 1973, the Hon. G. C. MacKinnon said much the same thing. He said that if one ate a balanced diet then one would be quite okay.

I believe a balanced diet is essential for good health. The reason I am standing here making these comments is that I am a little worried. I am sure the Minister will clear up my worry by making sure that this "dairy pat" or "dairy blend", whatever it will be called, will be correctly labelled. Too many people are confused in our supermarkets and shops when they buy margarine. Many people believe they are buying polyunsaturated margarine but, as some of us know, only certain blends are polyunsaturated.

The Hon. G. W. Berry: They have to be labelled.

The Hon. R. J. L. WILLIAMS: I agree, and I want to be sure that this new product will be properly labelled. When one is a little older than the average age of those in this Chamber—

The Hon. D. K. Dans: One would have to be fairly old!

The Hon. R. J. L. WILLIAMS:—one tends to become a little short-sighted. That type of person is not sure of what kind of margarine he is purchasing in the supermarket.

The Hon. G. W. Berry: It has to be labelled, "table margarine".

The Hon. R. J. L. WILLIAMS: Not all table margarine is correctly labelled "polyunsaturated".

I also want to know why Western Australia has to stand out on its own in certain ways. I refer to the fact that polyunsaturated margarine containers in this State are square, whereas in the Eastern States they are circular. Consequently, in Western Australia, if one takes a container of polyunsaturated margarine from the refrigerator, one has to buy a square pottery container at a price of something like \$8.10 in which to place it on the table. If one buys a round container of margarine packaged in New South Wales, there is no problem. I would like the Minister handling this Bill to pass my comments on to the Minister in charge of the legislation because certainly the amount one will be able to buy in any container will be increased. I hope the manufacturers will desist from packaging in "the square".

I believe the dairying industry, as such, is ailing; particularly the butter section. If this amendment will help the industry, then all power to the elbow. I request that—

- (a) the new product be properly labelled;
- (b) it be distinctively packaged; and
- (c) we be able to purchase increased weights of polyunsaturated margarine in round containers instead of in square containers.

I indicate my support of the Bill.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [5.21 p.m.]: I support the Bill which, I believe, is a little belated. I do not intend to take issue with the statements made by the Hon. John Williams, or by anyone else. However, too much play is made of the effect of butter on the general health of people. I am well aware of what the National Heart Foundation has to say about this subject, and I am also well aware of what some doctors tell people with regard to what they should eat and what they should not eat. There is a whole host of medical opinion on record stating that nothing is proven.

The most successful advertising campaign ever instituted in Australia—and it is something which all political parties might look at—was the campaign mounted to increase the sale of margarine. That campaign used the fear syndrome. That fear syndrome just about cut the dairying industry right out.

The Hon. W. R. Withers: The Last Tango in Paris did not help, either.

The Hon. D. K. DANS: I did not see that picture.

That particular advertising campaign had a devastating effect upon our dairying industry. I agree with the Hon. John Williams, of course, that cholesterol is found at a very high level in all shell fish. Probably it is higher in crayfish.

A question which springs quickly to my mind is: What would be the difference if no-one had discovered this term, "polyunsaturated"? What does it really mean? I know the term has bamboozled my wife. The only butter I am able to eat is that which is on the table when I come to this place.

As the representative of the Opposition, I recently attended a function, and sat with the Premier (Sir Charles Court). Someone asked him whether he ate butter and he said, "Listen, I eat everything on the basis that some of it must be good for you." That is very true.

The Hon. R. Thompson: Did you eat margarine on that occasion?

The Hon. D. K. DANS: This is a serious business!

Another theory has been widely distributed in a booklet published by Professor John Ludkin, who is world renowned. His theory proposes that refined sugar is pure, white, and deadly. In fact, that is the title of his book.

Whilst I appreciate the remarks of the Hon. John Williams, if we took this matter to its logical conclusion, where would we be if our forefathers had known that eggs were bad for us, crayfish was bad for us, and that butter was no good for us? It would mean that this country would have about only 500 people in it.

The Hon. G. E. Masters: All very thin.

The Hon. D. K. DANS: I do not think the foods have much to do with one's size; I know it is a case of how much one eats. Perhaps that is the core of the matter.

The dairying industry has been slow to respond to the decline in the sale of butter. I am aware there was an effort not so long ago to suggest that polyunsaturated margarine caused cancer. A number of articles appeared in the Press and in magazines, but the theory never got off the ground.

I want to remind members of the various attacks which have been made on the dairying industry. Many people claiming to have some medical knowledge and expertise have allowed their views to be known far and wide. In some areas people prostituted their professions and positions by lending their names to what amounted to a lot of bunkum.

Without a shadow of doubt, if the medical profession, as such, were to say there was no doubt that butter was responsible for heart attacks, we would take some notice. However, I have yet to hear any doctor make that statement and I have asked a number of them that question. They have all said, "No, we think that it might be."

We all know that the human body has the capacity to produce cholesterol, and absorb it. I am led to believe that a great number of gallstones are nothing more than hard balls of cholesterol.

It should not have been necessary for this Bill to come before us because the dairying industry has been attacked unfairly. There has been no immediate move to protect the industry. If butter is dangerous, then milk must also be dangerous.

The Hon. R. J. L. Williams: It is.

The Hon. D. K. DANS: I have heard a doctor say that milk is the most deadly poison known to man.

The Hon. R. Thompson: After one has been weaned!

The Hon. D. K. DANS: That is right, but I do not want to get into an argument on the different types of milk, and where they come from! The dairying industry has been slow to respond to the attack. I well recall that during a previous debate we were told that South Australia has been promoting butterine for a long time. It would be interesting for our medical friends to run a check in South Australia to ascertain how many more people have died as a result of eating increased amounts of butterine. Surely if butter is so dangerous the death rate in South Australia would have shown an alarming increase. I do not think that can be proved.

The theory has been advanced—which I have no way of proving—that Italy, where the people gorge themselves on high cholesterol foods, has the lowest incidence of heart disease in the western world.

One could debate this matter for quite a long time. I commend the Bill to the House and I can see that the dairying industry has to go half way to meet the present situation. Had the industry received the right and proper protection some years ago, and had it received proper Government funding, we would not be discussing this vexed question.

I think Mr Williams would agree that for every theory advanced by a doctor in favour of polyunsaturated products, another theory could be advanced by another doctor with an opposing view. No doctor will say conclusively that without any shadow of doubt butter is dangerous.

The advertising campaign mounted on this occasion used scare tactics and built up a frenzy in the community. The consumption of butter was halved. The arguments raised cannot be conclusive because we are still exporting large quantities of dairy produce overseas.

I commend the Bill to the House. I hope at some future stage the Federal Government—of whichever political persuasion it may be—will come to the party to fund the right kind of research to prove or disprove this theory. Hardly a day goes by that one does not see some such article in the Press. Miss Elliott referred to bacon, but different products are mentioned nearly every day. This matter concerns not only the dairy industry, but also all our other primary producers.

THE HON. W. M. PIESSE (Lower Central) [5.31 p.m.]: I, too, wish to support the Bill, and I

would like to mention one or two points about it. We have heard a great deal of the danger of eating butter, but I think it should be pointed out that we can eat a reasonable amount of butter provided we also undertake a reasonable amount of exercise. That fact ought to receive more attention.

The Hon. D. K. Dans: That would go for margarine also.

The Hon. W. M. PIESSE: Yes, and margarine as well. As Mr Dans said, in the olden days, people lived on butter, meat, and dairy foods, but they also walked long distances. Many of us walk hardly any further than the distance to the front door. In my opinion the lack of exercise is more to blame for heart disease than are the things we eat. I am not now talking about the amount we eat, because that is of significance in relation to heart disease.

Mr Williams referred to the exporting of these dangerous food products to the eastern world. Many eastern people walk a great deal more than we do, or they ride push bikes, and so they use up excess amounts of these foods.

One reason for the decreased sale of butter in the past few decades has been the introduction of refrigerators. We all know that it is very difficult to spread butter which has come straight out of a refrigerator. Everyone imagines that they are extremely busy, and that they do not have time to wait until the butter becomes soft enough to be spread. This is one of the reasons that margarine now has such a large grip on the market. People are anxious to spread their bread and biscuits very quickly, and one cannot do that with butter straight out of the refrigerator.

I understand that one of the main virtues of this new product is that it is very spreadable. It needs to be kept in the refrigerator, but it can be taken out of the refrigerator and spread immediately. I wonder whether it is similar to a product sold in England and Europe under the trade name of "Gold" which is a mixture of ingredients, as is the product we are discussing. It is spreadable, delightful to eat, but one cannot cook with it.

We are about to legalise the sale of this new product, but I wonder whether it can be used for frying and baking, or can it be used only as a spread?

I fully support the Bill because of the needs of the dairy industry. I would hate to think that it might become necessary to phase out the dairy industry in this State; that just does not bear thinking about. I have heard people say that we do not need the dairy industry in this State because we can import all the butter, cheese, and

milk we need from the Eastern States or from somewhere else. Certainly we can do that, but only until such time as there is a transport upset or some other similar catastrophe. Then we are left high and dry.

Another important point about our dairy industry is that in this State, more than in any other State of the Commonwealth, we need to populate our outer areas. People must be employed away from the metropolitan area, and I envisage the dairy industry as one way to keep people occupied on small holdings. The dairy industry has a very important part to play in the spread of population throughout the State

I support the second reading of the Bill.

THE HON. R. THOMPSON (South Metropolitan) [5.35 p.m.]: I wish to ask a question of the Minister, but it is not really either in support of or opposition to the context of the Bill. When he replies to me I would like him to explain the necessity for the Margarine Act, No. 36 of 1940, which we are amending.

The Hon. A. A. Lewis: None whatsoever.

The Hon. R. THOMPSON: This was legislation introduced throughout Australia, and in section 6 we find the following interpretation—

“Australia” means the States of the Commonwealth of Australia, the Northern Territory, and the Federal Capital Territory.

My mind goes back to the first time I was ever really in trouble with the Labor Party.

The Hon. D. J. Wordsworth: I did not know they had margarine in those days.

The Hon. R. THOMPSON: Back in 1959 a Bill, entitled the Filled Milk Bill, was introduced into this Chamber. I opposed that legislation because I could see that it would deny a substance containing milk to the people living in the north-west of the State. At that time these people did not receive supplies by air or road transport; they relied on the State Shipping Service. The product concerned would have been beneficial to them.

The Filled Milk Bill was introduced by a Liberal Government to prop up the dairy industry, and I certainly admit that it needed some propping up. However, the legislation denied a nutritional food to the people of the north-west. Incidentally, this food was developed in Holland, the home of the dairy industry, and it was developed so that it could be transported to Indonesia and other countries which did not produce milk themselves. However, we were so narrow minded in this State that we did not want the people living in the northern part of Western Australia to enjoy the benefits of filled milk. I

think that is a sad statement of fact. In my opinion the Filled Milk Act should be repealed, and the people in remote areas should have the benefit of such a product.

I will return now to the Bill before us. In the early years quotas were imposed on the amount of margarine which could be imported or manufactured—I think the figure was something like 76 tons a year. Although we had had one margarine factory in North Fremantle, it had closed down in the 1930s, and from then on all our margarine was imported.

During the 1960s, so much margarine was imported that it became necessary to protect the dairy industry, and so, as I said, legislation was introduced throughout Australia. Mr Dans entered into the debate about whether margarine or butter is better for us, and I do not wish to comment on that. I eat butter myself, but I do not eat animal fats because my wife will not use them for cooking. However, many people have demanded a polyunsaturated product. I am aware that when polyunsaturated oils are heated to a certain temperature they become saturated, so there is no benefit in using them if they are heated to this extent.

I believe we have turned a full circle as far as the Margarine Act is concerned. In his reply I would like the Minister to tell us what is now left in the Act, and why it should remain on the Statute book. It was introduced to protect the dairy industry, but the Government is not now protecting the industry because it is seeking to allow the manufacture of dairy blend, and this can mean a whole host of things. From my reading of the Bill, the percentage of ingredients is not spelt out. We are not told what percentage of polyunsaturated margarine or even animal fat margarine and butterfat shall be used. I feel sure we will have further amendments to this Act, and we will hear further argument. If my assumption is correct, we should repeal the Margarine Act.

The Hon. A. A. Lewis: Hear, hear!

The Hon. R. THOMPSON: It would then be up to the people to buy what they choose.

Debate adjourned, on motion by the Hon. Neil McNeill.

SKELETON WEED (ERADICATION FUND) ACT AMENDMENT BILL

Second Reading

Debate resumed from the 15th August.

THE HON. R. T. LEESON (South-East) [5.41 p.m.]: The Bill before the House is to extend for a further three years the levy on grain

for the purpose of the skeleton weed eradication fund. That will take it up to the 1981-82 season.

The other day in the House a question was asked about the amount of money raised each year for this fund. Although I do not have the reply in front of me, I believe that between \$200 000 and \$300 000 a year is raised. Also, the Minister said that there was a carry-over each year.

I do not know the reason for the question, but presumably someone was concerned about whether it is worth while continuing this fund with the small amount of skeleton weed in the State. However, having read of some of the dangers of this particular plant, I have no doubt that the cause is a good one.

The eradication of this weed has been carried out satisfactorily. In the last 12 months the total area of skeleton weed in Western Australia was around 15 hectares, so obviously the campaign has been effective. The affected area has certainly been reduced, and for that reason alone it is worth collecting this rather small levy. We support the legislation.

THE HON. N. E. BAXTER (Central) [5.44 p.m.]: The National Country Party members support this measure because we believe that skeleton weed is a threat to our primary industries. We have had this weed for many years, and we cannot afford not to seek to eradicate it.

The wheatgrowers who are producing 30 tonnes or more of grain per annum pay a levy of \$30. This is a small amount, when one considers the benefits. The farmers pay this levy quite cheerfully; they know the threat skeleton weed poses to their crops.

The Hon. R. T. Leeson referred to Mr Gayfer's question on this subject, which sought information on how much had been collected since the inception of the levy. The minister for Lands gave the following reply—

\$	
1974-75	285 950
1975-76	267 510
1976-77	293 520
1977-78	203 350
1978-79	245 400.

Incidentally, it is easy to see the effect bad seasons have on this fund, with the substantial drop in collections experienced in the 1977-78 year.

The Bill provides for a continuation of the levy for a further three years after 1978-79; this is a welcome step, for it will provide the necessary money to deal with this menace.

The National Country Party supports this measure.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.46 p.m.]: I thank members for their support of the Bill. When the parent legislation was first introduced, many of us were quite apprehensive about whether skeleton weed in fact could be controlled. The department must be congratulated on its endeavours; not only has it controlled the spread of skeleton weed, but also it feels confident it can completely eradicate this menace to our crops. That would be a very great achievement, considering the scourge skeleton weed has been to all wheat-producing areas of Australia except Western Australia.

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.

TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th August.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [5.49 p.m.]: The Opposition does not oppose the Bill. However, that does not mean we are entirely happy with the existing consumer legislation. All members, wherever they sit, would agree that the present legislation is somewhat of a paper tiger.

The vast majority of people who supply goods and services to the public are honest and would never have their names referred to the Consumer Protection Bureau. However, we must accept there are some people in our community who do not really play the game.

I believe the Government has brought this legislation forward with good intentions; it is timely and fair.

In making the statement that consumer legislation generally is a paper tiger, I wish to make it abundantly clear the Australian Labor Party does not believe in mass prosecutions. In fact, it is sad we need legislation such as this. I do not know whether it is a reflection on the times in which we live or the kind of society we are developing. We managed to get by in this world for many years without the necessity for this kind of legislation because, generally, people did the right thing. I wonder at times when legislation

such as this comes before us whether this is some kind of signal, warning us that as a people we are degenerating faster than we care to think.

It is a sobering thought in these days of technology and rapid change that the great civilisation of this world has disappeared not as a result of technological achievements, but rather as a result of its own moral decay. When I say "moral decay" I mean moral decay generally. That seems to suggest to me that whilst we might have adequate consumer legislation, if society continues to decline in this manner we will need laws for almost everything; we will be surrounded by a sea of regulations and paper authority.

The prime purpose of the Bill is to amend the section of the Act which presently requires the prosecution to establish that a publisher knowingly published a false and misleading statement. The Bill will provide this person with a defence against such a charge if he can prove that he took reasonable precautions against committing such an offence and had reasonable grounds to believe, and did believe, that the statements did not contravene the legislation, and that he had no reason to suspect otherwise.

The Bill seeks to amend section 8(1), (3), and (4) in order to correct what is essentially an anomaly by providing that a person who publishes a statement which is false shall have a defence without calling upon the deeming provisions.

The legislation is fair to the extent that it allows a person further protection under the law.

In addition, this Bill seeks to increase the penalties for offences of this nature, which currently stand as follows—

- (a) for a first offence to a fine of not more than two hundred dollars or to imprisonment for six months or to both;
- (b) for a second offence to a fine of not less than two hundred dollars or more than five hundred dollars or imprisonment for twelve months or to both;
- (c) for a third or subsequent offence to a fine of not less than five hundred dollars or more than one thousand dollars or imprisonment for twelve months or to both.

Subsection (6) is to be repealed and replaced with the provision that a person convicted of an offence is liable to a penalty of \$5 000. So, that is a very heavy penalty.

However, if people are going to engage in false advertisements, perhaps a penalty of \$5 000—whilst it is a hefty penalty—may not be the answer. It may be necessary for the Government once more to engage in an educational programme aimed at dissuading young people from becoming rip-off merchants and rogues.

THE HON. N. E. BAXTER (Central) [5.55 p.m.]: I regard this as very important legislation, but how effective it will be only time will tell. I have in mind what I consider to be a particularly bad case of misleading advertising which I should like to relate to members. It concerns a certain television advertisement which has been appearing regularly for some time. It shows a helicopter landing on a piece of land; a gentleman steps from the helicopter and proceeds to tell the viewing public about the "rare earth" his company has for sale.

He goes on to state that the area is only 15 minutes' drive from the city, 15 minutes' drive from the hills, and 15 minutes from the ocean. I put it to members that if the gentleman were able to drive his motor vehicle from that location to Perth in only 15 minutes he would be exceeding the speed limit by many kilometres per hour, and probably would need to drive through "stop" signs and red lights as well. It may be possible to reach Perth from this area in only 15 minutes in a helicopter, but it is certainly not possible in a motor vehicle.

If that is not false advertising, I want to know what is! I am concerned to know whether this amending legislation will deal with this particular problem. It takes me some 20 minutes to drive from my place to the city, and this land development is at least 10 minutes' drive past my home, moving away from the city. Therefore, this drive could be achieved in nothing less than 25 minutes, and possibly more.

That is the type of false and misleading advertising which should be policed by this legislation, particularly when it is carried out as blatantly as this advertisement. I support the Bill and sincerely hope it will have some success.

Debate adjourned, on motion by the Hon. W. R. Withers.

House adjourned at 5.57 p.m.

QUESTIONS ON NOTICE**EDUCATION: SCHOOL***Balcatta*

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

Further to the Minister's reply to my question 144 on the 16th August, 1979, in reference to ventilation of boys' toilets at Balcatta Primary School, in which the Minister advised the matter was being investigated—

- (a) as the Minister earlier advised by letter dated the 25th July, 1979, in reply to my letter of the 9th July, that the problem was being investigated, how long is it expected this investigation will be necessary before a decision can be made; and
- (b) what are the options being investigated?

The Hon. D. J. WORDSWORTH replied:

- (a) and (b) The Public Works Department has advised that its investigation has been completed and a recommendation that mechanical ventilation be installed is expected.

TRANSPORT: BUSES*Linc*

159. The Hon. F. E. MCKENZIE, to the Minister for Lands representing the Minister for Transport:

- (1) On what date did tenders for the Linc buses to be used on the Perth-Fremantle service close?
- (2) On what date was a decision made to obtain these buses?
- (3) When was the successful tenderer advised?
- (4) What is the total cost of each bus when it is put onto the road?

The Hon. D. J. WORDSWORTH replied:

- (1) Prospective suppliers were contacted regarding price and availability of Linc bus chassis and submitted quotes.
- (2) The 17th January, 1979.
- (3) The 17th January, 1979.

- (4) Approximately \$130 000. Final cost will vary depending on variation in the exchange rate between date of order and date of delivery of the chassis.

EDUCATION*Slow Learning Children*

160. The Hon. I. G. PRATT, to the Minister for Lands representing the Minister for Education:

- (1) Has a site been chosen for the provision of educational facilities for slow learning children in the south-west planning corridor?
- (2) What are the criteria for site selection for this type of facility?
- (3) If the answer to (1) is "Yes"—
 - (a) for which main population centres will this facility cater;
 - (b) what is the estimated enrolment from each of these population centres;
 - (c) what is the distance from the planned facility of each of these population centres;
 - (d) what is the present population of each of these centres; and
 - (e) what is the projected population of these centres in the next decade?

The Hon. D. J. WORDSWORTH replied:

- (1) A combined primary school-special school site has been held by the Education Department for some time at North Parmelia.
- (2) Availability of an adequate site in the general area.
- (3) (a) Local government areas of Kwinana, Rockingham, and Mandurah.
 (b) Town of Kwinana 20 (approx.).
 Shire of Rockingham 20.
 Shire of Mandurah 6.
 (c) As children at special schools, other than in the immediate vicinity, are usually transported by a special bus system, distance of children from the school is not an important factor.
 (d) The WA Pocket Year Book shows that, together, the population of the three areas at the 30th June, 1978, was 43 260.
 (e) The Education Department does not keep this information.

CULTURAL AFFAIRS: ART GALLERY

Employees

161. The Hon. R. F. CLAUGHTON, to the Minister for Lands representing the Minister for Cultural Affairs:

- (1) Further to my question 113 on the 8th August, 1979, will the Minister advise for the following positions that were vacant on the 6th September, 1978, at the Art Gallery of Western Australia, the date of appointment and name of the appointee—
 - (a) Curator of Painting; and
 - (b) Senior Education Officer?
- (2) (a) What other new appointments, other than those referred to above and in the Minister's answer to my question 113, have been made to the staff of the Art Gallery; and
 - (b) what are the duties of the appointee/s?

The Hon. D. J. WORDSWORTH replied:

- (1) (a) Curator of Paintings—advertised nationally in November, 1978. No satisfactory applications received. Discussions with prospective appointees are continuing.
 - (b) Senior Education Officer—Mr Arthur Russell appointed by the board in May, 1978. He did not take up the position until the 3rd January, 1979 as he was under contract to the Commonwealth Teaching Service until December, 1978.
- (2) (a) and (b) A staff establishment has been set and the only new appointments have been replacements of a paper conservator, who commenced duty on the 28th February, 1979, and an information services assistant who replaces the position previously known as library assistant, and who commenced duty on the 13th August, 1979 and a typist in the education section.

TRANSPORT: BUSES

Linc

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

- (1) Have the Linc buses for use on the Perth-Fremantle service been purchased or leased?

- (2) If by way of lease arrangement, could the Minister supply details of the arrangement entered into, and the total cost involved?

The Hon. D. J. WORDSWORTH replied:

- (1) Leased.
- (2) The buses are the subject of an equipment lease under which the trust makes half-yearly payments over a period of 10 years and includes an option for renewal for further periods of up to eight years. The first half-yearly payment represents 7.3298 per cent of the equipment cost and subsequent payments represent 7.29938 per cent of the equipment cost. The total cost of the 17 buses is \$2.210 million.

DRAINAGE

Bowden Avenue Drain

163. The Hon. I. G. PRATT, to the Leader of the House:

- (1) Has the Metropolitan Water Supply, Sewerage, and Drainage Board received a request from the Town of Armadale to assume responsibility for the Bowden Avenue drain?
- (2) If "Yes", has the Metropolitan Water Supply, Sewerage, and Drainage Board agreed to this request?
- (3) If the answer to (1) is "No"—
 - (a) does the Metropolitan Water Supply, Sewerage, and Drainage Board intend to do so in the near future;
 - (b) if so, when;
 - (c) if not, why not?
- (4) What is the estimated cost of—
 - (a) piping the Bowden Avenue drain; and
 - (b) providing a satisfactory outfall from this drain into the Neerigen Brook system?

The Hon. I. G. Medcalf (for the Hon. G. C. MacKINNON) replied:

- (1) No.
- (2) Not applicable.
- (3) (a) No.
(b) Not applicable.

- (c) A constituted outlet drain exists from Tijuana Road to Neerigen Brook.
- (4) (a) Not available.
(b) See (3)(c) above.

CULTURAL AFFAIRS: ART GALLERY

Collection

164. The Hon. R. F. CLAUGHTON, to the Minister for Lands representing the Minister for Cultural Affairs:

Further to the Minister's answer to my question 117 on the 8th August, 1979, in reference to the paintings "which have been received from an international cultural foundation", it would be appreciated if the Minister would advise—

- (a) the name of the foundation;
(b) what are the conditions attached to the loan of the paintings by the foundation;
(c) what is the length of time the paintings are expected to be in the possession of the Art Gallery; and
(d) what is the total number of paintings on loan from this source?

The Hon. D. J. WORDSWORTH replied:

- (a) A private foundation which will be announced shortly.
(b) The collections are available for use by the Art Gallery of Western Australia without restriction, subject to exercise of the same care as is applied to the Art Gallery's own collection.
(c) Indefinitely.
(d) 101.

This information has not yet been released to the public. A formal announcement and presentation to Mr Christensen is scheduled for the 3rd October, 1979 as part of the opening activities of the new Art Gallery.

EARTH-MOVING MACHINERY

Small: Driver Training

165. The Hon. F. E. McKENZIE, to the Leader of the House representing the Minister for Labour and Industry:

- (1) Would the Minister advise me if any training facilities are available for

persons wishing to become skilled in the handling of bobcats and similar type machinery?

- (2) If "Yes", would he advise me where they exist because a number of driving schools contacted indicate that they do not cater for this type of training?
(3) If there are none apart from employers willing to train employees in this field, will the Government introduce a training scheme to cater for people wishing to gain employment involving the handling of such machinery?
(4) If not, why not?

The Hon. I. G. Medcalf (for the Hon. G. C. MacKINNON) replied:

- (1) I am not aware of any other than on-the-job facilities.
(2) Answered by (1).
(3) Discussions are currently progressing between representatives of industry, State Government, Commonwealth Government, and local government with a view to introducing a formal training scheme in the area of plant operating which would include the operating of bobcats and similar machinery.
(4) See (3) above.

TRAFFIC

Hardey Road

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

- (1) Is the Minister aware of the difficulty being experienced by residents of Belmont wishing to enter Hardey Road at junctions between Great Eastern Highway and Leach Highway due to the incessant flow of traffic along this road, particularly at peak periods?
(2) If "Yes", what action does the Main Roads Department, in conjunction with the Belmont City Council intend to take to overcome the problem?
(3) Will the Minister supply an approximate date on which a remedy can be expected to be implemented so as to overcome this situation?

The Hon. D. J. WORDSWORTH replied:

- (1) No undue problem has been brought to the Minister's notice. The City of Belmont's recently implemented Grandstand Street-Daly Street one-way pair envisaged that Hardey Road would be used as a connector between Great Eastern Highway and Leach Highway.
- (2) Answered by (1).
- (3) Any alleged problem will need to initially be considered by Belmont City Council in relation to its overall planning for the area.

TRAFFIC

Belvidere Street and Epsom Avenue

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

- (1) Would the Minister advise me why the Main Roads Department has erected large signs advising motorists wishing to enter Great Eastern Highway off Hardey Road, Belmont, and who travel in a northerly direction, that they should turn right into Belvidere Street?
- (2) Is the Minister aware that this route now channels traffic past one shopping centre in Belvidere Street and another in Epsom Avenue, and that large articulated trucks are creating a hazard to shoppers using these centres?
- (3) Was the Belmont City Council consulted on this matter before the route was chosen?
- (4) If not, why not?
- (5) If requested by the Belmont City Council—would the Minister give consideration to having the signs removed so that the traffic in the main uses the old route over Great Eastern Highway to Grandstand Road for entry into Great Eastern Highway from that junction?

The Hon. D. J. WORDSWORTH replied:

- (1) As an interim solution to the problems of congestion and hazard caused by relatively few right-turners, the Main Roads Department was forced to prohibit right turns at the Great Eastern Highway-Hardey Road signalled intersection. To compensate for such prohibition, the department was obliged to sign an alternative route via Belvidere Street and Epsom Avenue.
- (2) Yes, but it is considered that the trucks are not creating an undue hazard to shoppers.
- (3) Yes. The signs were erected following discussions between engineering staff of the Main Roads Department and the Belmont City Council. The proposal was accepted as an interim solution pending upgrading of Hardey Road intersection at Great Eastern Highway which will be undertaken this financial year subject to council's agreement to the plans.
- (4) Answered by (3).
- (5) The signs are intended for removal when the Great Eastern Highway-Hardey Road intersection is upgraded.

TRAFFIC

Hardey Road

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

- (1) Has there been any count done on the daily number of vehicles using Hardey Road, Belmont, between Great Eastern Highway and Leach Highway?
- (2) If "Yes", will the Minister supply details and the dates of any count done over the last three years?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
- (2) Copies of results of counts over the last three years at several locations are hereby supplied for the information of the honourable member.